

ANTI-DUMPING DUTY ON SPORTS SHOES, NON-LEATHER SPORTS FOOTWEAR, ORIGINATING IN OR EXPORTED FROM THE PEOPLE'S REPUBLIC OF CHINA:**[Notfn. No. 96/01-Cus. dt. 25.9.2001]**

WHEREAS in the matter of import of Sports Shoes, non-leather sports footwear (hereinafter referred to as "the subject goods"), falling under sub-heading No. 6402.12, 6402.19, 6403.12, 6403.19, 6404.11, 6405.20 or 6405.90 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), originating in, or exported from, the People's Republic of China, the Designated Authority *vide* its preliminary findings, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 25th January, 2001, had come to the conclusion that-

- (a) the subject goods, originating in, or exported from, the People's Republic of China had been exported to India below their normal value;
- (b) the domestic industry had suffered material injury by way of decline in its market share and financial losses due to depressed selling prices on account of price depression caused by low landed prices of the dumped subject goods;
- (c) the injury had been caused to the domestic industry by dumping of the subject goods originating in, or exported from, the People's Republic of China,-

and the Designated Authority had considered it necessary to impose anti-dumping duty, provisionally, pending final determination, on all imports of the subject goods, originating in, or exported from, the People's Republic of China;

AND WHEREAS on the basis of the aforesaid findings of the Designated Authority, the Central Government had imposed an anti-dumping duty *vide* notification No. 15/2001-Customs, dated the 9th February, 2001, published in Part II, Section 3, Sub-section (i) of the Gazette of India, Extraordinary, dated the 9th February, 2001 *vide* No. G.S.R. 80 (E), dated the 9th February, 2001;

AND WHEREAS, the Designated Authority, *vide* its final findings, published in the Gazette of India, Extraordinary, Part I, Section I, dated the 12th September, 2001, has come to the conclusion that-

- (a) the subject goods originating in, or exported from, the People's Republic of China, have been exported to India below their normal value;
- (b) the domestic industry has suffered material injury by way of loss in production and financial losses due to depressed selling prices on account of price depression caused by low landed prices of the dumped subject goods;
- (c) the injury has been caused to the domestic industry by dumping of the subject goods originating in, or exported from, the People's Republic of China,-

and the Designated Authority has considered it necessary to impose anti-dumping duty, on all imports of the subject goods, originating in, or exported from, the People's Republic of China;

NOW, therefore, in exercise of the powers conferred by sub-sections (1) and (5) of section 9A of the said Customs Tariff Act, 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 above findings of the Designated Authority, hereby imposes on Sports Shoes, non-leather sports footwear, of categories specified in column (2) of the Table annexed hereto, falling under sub-heading No. 6402.12, 6402.19, 6403.12, 6403.19, 6404.11, 6405.20 or 6405.90 of the First Schedule to the said Customs Tariff Act, originating in, or exported from, the People's Republic of China, when exported by any exporter/producer, and imported into India, an anti-dumping duty at the rate

which shall be calculated as the difference between the corresponding amount mentioned in column (3) of the said Table and the landed value of such imported subject goods in US \$ per pair.

Table

S.No.	Category of Sports Shoes	Amount(US \$ per pair)
(1)	(2)	(3)
1.	(a) Bearing a brand name	12.9
	(b) Goods other than (a) above	5.044

2. The anti-dumping duty imposed under this notification shall be levied with effect from the date of imposition of the provisional anti-dumping duty, i.e., the 9th February, 2001, and shall be payable 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 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 sub-section (3) of section 14 of the said Customs Act, 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.

