

[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.10/2017-Customs (ADD)

New Delhi, the 24th March, 2017

G.S.R. (E).- Whereas, in the matter of import of 1,1,1,2-Tetrafluoroethane or R-134a (hereinafter referred to as the subject goods), falling under the tariff item 2903 39 19 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), 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.15/23/2014-DGAD, dated the 30th May, 2016, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 30th May, 2016, had come to the conclusion that -

- (i) there was continued dumping of the subject goods from the subject country;
- (ii) imports were significantly undercutting the prices of the domestic industry and were depressing the domestic prices;
- (iii) the financial performance of the domestic industry had deteriorated and the dumped imports from the subject country continued to cause injury to the domestic industry;
- (iv) dumping of the subject goods from the subject country was likely to continue if the current anti-dumping duty ceased,

and had recommended continued imposition of definitive anti-dumping duty on 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 had imposed an anti-dumping duty on the subject goods, *vide*, notification of the Government of India in the Ministry of Finance (Department of Revenue), No.30/2016-Customs (ADD), dated the 11th July, 2016, published *vide* number G.S.R. 675(E) in the Gazette of India, Extraordinary, Part II, Section 3, Sub-Section (i), dated the 11th July, 2016;

And whereas, M/s. Zhejiang Sanmei Chemical Ind. Co., Ltd., People's Republic of China (Producer or Exporter), M/s Zhejiang Sanmei Chemical Products Co., Ltd, People's Republic of China (Exporter) and M/s Jiangsu Sanmei Chemical Ind. Co., Ltd, People's Republic of China (Producer) have requested 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 of the subject goods made by them, and the designated authority, *vide* new shipper review notification No.15/22/2016-DGAD, dated 27th February, 2017, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 27th February, 2017, has recommended provisional assessment of all exports of the subject goods made by the above stated parties till the completion of the review by it;

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 orders that pending the outcome of the said review by the designated authority, the subject goods, when originating in or exported from the subject country by M/s. Zhejiang Sanmei Chemical Ind. Co., Ltd., People's Republic of China (Producer or Exporter), M/s Zhejiang Sanmei Chemical Products Co., Ltd, People's Republic of China (Exporter) and M/s Jiangsu Sanmei Chemical Ind. Co., Ltd, People's Republic of China (Producer) and imported into India, shall be subjected to provisional assessment till the review is completed.

2. The provisional assessment may be subject to such security or guarantee as the proper officer of customs deems fit for payment of the deficiency, if any, in case a definitive anti-dumping duty is imposed retrospectively, on completion of investigation by the designated authority.

3. In case of recommendation of anti-dumping duty after completion of the said review by the designated authority, the importer shall be liable to pay the amount of such anti-dumping duty recommended on review and imposed on all imports of subject goods when originating in or exported from the subject country by M/s. Zhejiang Sanmei Chemical Ind. Co., Ltd., People's Republic of China (Producer or Exporter), M/s Zhejiang Sanmei Chemical Products Co., Ltd, People's Republic of China (Exporter) and M/s Jiangsu Sanmei Chemical Ind. Co., Ltd, People's Republic of China (Producer) and imported into India, from the date of initiation of the said review.

[F.No.354/24/2010-TRU (Pt.-3)]

(Anurag Sehgal)
Under Secretary to the Government of India