CHAPTER 48

ANTI-DUMPING DUTY NOTIFICATIONS

ANTI-DUMPING DUTY ON THERMAL SENSITIVE PAPER ORIGINATING IN OR EXPORTED FROM JAPAN:

WHEREAS in the matter of import of Thermal Sensitive Paper (TSP) falling under sub-heading No. 4809 90 00 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), originating in, or exported from Japan, Finland, Germany and European Union (EU), the designated authority vide its preliminary final findings published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 3rd March, 2000 had come to the conclusion that -

(a) Thermal Sensitive Paper (falling under Chapter 48) originating in, or exported from European Union and Japan has been exported to India below normal value;
(b) the domestic industry has suffered material injury;
(c) the injury has been caused to the domestic industry by the dumping of the subject goods originating in, or exported from, European Union and Japan;

AND WHEREAS on the basis of the aforesaid findings of the Designated Authority, the Central Government has imposed anti-dumping duty vide notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 39/2000-Customs, dated the 6th April, 2000 [G.S.R.318 (E), dated the 6th April, 2000], published in part II, Section 3, Sub-section (i) of the Gazette of India, Extraordinary, dated the 6th April, 2000.

AND WHEREAS the Customs, Excise and Gold (Control) Appellate Tribunal (hereinafter referred to as CEGAT), in its Final Order No. 42 to 43/2000-A dated 10th November, 2000 in Appeal No. C/373/2000-AD in the matter of M/s Jujo Thermal Ltd. vs Designated Authority, Ministry of Commerce, has directed the Government of India to modify the anti-dumping duty in US dollar terms;

AND WHEREAS the designated authority has accepted the above order of CEGAT dated the 3rd October, 2000 and has amended paragraph 31 of the said final findings;

Now, therefore, in exercise of the powers conferred by sub-section (1) of sub-section (8) 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 and in supersession of the notification of the Government of India in the Ministry of Finance (Department of Revenue) No. 39/2000-Customs, dated the 6th April, 2000, [G.S.R. 318(E), dated the 6th April, 2000], except as respect things done or omitted to be done before such supersession, the Central Government hereby imposes on Thermal Sensitive Paper (TSP) falling under sub-heading No. 4809 90 00 of the First Schedule to the Said Customs Tariff Act, originating in, or exported from, the countries mentioned in column (2) of the Table below, and when exported by exporters mentioned in the corresponding entry in column (3) of the said Table, and imported into India, an anti-dumping duty at the rate mentioned in the corresponding entry in column (4) of the said Table.

<table>
<thead>
<tr>
<th>S.No.</th>
<th>Name of the Country</th>
<th>Name of the Exporter</th>
<th>Amount of anti-dumping duty (in US $ per square meter)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Omitted</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Japan</td>
<td>All exporters</td>
<td>0.03865</td>
</tr>
</tbody>
</table>
ANTI-DUMPING DUTY NOTIFICATIONS

CHAPTER 48

2. The anti-dumping duty shall be paid in Indian currency.

Explanation: For the purposes of this notification, "rate of exchange" applicable for the purposes 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 or 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 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 THERMAL SENSITIVE PAPER (TSP) ORIGINATING IN OR EXPORTED FROM PEOPLE'S REPUBLIC OF CHINA:

[Notfn. No. 73 /02-Cus., dt. 24.7.2002 as amended by 122/06]

WHEREAS in the matter of import of thermal sensitive paper (TSP) falling under sub-heading 4809 90 00 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), originating in, or exported from, the Peoples' Republic of China, the designated authority vide its preliminary findings, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 8th November, 2001 had come to the conclusion that -

(i) thermal sensitive paper has been exported from the Peoples' Republic of China to India below its normal value;
(ii) the Indian industry has suffered material injury and is being threatened with further injury;
(iii) the injury has been caused by the dumped imports from the Peoples' Republic of China;

and 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 Peoples' 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 on the said thermal sensitive paper vide notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 127/2001-Customs, dated the 21st December, 2001, [G.S.R. 915 (E), dated the 21st December, 2001] published in Part II, Section 3, Sub-section (i) of the Gazette of India, Extraordinary, dated the 21st December, 2001;

