

ANTI-DUMPING DUTY ON PRE-SENSITIZED POSITIVE OFF-SET ALUMINIUM PLATES ORIGINATING IN OR EXPORTED FROM SPECIFIED COUNTRIES:

[Notifn No.108/2007-Cus., dated 25.9.2007 as amended by 44/12]

Whereas in the matter of import of pre-sensitized positive off-set aluminium plates (hereinafter referred to as the subject goods), falling under Chapter 37, 76 or 84 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 countries), the designated authority in its final findings vide notification No. 14/6/2006-DGAD, dated the 23rd August, 2007, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 23rd August, 2007, read with the amendment No.14/6/2006-DGAD, dated the 13th September, 2007, has come to the conclusion that -

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

and has recommended imposition of definitive anti-dumping duty on all imports of the subject goods, originating in, or exported from, the subject countries 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 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 and the amendment 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 Chapters 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 specified in the corresponding entry in column (9), in the currency as specified in the corresponding entry in column (11) and as 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 as per like unit of measurement :

Duty Table

S. No.	Chapter	Description of goods	Specification	Country of Origin	Country of Export	Producer	Exporter	Amount US\$Kg.	Unit of Measurement	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
1	37, 76 or 84	Pre-sensitized positive	Any	People's Republic of China	People's Republic of China	Any	Any	5.682954	Kg.	US\$

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
		offset aluminium plates*								
2	37, 76 or 84	-do-	Any	People's Republic of China	Any other than People's Republic of China	Any	Any	5.682954	Kg.	US\$
3	37, 76 or 84	-do-	Any	Any except the subject countries	People's Republic of China	Any	Any	5.682954	Kg.	US\$
4 to 17		Omitted.								

* thickness ranging from 0.15 mm to 0.40 mm with a variation of 0.03 mm on either side.

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.

3. Notwithstanding anything contained in para 2 above, the antidumping duty imposed under this notification shall remain in force up to and inclusive of 23rd September, 2013 unless the notification is 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, 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 PRE-SENSITIZED POSITIVE OFFSET ALUMINIUM PLATES (PS PLATES) ORIGINATING IN OR IMPORTED FROM SPECIFIED COUNTRIES.
[NOTFN. NO. 35/10-CUS., DT. 19-3-2010]**

Whereas in the matter of import of Pre-sensitized Positive Offset aluminium Plates (PS Plates) (hereinafter referred to as “the subject goods”), falling under Chapters 37,76 or 84 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), originating in, or exported from, Bulgaria, China PR, Malaysia, Singapore and South Korea (hereinafter referred to as “the subject countries”) and imported into India, the

designated authority vide its final findings, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 23rd August, 2007, 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 had suffered material injury;
- (c) the injury had been caused cumulatively by the dumped imports from the subject countries;

and had considered it necessary to impose anti-dumping duty on all imports of the subject goods from the subject countries in order to remove the injury to the domestic industry;

And whereas, on the basis of the aforesaid findings of the designated authority, the Central Government had imposed anti-dumping duty on the subject goods vide notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 108/2007-Customs dated the 25th September, 2007, published in Part II, Section 3, Sub-section (i) of the Gazette of India, Extraordinary, vide number G.S.R. 627(E), dated the 25th September, 2007;

And whereas, M/s. Kodak (China PR) Graphic Communications Company Ltd., (Producer / Exporter from China PR) has 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. 15/13/2009-DGAD dated the 8th January, 2010, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 8th January, 2010, has recommended provisional assessment of all exports of the subject goods made by the said M/s. Kodak (China PR) Graphic Communications Company Ltd., (Producer / Exporter from China PR) till the completion of the 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, Pre-sensitized Positive Offset aluminium Plates (PS Plates) falling under Chapters 37,76 or 84 of the First Schedule to the said Customs Tariff Act, produced and/or exported by M/s. Kodak (China PR) Graphic Communications Company Ltd., 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 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 into India of the subject goods from M/s. Kodak (China PR) Graphic Communications Company Ltd., (Producer / Exporter from China PR), from the date of initiation of the said review.

