

[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. 30/2017-Customs (ADD)**

New Delhi, the 16th of June, 2017

G.S.R. (E).- Whereas, in the matter of import of Clear Float Glass of nominal thickness ranging from 4mm to 12 mm (both inclusive), the nominal thickness being as per BIS 14900:2000, (hereinafter referred to as the subject goods), falling under headings 7003,7004, 7005,7009, 7013, 7015, 7016, 7018, 7019, 7020 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975) (hereinafter referred as the Customs Tariff Act), originating in, or exported from Pakistan, Saudi Arabia and UAE (hereinafter referred to as the subject countries) and imported into India, the designated authority in its final findings *vide* notification No. 14/25/2012-DGAD, dated the 10th October, 2014 published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 10th October, 2014, had recommended imposition of anti-dumping duty on all imports of subject goods from the subject countries in order to remove the injury to the domestic industry;

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. 48/2014-Customs, dated the 11th December, 2014, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-Section (i), dated the 11th December, 2014, vide number G.S.R. 885 (E), dated the 11th December, 2014;

And whereas, M/s Tariq Glass Industries Ltd (hereinafter referred to as the “new shipper”) had 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 (hereinafter referred to as the said rules), in respect of exports of the subject goods made by them, and the designated authority, *vide* the new shipper notification No. 15/16/2015-DGAD, dated the 23rd September, 2015, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 23rd September, 2015, had recommended provisional assessment of all exports of the subject goods made by the new shipper when imported into India, till the completion of the review by it;

And whereas, in exercise of the powers conferred by sub-rule (2) of rule 22 of the said rules, the Central Government, after considering the aforesaid recommendation of the

designated authority, *vide*, notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 53/2015-Customs, dated the 30th October, 2015, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R. 825 (E), dated the 30th October, 2015 had ordered that pending the outcome of the said review by the designated authority, the subject goods, when exported by, M/s Tariq Glass Industries Ltd(exporter), shall be subjected to provisional assessment till the review is completed;

And whereas, the designated authority in the matter of new shipper review initiated *vide* notification No. 15/16/2015-DGAD, dated the 23rd September, 2015 published in the Gazette of India, Extraordinary, Part I, Section 1, dated 23rd September, 2015 in its final findings *vide* notification No. 15/16/2015-DGAD, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 10th April, 2017 has recommended the imposition of anti-dumping duty of United States Dollar 23.54 per Metric Tonn on imports of “Clear Float Glass of nominal thickness ranging from 4mm to 12mm (both inclusive), the nominal thickness being as per BIS 14900:2000” falling under Chapter 70 of the Custom Tariff Act, 1975 produced and exported by M/s Tariq Glass Industries Ltd, Pakistan.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 9A of the Customs Tariff Act,1975(51 of 1975) read with rules 18, 20, 22 and 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, after considering the aforesaid final findings of the designated authority, the Central Government, hereby makes the following changes:

(a) the notification of Government of India in the Ministry of Finance (Department of Revenue) no. 48/2014-Customs (ADD) , dated the 11th December, 2014, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-Section (i) dated the 11th December, 2014, *vide* number G.S.R. 885 (E) dated the 11th December, 2014, shall be amended as under:

(i) in the said notification, in the Table,-

(A)after serial number 10 and the entries relating thereto, the following serial number and entries shall be inserted, namely :-

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
|----------|--|---|--------------|--------------|---|---|-----------|--------|-----------|
| “10 A | 700 3, 700 4, 700 5, 700 9, 701 3, 701 5, | Clear Float Glass of nominal thickness ranging from 4mm to 12mm (both inclusive), the nominal thickness | Pakista n | Pakista n | M/s Tariq Glass Industri es Ltd | M/s Tariq Glass Industri es Ltd | 23.5 4 | M T | USD ”; |

| | | | | | | | | | |
|---|---------------------------------------|--|--|--|--|--|--|--|--|
| 701 6, 701 8, 701 9, 702 0 | being as per BIS 14900:20 00 | | | | | | | | |
|---|---------------------------------------|--|--|--|--|--|--|--|--|

(B) in serial number 11, in column (6) and (7), in the entries, after the word, letters and figures “Sl. No. 10”, the word, letters and figures “and Sl. No. 10A” shall be inserted:

(b) all imports of the subject goods which have been subjected to provisional assessment pursuant to the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 53/2015-Customs, dated the 30th October, 2015, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R. 825 (E), dated the 30th October 2015 shall be subjected to final assessment on the payment of anti-dumping duty, as mentioned at Serial Numbers 10 A and 11 in the Table to the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 48/2014-Customs, dated the 11th December, 2014, published, *vide* number G.S.R. 885 (E) dated the 11th December, 2014;

(c) the notification of the Government of India, in the Ministry of Finance (Department of Revenue), No. 53/2015-Customs (ADD), dated the 30th October, 2015, published in the Gazette of India, Extraordinary, Part II, Section 3, Subsection (i) *vide* number G.S.R. 825 (E), dated the 30th October, 2015, except as respects things done or omitted to be done before such rescission, shall be rescinded.

2. And whereas, the said final findings notification no. 15/16/2015-DGAD, dated the 10th April, 2017 published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 10th April, 2017, was challenged in the Hon’ble Madras High Court in Writ petition no. 12950 of 2017 and the Hon’ble High Court *vide* its order dated the 25th May, 2017 has held that “*Considering the facts and circumstances of the case, there shall be an interim order of status quo till 09.06.2017.*” ;

3. Now therefore, in view of the aforesaid order of the Madras High Court the present notification shall remain in abeyance, subject to the final order of the Hon’ble Madras High Court in the aforesaid Writ Petition No.12950 of 2017.

[F. No. 354/ 46/2014-TRU]

(Ruchi Bisht)
Under Secretary to the Government of India