AND WHEREAS the designated authority vide its final findings, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 8th July, 2002, has come to the conclusion that -

(i) thermal sensitive paper (TSP) has been exported from the Peoples’ Republic of China to India below its normal value;
(ii) the Indian industry has suffered material injury on account of price undercutting, price suppression and significant increase in the volume of dumped imports from Peoples’ Republic of China and is being threatened with further injury;
(iii) the injury has been caused to the domestic industry by the dumped imports from the Peoples’ Republic of China;

AND WHEREAS the designated authority has recommended the imposition of definitive anti-dumping duty on the said thermal sensitive paper originating in, or exported from, the Peoples’ Republic of China;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 9A of the said Customs Tariff Act, read with sub-section (5) thereof, and 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 of the designated authority, hereby imposes on the thermal sensitive paper falling under sub-heading 4809 90 00 or heading 48.11 or heading 48.16 of the First Schedule to the said Customs Tariff Act, originating in, or exported from, the Peoples’ Republic of China, when exported by exporter / producer mentioned in column (2) of the Table annexed below, and imported into India, an anti-dumping duty at the rate which is equivalent to the amount
mentioned in the corresponding entry in column (3) of the said Table.

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Exporters/ Producers</th>
<th>Anti-dumping duty (US$ per Kg)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>All exporters/ Producers of Peoples’ Republic of China</td>
<td>0.967</td>
</tr>
</tbody>
</table>

2. The anti-dumping duty imposed under this notification shall be levied with effect from the date of the imposition of the provisional duty, i.e. the 21st December, 2001, and shall be paid in Indian currency.

Explanation. - For the purposes of this notification, “rate of exchange” applicable for the purposes 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 under 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 THERMAL SENSITIVE PAPER ORIGINATING IN OR EXPORTED FROM EUROPEAN UNION:**

[Notfn. No. 102/02-Cus., dt. 7.10.2002 as amended by 122/06]

WHEREAS in the matter of import of thermal sensitive paper (hereinafter referred to as TSP) falling under sub-heading 4809 90 00 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), originating in or exported from, Japan, Finland, Germany and European Union, the designated authority vide its final findings published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 3rd March, 2000 had come to the conclusion that -

(a) TSP (falling under Chapter 48) originating in, or exported from, European Union and Japan has been exported to India below its normal value;
(b) the domestic Industry has suffered material injury;
(c) the injury has been caused to the domestic industry by the dumping of TSP originating in, or exported from, European Union and Japan;

AND WHEREAS on the basis of the aforesaid findings of the designated authority, the Central Government had imposed an anti-dumping duty on the said TSP vide notification of the Government of India in the erstwhile Ministry of Finance (Department of Revenue), No. 39/2000-Customs, dated the 6th April, 2000 [G.S.R. 318 (E), dated the 6th April, 2000], published in Part II, Section 3, Sub-section (i) of the Gazette of India, Extraordinary, dated the 6th April, 2000;

AND WHEREAS the Customs, Excise and Gold (Control) Appellate Tribunal (hereinafter referred to as CEGAT), in its Final Order No. 42 to 43/2000-A, dated the 10th November, 2000, in Appeal No. C/373/2000-AD in the matter of M/s Jujo Thermal Ltd. vs Designated Authority, Ministry of Commerce, had directed the Government of India to modify the anti-dumping duty in US dollar terms;

AND WHEREAS the designated authority had accepted the aforesaid order of CEGAT dated the 10th November, 2000, and had amended paragraph 31 of the said final findings;

AND WHEREAS on the basis of the aforesaid order of the CEGAT, the Central Government had imposed an anti-dumping duty on the said TSP vide notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 156/2000-Customs, dated the 26th December, 2000 [G.S.R. 936 (E), dated the 26th December, 2000], published in Part II, Section 3, Sub-section (i) of the Gazette of India,
CHAPTER 48  ANTI-DUMPING DUTY NOTIFICATIONS

Extraordinary, dated the 26th December, 2000;

