

[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. 35/2020 -Customs (ADD)

New Delhi, the 10<sup>th</sup> November, 2020

G.S.R. (E). – Whereas, the designated authority, *vide* notification No. 7/26/2019-DGTR dated the 23<sup>rd</sup> December, 2019, published in the Gazette of India, Extraordinary, Part I, Section 1, had initiated a review in the matter of continuation of anti-dumping duty on imports of “Woven Fabric (having more than 50% Flax content)” commonly known as “Flax Fabric” (hereinafter referred to as the subject goods) falling under tariff heading 5309 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 and Hong Kong (hereinafter referred to as the subject countries), imposed *vide* notification of the Government of India, in the Ministry of Finance (Department of Revenue) No. 39/2015-Customs (ADD), dated the 12<sup>th</sup> August, 2015, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) *vide* number G.S.R. 624(E), dated the 12<sup>th</sup> August, 2015;

And whereas, in the matter of review of anti-dumping duty on import of the subject goods, originating in or exported from the subject countries, the designated authority in its final findings, published *vide* notification No. 7/26/2019-DGTR, dated the 17<sup>th</sup> August, 2020, in the Gazette of India Extraordinary, Part I, Section 1, has come to the conclusion that-

- (i) the subject goods exported from the subject countries are at prices below their normal value, thus resulting in dumping.
- (ii) imports are undercutting the prices of the domestic industry in the market.
- (iii) dumping margin and injury margin are positive in respect of imports of the product under consideration from the subject countries.
- (iv) in event of cessation of anti-dumping duty undercutting may continue as the producers/exporters in the subject countries are holding significant capacities and the imports which are dumped and injurious despite existence of AD measure, are likely to increase in the event of cessation of anti-dumping duty. Performance of the domestic industry is therefore likely to deteriorate in the event of cessation of anti-dumping duty

and has recommended imposition of anti-dumping duty on the subject goods, originating in or exported from the subject countries;

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 23 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. 39/2015-Customs (ADD), dated the 12<sup>th</sup> August, 2015, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) *vide* number G.S.R. 624(E), dated the 12<sup>th</sup> August, 2015, 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 tariff item of the First Schedule to the Customs Tariff Act as specified in the corresponding entry in column (2), originating in the country as specified in the corresponding entry in column (4), exported from the country as specified in the corresponding entry in column (5), produced by the producers as specified in the corresponding entry in column (6) and 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 amount as specified in the corresponding entry in column (8), in the currency as specified in the corresponding entry in column (10) and as per unit of measurement as specified in the corresponding entry in column (9) of the said Table, namely:-

Table

S. N	Tariff Item	Description of Goods	Country of Origin	Country of Export	Producer	Exporter	Amount	Unit of Measurement	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1	5309	Flax or Linen fabric having flax content of more than 50%"	China PR	Any	Any	Any	2.36	Per meter	US\$
2	5309	Flax or Linen fabric having flax content of more than 50%"	Any other than Hong Kong and country attracting Anti-Dumping duty	China PR	Any	Any	2.36	Per meter	US\$
3	5309	Flax or Linen fabric having flax content of more than 50%"	Hong Kong	Any	Any	Any	1.14	Per meter	US\$
4	5309	Flax or Linen fabric having flax content of more than 50%"	Any other than China and country attracting Anti-Dumping duty	Hong Kong	Any	Any	1.14	Per meter	US\$

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.

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 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.354/62/2009-TRU (Pt. II)]

(Jainendra Singh Kandhari)  
Deputy Secretary to the Government of India