

[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. 28/2021-Customs (ADD)

New Delhi, the 27th April, 2021

G.S.R.---(E).- – Whereas, in the matter of ‘Toluene Di-Isocyanate (TDI) having isomer content in the ratio of 80:20’ (hereinafter referred to as the subject goods), falling under tariff item 2929 10 20 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 the European Union, Saudi Arabia, Chinese Taipei and United Arab Emirates (hereinafter referred to as the subject countries) and imported into India, the designated authority in its preliminary findings *vide* notification No. 6/43/2019-DGTR, dated the 4th September, 2020, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 4th September, 2020, had recommended imposition of provisional anti-dumping duty on the imports of subject goods, originating in, or exported from the subject countries.

And, whereas, on the basis of the aforesaid findings of the designated authority, the Central Government had imposed provisional anti-dumping duty on the subject goods with effect from 2nd December, 2020 *vide* notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 43/2020-Customs (ADD), dated the 2nd December, 2020, published in the Gazette of India Extraordinary, Part II, Section 3, Sub-section (i) *vide* number G.S.R. 748(E), dated the 2nd December, 2020.

And, whereas, the designated authority in its final findings *vide* notification No. 6/43/2019-DGTR, dated the 28th January, 2021, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 28th January, 2021, while confirming the preliminary findings, dated the 4th September, 2020, has come to the conclusion that-

- i) the product under consideration that has been exported to India from the subject countries are at dumped prices;
- ii) there is substantial increase in imports of subject goods from the subject countries in absolute terms as well as in relation to its production and consumption in India, during the period of investigation as compared to the previous year;
- iii) the domestic industry has suffered material injury;
- iv) material injury has been caused by the dumped imports of the subject goods from the subject countries;

and has recommended imposition of definitive anti-dumping duty on imports of the subject goods, originating in or exported from the subject countries, and imported into India, in order to remove injury to the domestic industry.

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 the tariff item 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), and imported into India, an anti-dumping duty at the rate equal to the amount as specified in the corresponding entry in column (7), in the currency as specified in the corresponding entry in column (9) and as per unit of measurement as specified in the corresponding entry in column (8) of the said Table, namely:-

Table

S.No.	Tariff item	Description of goods	Country of origin	Country of exports	Producer	Duty amount	Unit	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1	29291020	Toluene Di-Isocyanate (TDI) having isomer content in the ratio of 80:20	European Union	Any country including European Union	Covestro Deutschland AG	221.04	MT	USD
2	29291020	Toluene Di-Isocyanate (TDI) having isomer content in the ratio of 80:20	European Union	Any country including European Union	Borsod Chem Zrt	102.05	MT	USD
3	29291020	Toluene Di-Isocyanate (TDI) having isomer content in the ratio of 80:20	European Union	Any country including European Union	Any other producer other than S.No. 1 & 2 above	264.96	MT	USD
4	29291020	Toluene Di-Isocyanate (TDI) having isomer content in the ratio of 80:20	Any country other than countries attracting	European Union	Any	264.96	MT	USD

			ADD					
5	29291020	Toluene Di-Isocyanate (TDI) having isomer content in the ratio of 80:20	Saudi Arabia	Any country including Saudi Arabia	Sadara Chemical Company	217.55	MT	USD
6	29291020	Toluene Di-Isocyanate (TDI) having isomer content in the ratio of 80:20	Saudi Arabia	Any country including Saudi Arabia	Any other producer other than S.No. 5 above	344.33	MT	USD
7	29291020	Toluene Di-Isocyanate (TDI) having isomer content in the ratio of 80:20	Any country other than countries attracting ADD	Saudi Arabia	Any	344.33	MT	USD
8	29291020	Toluene Di-Isocyanate (TDI) having isomer content in the ratio of 80:20	Chinese Taipei	Any country including Chinese Taipei	Any	274.39	MT	USD
9	29291020	Toluene Di-Isocyanate (TDI) having isomer content in the ratio of 80:20	Any country other than countries attracting ADD	Chinese Taipei	Any	274.39	MT	USD
10	29291020	Toluene Di-Isocyanate (TDI) having isomer content in the ratio of 80:20	United Arab Emirates	Any country including United Arab Emirates	Any	368.20	MT	USD

11	29291020	Toluene Di-Isocyanate (TDI) having isomer content in the ratio of 80:20	Any country other than countries attracting ADD	United Arab Emirates	Any	368.20	MT	US\$
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2. The anti-dumping duty imposed under this notification shall be levied for a period of five years (unless revoked, superseded or amended earlier) from the date of imposition of the provisional anti-dumping duty, that is, the 2nd December, 2020, and shall be payable in Indian currency.

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.

[F.No. 354/150/2020-TRU]

(Rajeev Ranjan)
Under Secretary to the Government of India.