AND WHEREAS in the matter of import of said TSP, originating in, or exported from, European Union, the designated authority vide its final findings in review, published in the Gazette of India, Extraordinary, Part I Section 1, dated the 11th September, 2002 has come to the conclusion that -

(i) TSP has been exported from the European Union to India below normal value;
(ii) the Indian industry continues to suffer material injury on account of price undercutting, price suppression, significant increase in the volume of dumped imports, increased inventory, financial losses as a result of dumped imports from European Union and is being threatened with further injury;
(iii) the injury has been caused to the domestic industry by the dumped imports from the European Union;

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 rule 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 on the basis of aforesaid final findings of the designated authority hereby imposes on the said TSP falling under sub-heading 4809 90 00 or heading 48.11 or heading 48.16 of the First Schedule to the said Customs Tariff Act, originating in, or exported from, the European Union, and when exported by exporters mentioned in column (2) of the Table below, and imported into India, an anti-dumping duty at the rate equivalent to the difference between the amount mentioned in column (3) of the said Table and the landed value of import per metric tonne of the thermal sensitive paper.

Table

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Name of the exporter</th>
<th>Amount (in US $ per metric tonne)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>M/s Papierfabrik August Koehler AG, Germany</td>
<td>2947.92</td>
</tr>
<tr>
<td>2</td>
<td>M/s Jujo Thermal Ltd. Finland</td>
<td>2947.92</td>
</tr>
<tr>
<td>3</td>
<td>All other exporters of European Union</td>
<td>2947.92</td>
</tr>
</tbody>
</table>

2. The anti-dumping duty shall be paid 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 the 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 under sub-clause (i) of clause (a) of sub-section (3) of section 14 of the said Customs Act and the relevant date for 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.
CHAPTER 48  ANTI-DUMPING DUTY NOTIFICATIONS

2908  ANTI-DUMPING DUTY ON THERMAL SENSITIVE PAPER EXPORTED BY M/S. PAPIERFABRIC AUGUST KOEHLER AG, GERMANY:

[Notfn. No. 128/02-Cus., dt. 15.11.2002]

WHEREAS in the matter of import of Thermal Sensitive Paper (hereinafter referred to as TSP) falling under sub-heading No.4809.10 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), originating in, or exported from, Japan, Finland, Germany and European Union, the designated authority, vide its final findings, notification No.25/1/98/ADD. dated the 3rd March, 2000 published in the Gazette of India, Extraordinary, Part I Section I, dated the 3rd March, 2000, had come to the conclusion that-

(a) TSP originating in, or exported from European Union and Japan has been exported to India below its normal value;
(b) the domestic Industry has suffered material injury;
(c) the injury has been caused to the domestic industry by the dumping of TSP originating in, or exported from, European Union and Japan;

AND WHEREAS on the basis of the aforesaid findings of the designated authority, the Central Government had imposed an anti-dumping duty on TSP vide notification of the Government of India in the erstwhile Ministry of Finance (Department of Revenue), No.39/2000-Customs, dated the 6th April, 2000 [G.S.R. 318 (E), dated the 6th April, 2000], published in Part II, Section 3, Sub-section (i) of the Gazette of India, Extraordinary, dated the 6th April, 2000;

AND WHEREAS the Customs, Excise and Gold (Control) Appellate Tribunal (hereinafter referred to as CEGAT), in its Final Order No.42 to 43/2000-A dated 10th November, 2000 in Appeal No.C/373/2000-AD in the matter of M/s Jujo Thermal Ltd. vs designated authority, Ministry of Commerce, had directed the Government of India to modify the amount of anti-dumping duty in terms of US dollar;

AND WHEREAS the designated authority had accepted the above Final Order of CEGAT, dated the 10th November, 2000 and has amended paragraph 31 of the said final findings;

AND WHEREAS on the basis of the aforesaid Final Order of CEGAT, the Central Government had imposed an anti-dumping duty on TSP vide notification of the Government of India in the erstwhile Ministry of Finance (Department of Revenue), No.156/2000-Customs, dated the 26th December, 2000 [G.S.R. 936 (E), dated the 26th December, 2000], published in Part II, Section 3, Sub-section (i) of the Gazette of India, Extraordinary, dated the 26th December, 2000;