ANTI DUMPING DUTY ON PRESENSITISED POSITIVE OFFSET ALUMINIUM PLATES ORIGINATING IN OR IMPORTED FROM SPECIFICED COUNTRIES.**[Notfn. No. 25/14-Cus., dt. 9.6.2014]**

Whereas, the designated authority, vide notification No. 15/11/2012- DGAD, dated the 18th September, 2012, published in Part I, Section 1 of the Gazette of India, Extraordinary, dated the 18th September, 2012, had initiated a review in the matter of continuation of anti-dumping on imports of Presensitised Positive Offset Aluminium Plates (thickness ranging from 0.15 mm to 0.40 mm with a variation of 0.03 mm on either side) (hereinafter referred to as the subject goods) falling under Chapter 37, 76 or 84 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, the People's Republic of China (hereinafter referred to as the subject country), imposed vide notification of Government of India, in the Ministry of Finance (Department of Revenue), No. 108/2007-Customs, dated the 25th September, 2007, published in Part II, Section 3, Sub-section (i) of the Gazette of India, Extraordinary, vide G.S.R. No. 627 (E), dated the 25th September, 2007.

And whereas, the Central Government had extended the anti-dumping duty on the subject goods, originating in, or exported from, the subject country up to and inclusive of the 23rd September, 2013 vide notification of the Government of India, in the Ministry of Finance (Department of Revenue), No. 44/2012-Customs(ADD) dated the 25th September, 2012, published in Part II, Section 3, Sub-section (i) of the Gazette of India, Extraordinary, vide G.S.R No. 715(E), dated the 25th September, 2012.

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. 15/11/2012-DGAD, dated the 10th March, 2014, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 10th March, 2014, has come to the conclusion that -

- (i) There has been continued dumping of the subject goods from subject country and the dumping is likely to continue and intensify if anti-dumping duty is allowed to cease;
- (ii) The subject goods are entering the Indian market at dumped prices from the subject country and the dumping margin is substantial causing injury to the domestic industry;
- (iii) The injury to the domestic industry is likely to continue in the event of withdrawal of anti-dumping duty from the subject country;
- (iv) The anti-dumping duty is required to be extended and revised,

and has recommended continued imposition of the anti-dumping duty against 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 said 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 Chapter of the First Schedule to the 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 country as specified in the corresponding entry in column (5), and produced by the producers as specified in the corresponding entry in column (7), and exported from the country 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 equal to the amount specified in the corresponding entry in column (9), in the currency as specified in the corresponding entry in column (11) and as per unit of measurement as specified in the corresponding entry in column (10) of the said Table.

Table

Sl. Chapter No.	Description of goods	Specification	Country of Origin	Country of Export	Producer	Exporter	Duty Amount	Unit	Currency
(1) (2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
1. 37, 76 or 84	Presensitised Positive Offset Aluminium Plates	Thickness ranging from 0.15mm to 0.40 mm with a variation of 0.03mm on either side	People's Republic of China	People's Republic of China	Any	Any	0.22	Per Kg	USD
2. 37, 76 or 84	Presensitised Positive Offset Aluminium Plates	Thickness ranging from 0.15mm to 0.40 mm with a variation of 0.03mm on either side	People's Republic of China	Any other than People's Republic of China	Any	Any	0.22	Per Kg	USD
3. 37, 76 or 84	Presensitised Positive Offset Aluminium Plates	Thickness ranging from 0.15mm to 0.40 mm with a variation of 0.03mm on either side	Any other than People's Republic of China	People's Republic of China	Any	Any	0.22	Per Kg	USD

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 publication of this notification in the Official Gazette 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 under sub-clause (i) of clause (a) of subsection (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.

For Anti-Dumping duty on Pre-sensitized Positive Offset aluminium Plates (PS Plates) - Notification No. 35/10 dated 19.3.2010 in Chapter 76 and Chapter 84.