

[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.9/2017-Customs (ADD)

New Delhi, the 24th March, 2017

G.S.R. (E).- Whereas, in the matter of review of anti-dumping duty on import of Diclofenac Sodium, falling under the heading 2942 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 People's Republic of China (hereinafter referred to as the subject country), the designated authority, *vide* its final findings in notification No.15/3/2013-DGAD, dated the 2nd October, 2014, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 7th October, 2014, had recommended imposition of the anti-dumping duty on Diclofenac Sodium, originating in or exported from the subject country.

And whereas, on the basis of the aforesaid findings of the designated authority, the Central Government had imposed an anti-dumping duty on Diclofenac Sodium originating in or exported from the subject country, *vide*, notification of the Government of India in the Ministry of Finance (Department of Revenue), No.44/2014-Customs (ADD), dated the 21st November, 2014, published *vide* number G.S.R. 834(E) in the Gazette of India, Extraordinary, Part II, Section 3, Sub-Section (i), dated the 21st November, 2014;

And whereas, the designated authority, *vide* notification No.14/22/2014-DGAD, dated the 17th February, 2016, in the matter of circumvention of the anti-dumping duty imposed on imports of Diclofenac Sodium, had initiated an investigation to determine the need for extending anti-dumping duty imposed on the imports of Diclofenac Sodium originating in or exported from the subject country, *vide*, notification of the Government of India in the Ministry of Finance (Department of Revenue), No.44/2014-Customs (ADD), dated the 21st November, 2014, to the imports of Indolinone (hereinafter referred to as the subject goods) falling under Chapter 29 of the First Schedule to the Customs Tariff Act, originating in or exported from the subject country.

And whereas, the designated authority in its final findings, published *vide* notification No.14/22/2014-DGAD, dated the 15th February, 2017, in the Gazette of India, Extraordinary, Part I, Section 1, has come to the conclusion that-

- (i) imports of circumventing product (Indolinone) increased significantly and those of circumvented product (Diclofenac Sodium) declined after imposition of the anti-dumping measure on Diclofenac Sodium.
- (ii) the value addition in converting Indolinone to Diclofenac Sodium is less than the prescribed threshold.
- (iii) indolinone has been exported at dumped prices during the Period of Investigation.

and has recommended imposition of existing anti-dumping duty imposed on the imports of Diclofenac Sodium originating in or exported from the subject country, *vide*, notification of the Government of India in the Ministry of Finance (Department of Revenue), No.44/2014-Customs

(ADD), dated the 21st November, 2014, on the subject goods, originating in or exported from the subject country;

Now, therefore, in exercise of the powers conferred by sub-sections (1), (1A) and (5) of section 9A of the Customs Tariff Act, read with rule 27 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 items 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), 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. No	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.	2908 19 00, 2914 29 90, 2914 70 90, 2921 44 90, 2922 49 90, 2933 39 90, 2933 79 00, 2933 99 00, 2942 00 90	Indolinone	People's Republic of China	Any	Any	Any	2715	Metric Tonne	US Dollar
2.	2908 19 00, 2914 29 90, 2914 70 90, 2921 44 90, 2922 49 90, 2933 39 90, 2933 79 00, 2933 99 00, 2942 00 90	Indolinone	Any country other than People's Republic of China	People's Republic of China	Any	Any	2715	Metric Tonne	US Dollar

2. This notification shall remain in force upto and inclusive of the 20th November, 2019, unless revoked earlier, and 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 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.354/21/2008-TRU (Pt.-II)]

(Anurag Sehgal)
Under Secretary to the Government of India