AND WHEREAS on the basis of a request made by M/s. Papierfabrik August Koehler Ag, Germany 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 recommendations of designated authority vide notification No.38/1/2001-DGAD dated the 15th October, 2001 published in the Gazette of India, Extraordinary, Part I, Section 1 dated the 15th October, 2001, the Central Government, vide notification No.120/2001-Customs, dated the 16th November, 2001 [Published in the Gazette of India, Extraordinary, vide G.S.R.851(E), dated the 16th day of November, 2001], had ordered that pending the outcome of the review initiated by the designated authority, TSP, falling under sub-heading No.4809.10 of the First Schedule to the said Customs Tariff Act, exported, during the period of investigation beginning with the 1st November, 2001 and ending with the 30th April, 2002, by M/s Papierfabrik August Koeehler Ag, Germany, where imported into India shall be subjected to provisional assessment and a Bank guarantee for the amount of duty calculated at the rate of US $ 0.04390 per square meter;

AND WHEREAS the designated authority vide its final findings in mid term review, notification No. 31/1/2001-DGAD, dated the 11th September, 2002, published in the Gazette of India, Extraordinary, Part-I, Section 1, dated the 11th September, 2002 has recommended imposition of anti-dumping duty, inter alia, in respect of exports of TSP by M/s Papierfabrik August Koehler Ag, Germany;
AND WHEREAS the designated authority vide its final findings in mid term review, of the designated authority, the Central Government had imposed an anti-dumping duty on TSP vide notification of the Government of India in the erstwhile Ministry of Finance (Department of Revenue), No. 102/2002-Customs, dated the 7th October, 2002 [G.S.R. 681(E), dated the 7th October, 2002], published in Part II, Section 3, Sub-section (i) of the Gazette of India, Extraordinary, dated the 7th October, 2002;

AND WHEREAS on the basis of the aforesaid final findings in mid term review of the designated authority, the Central Government had imposed an anti-dumping duty on TSP vide notification No.38/1/2001-DGAD dated the 11th October, 2002 published in the Gazette of India, Extraordinary, Part 1, Section 1 dated the 11th October, 2002, in view of the aforesaid final findings in mid term review, did not consider it necessary to issue findings, and therefore, has recommended for termination of review initiated vide the said notification No.38/1/2001-DGAD dated the 15th October 2001;

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 rescinds the notification of the government of India in the Ministry of Finance (Department of Revenue), No.120/2001-Customs, dated the 16th day of November, 2001 [G.S.R.851 (E), dated the 16th November, 2001] and orders that all provisional assessments of Thermal Sensitive Paper (TSP) falling under sub-heading No.4809.10 of the First Schedule to the said Customs Tariff Act, during the period beginning with the 1st November, 2001 and ending with the 30th April, 2002, exported by M/s Papierfabrik August Koehler Ag, Germany, and imported into India, be finalised calculating the applicable anti-dumping duty at the rate of US$ 0.04390 per square meter.

Explanation.- For the purposes of this notification, the anti-dumping duty shall be calculated in Indian currency and the rate of exchange applicable for the purposes 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 under 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 GREEN VENEER TAPE ORIGINATING IN OR EXPORTED FROM CHINESE TAIPEI:
[Notfn. No. 36/04-Cus., dt. 9.2.2004]

WHEREAS, in the matter of import of Green Veneer Tape, falling under Chapter 48 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975) (hereinafter referred to as the subject goods), originating in, or exported from, Chinese Taipei (hereinafter referred to as the subject country), the designated authority vide its preliminary findings, No. 14/50/2002-DGAD, dated the 23rd May, 2003, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 23rd May, 2003, had come to the conclusion that –

(a) the subject goods had been exported to India from the subject country below its normal value;

(b) the domestic industry had suffered material injury;

(c) the material injury had been caused to the domestic industry on account of dumped imports of the subject goods originating in or exported from the subject country;

and the designated authority had recommended imposition of provisional anti-dumping duty, pending final determination, on all 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 imposed an anti-dumping duty vide notification of the Government of India in the Ministry of
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2910 ANTI-DUMPING DUTY NOTIFICATIONS

