

[TO BE PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY, PART II, SECTION 3, SUB-SECTION (i)]

GOVERNMENT OF INDIA
MINISTRY OF FINANCE
(DEPARTMENT OF REVENUE)

Notification No. 43/2021 -Customs (ADD)

New Delhi, the 9th August, 2021

G.S.R.---(E).- – Whereas, in the matter of “Phthalic Anhydride” (hereinafter referred to as the subject goods), falling under tariff item 2917 35 00 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 China PR, Indonesia, Korea RP and Thailand (hereinafter referred to as the subject countries) and imported into India, the designated authority in its final findings *vide* notification No. 6/16/2020-DGTR, dated the 19th May, 2021, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 19th May, 2021, has come to the conclusion that-

- (i) the product under consideration has been exported at a price below normal value, thus resulting in dumping;
- (ii) the domestic industry has suffered material injury;
- (iii) there is causal link between dumping of product under consideration and injury to the domestic industry,

and has recommended imposition of definitive anti-dumping duty on imports of the subject goods, originating in, or exported from the subject countries and imported into India, 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 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, 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 the tariff item 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), exported from the countries as specified in the corresponding entry in column (5), produced by the producers as specified in the corresponding entry in column (6), and imported into India, an anti-dumping duty at the rate equal to the amount as specified in the corresponding entry in column (7), in the currency as specified in the corresponding entry in column (9) and as per unit of measurement as specified in the corresponding entry in column (8) of the said Table, namely:-

Table

S.No.	Tariff item	Description of subject goods	Country of origin	Country of export	Producer	Amount	Unit	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1.	29173500	Phthalic Anhydride	China PR	Any country including China PR	Any	40.08	MT	US\$
2.	29173500	Phthalic Anhydride	Any country other than Indonesia, Korea RP and Thailand	China PR	Any	40.08	MT	US\$
3.	29173500	Phthalic Anhydride	Indonesia	Any country including Indonesia	P.T. Petrowidada	59.83	MT	US\$
4.	29173500	Phthalic Anhydride	Indonesia	Any country including Indonesia	Any other	90.11	MT	US\$
5.	29173500	Phthalic Anhydride	Any country other than China PR, Korea RP and Thailand	Indonesia	Any	90.11	MT	US\$
6.	29173500	Phthalic Anhydride	Korea RP	Any country including Korea RP	Aekyung Petrochemical	41.26	MT	US\$
7.	29173500	Phthalic Anhydride	Korea RP	Any country including Korea RP	Hanwha Solution Corporation	41.64	MT	US\$

8.	29173500	Phthalic Anhydride	Korea RP	Any country including Korea RP	Any other	140.17	MT	US\$
9.	29173500	Phthalic Anhydride	Any country other than China PR, Indonesia and Thailand	Korea RP	Any	140.17	MT	US\$
10.	29173500	Phthalic Anhydride	Thailand	Any country including Thailand	Continental Petrochemicals Co Limited	63.06	MT	US\$
11.	29173500	Phthalic Anhydride	Thailand	Any country including Thailand	Any other	134.91	MT	US\$
12.	29173500	Phthalic Anhydride	Any country other than China PR, Korea RP and Indonesia	Thailand	Any	134.91	MT	US\$

Provided that in respect of goods originating in or exported from Korea RP where duty of customs leviable under First Schedule to the Customs Tariff Act (hereinafter referred to as the said customs duty) is paid in accordance with notification of the Government of India, in the Ministry of Finance (Department of Revenue) No. 152/2009-Customs, dated the 31st December, 2009, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) *vide* number G.S.R. 943 (E), dated the 31st December, 2009, the anti-dumping duty under this notification shall apply in such cases where the said customs duty is less than the amount indicated in Column 7 of the table above and in such cases, the anti-dumping duty imposed under this notification shall be equal to the difference between the said amount and the said customs duty.

2. The anti-dumping duty imposed under this notification 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 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.

[F.No. CBIC-190354/122/2021-TO(TRU)-CBEC]

(Rajeev Ranjan)

Under Secretary to the Government of India.