Finance (Department of Revenue), No. 103/2003-Customs, dated the 9th July, 2003, published in Part II, Section 3, Sub-section (i) of the Gazette of India, Extraordinary, dated the 9th July, 2003 [G.S.R. 534(E), dated the 9th July, 2003];

AND WHEREAS, the designated authority, vide its final findings No. 14/50/2002-DGAD, dated the 24th December, 2003, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 24th December, 2003, has come to the conclusion that-

(a) subject goods have been exported to India from the subject country below its normal value;
(b) the Indian industry has suffered material injury;
(c) the injury has been caused by the imports from the subject country,

and the designated authority has considered it necessary to impose final anti-dumping duty on all imports of the subject goods, originating in, or exported from the subject country so as to remove the injury to the domestic industry;

NOW, therefore, in exercise of the powers conferred by sub-section (1) of section 9A of the said Customs Tariff Act, 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 findings of the designated authority, hereby imposes on the goods, the description of which is specified in column (3) of the Table below, falling under headings 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 as specified in the corresponding entry in column (9), in the currency as specified in the corresponding entry in column (11) and per unit of measurement as specified in the corresponding entry in column (10), of the said Table, and the landed value of such imported goods in like currency per like unit of measurement.

Table

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Heading No.</th>
<th>Description of goods</th>
<th>Specification</th>
<th>Country of origin</th>
<th>Country of Export</th>
<th>Producer</th>
<th>Exporter</th>
<th>Amount</th>
<th>Unit of measurement</th>
<th>Currency</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>4811or 4823</td>
<td>Green Veneer Tape</td>
<td>All grades</td>
<td>Chinese Taipei</td>
<td>Chinese Taipei</td>
<td>Any producer</td>
<td>Any exporter</td>
<td>0.13334</td>
<td>Square Meter</td>
<td>US Dollar</td>
</tr>
<tr>
<td>2</td>
<td>4811or 4823</td>
<td>Green Veneer Tape</td>
<td>All grades</td>
<td>Any country other than Chinese Taipei</td>
<td>Chinese Taipei</td>
<td>Any producer</td>
<td>Any exporter</td>
<td>0.13334</td>
<td>Square Meter</td>
<td>US Dollar</td>
</tr>
<tr>
<td>3</td>
<td>4811or 4823</td>
<td>Green Veneer</td>
<td>All grades</td>
<td>Chinese Taipei</td>
<td>Any country</td>
<td>Any producer</td>
<td>Any exporter</td>
<td>0.13334</td>
<td>Square Meter</td>
<td>US Dollar</td>
</tr>
</tbody>
</table>
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 July 2003, 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 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 powers conferred by sub-clause (i) of clause (a) of sub-section (3) of section 14 of the said 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.

ANTIDUMPING DUTY ON THERMAL SENSITIVE PAPER ORIGINATING IN OR EXPORTED FROM INDONESIA, MALAYSIA & UAE:


Whereas in the matter of import of Thermal Sensitive Paper (hereinafter referred to as the subject goods), falling under Chapter 48 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), originating in or exported from Indonesia, Malaysia and United Arab Emirates (hereinafter referred to as the subject countries), the Designated Authority vide its final findings notification No. 14/24/2003-DGAD, dated the 27th January, 2005, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 27th January 2005, has come to the conclusion that –

(i) The subject goods have been exported to India from the subject countries below its normal value;

(ii) the domestic industry has suffered material injury;

(iii) the material injury has been caused by the dumped imports from the subject countries;

And whereas, the designated authority has recommended imposition of anti-dumping duty on imports of the subject goods, originating in, or exported from, the subject countries;

Now therefore, in exercise of the powers conferred by sub-section (1), read with sub-section (5) of section 9A of the said Customs Tariff Act and 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 findings of the designated authority hereby imposes on the goods, the description of which is specified in column (3) of the Table below, falling under Chapter 48 of the First Schedule to the said Act as specified in the corresponding entry in column (2), originating in the countries specified in the corresponding entry in column (5), and exported from the countries specified in the corresponding entry in column (6) and produced by the producers specified in the corresponding entry in column (7) and exported by the exporters specified in the corresponding entry in column (8), and imported into India, an anti-dumping duty which shall be equivalent to 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 per unit of measurement as specified in the corresponding entry in column (10), of the said Table, and the landed value of such imported goods in like currency per like unit of measurement.

<table>
<thead>
<tr>
<th>(1)</th>
<th>(2)</th>
<th>(3)</th>
<th>(4)</th>
<th>(5)</th>
<th>(6)</th>
<th>(7)</th>
<th>(8)</th>
<th>(9)</th>
<th>(10)</th>
<th>(11)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tape</td>
<td>other than Chinese Taipei</td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>1.</td>
<td>4809 10</td>
<td>Thermal</td>
<td>All types</td>
<td>Indonesia</td>
<td>Any country</td>
<td>Any Producer</td>
<td>Any</td>
<td>exporter</td>
<td>1730.15</td>
<td>MT</td>
</tr>
<tr>
<td></td>
<td>4811 90</td>
<td>Sensitive Paper</td>
<td>All types</td>
<td>Any country other than Malaysia and United Arab Emirates</td>
<td></td>
<td></td>
<td></td>
<td></td>
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4. the anti-dumping duty imposed under this notification shall be levied for a period of five years 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 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 UNCOATED COPIER PAPER ORIGINATING IN OR EXPORTED FROM SPECIFIED COUNTRIES:**  

Whereas, in the matter of 'Uncoated Copier Paper' (hereinafter referred to as the subject goods) falling under heading 4802 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 Indonesia, Thailand and Singapore (hereinafter referred to as subject countries), and imported into India, the Designated Authority in its final findings, published in the Gazette of India, Extraordinary, Part I, Section 1, vide F. No.6/32/2017-DGAD, dated the 30th October, 2018, has come to the conclusion that the subject goods has been exported to India from subject countries below their normal values and consequently, the domestic industry has suffered material injury and that the material injury has been caused by the dumped imports of subject goods from the subject countries during the Period of Investigation, and has recommended imposition of definitive anti-dumping duty on imports of the subject goods, originating in, or exported from the subject country and imported into India, in order to remove injury to the domestic industry for a period of three years from the date of issuance of this notification.

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 heading of the First Schedule to the Customs Tariff Act as specified in the corresponding entry in column (2), country of origin as specified in column (4), originating or 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), exported by the exporters as specified in the corresponding entry in column (7) and imported into India, an anti-dumping duty at the rate equal to the difference between the landed value of the subject goods and the amount indicated in the corresponding entry in column (8), provided the landed value is less than the value as indicated in column (8) of the said Table, namely:-

<table>
<thead>
<tr>
<th>Sl. No</th>
<th>Heading of goods</th>
<th>Description of goods</th>
<th>Country of origin</th>
<th>Country of export</th>
<th>Producer</th>
<th>Exporter</th>
<th>Amount (US$/MT)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>4802</td>
<td>Uncoated paper in rectangular sheet of following sizes, with permissible limits (a) 210mm x 297 mm also known as A4 size; (b) 297mm x 420</td>
<td>Indonesia</td>
<td>Indonesia or Singapore</td>
<td>a) PT Andalan Kertas</td>
<td>a) April Fine Paper Trading Pte Ltd</td>
<td>855.01</td>
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<td>b) PT Anugrah Kertas Utama</td>
<td>b) April International Enterprise Pte Ltd</td>
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<td>c) PT Asia Pacific Rayon</td>
<td>c) April Fine Paper Macao</td>
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</tbody>
</table>
2. The anti-dumping duty imposed under this notification shall be effective for a period of three years (unless revoked, superseded or amended earlier) from the date of issuance of this notification and shall be paid in Indian currency.

3. Landed value of imports for the purpose of this notification shall be the assessable value as determined under the Customs Act, 1962 (52 of 1962) and includes all duties of customs except duties under sections 3, 3A, 8B, 9 and 9A of the said Act.

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.