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GOVERNMENT OF INDIA
MINISTRY OF FINANCE
(DEPARTMENT OF REVENUE)

Notification No. 04/2022-Customs (ADD)

New Delhi, the 24th January, 2022

G.S.R..... (E). - Whereas, the designated authority, *vide* notification No. 7/7/2021-DGTR dated the 19th April, 2021, 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 'Axles for Trailers' (hereinafter referred to as the 'subject goods'), falling under heading 8716 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 People's Republic of China (hereinafter referred to as the 'subject country'), imposed *vide* notification of the Government of India, in the Ministry of Finance (Department of Revenue) No. 54/2016 – Customs(ADD), dated the 29th November, 2016, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* G.S.R. number 1101 (E) dated the 29th November, 2016;

And whereas, the designated authority, *vide* notification No.04/11/2020-DGTR, dated the 15th September, 2020, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 15th September, 2020, in the matter of circumvention of the anti-dumping duty imposed on imports of 'Axle for Trailers' originating in or exported from the People's Republic of China, had initiated an investigation to determine the need for extending the anti-dumping duty imposed on imports of 'Axle for Trailers', originating in or exported from the People's Republic of China, *vide* notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 54/2016-Customs (ADD), dated the 29th November, 2016, published *vide* G.S.R. 1101(E) in the Gazette of India, Extraordinary, Part II, Section 3, Sub-Section (i), dated the 28th July, 2017, to the imports of 'Axle for Trailers in Completely Knock Down and Semi Knock Down condition' falling under the tariff headings 8716 90 10 of the First Schedule to the Customs Tariff Act, originating in, or exported from the subject country into India and subsequently the designated authority in its final findings, published *vide* notification No.04/11/2020-DGTR, dated the 14th September, 2021, in the Gazette of India, Extraordinary, Part I, Section 1 had recommended imposition of the existing anti-dumping duty imposed on the imports of 'Axle for Trailers', originating in or exported from the People's Republic of China, *vide* notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 54/2016-Customs (ADD), dated the 29th November, 2016, published *vide* G.S.R. 1101(E) in the Gazette of India, Extraordinary, Part II, Section 3, Sub-Section (i), dated the 29th November, 2016, on the 'Axle for Trailers in Completely Knock Down/Semi Knock Down condition', 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 anti-dumping duty on imports of 'Axle for Trailers in Completely Knock Down/Semi Knock Down condition', originating in or exported from the People's Republic of China, *vide* notification of the Government of India in the Ministry of Finance (Department of Revenue), No.69/2021-Customs (ADD), dated the 13th December, 2021, published *vide* G.S.R. 854(E) in the Gazette of India, Extraordinary, Part II, Section 3, Sub-Section (i), dated the 13th December, 2021 and this anti-dumping duty was to be effective from the 13th December, 2021 and would be co-terminus with the anti-dumping duty on 'Axle for Trailers' as levied *vide* aforesaid notification No. 54/2016-Customs (ADD), dated the 29th November, 2016, published in the official Gazette *vide* number G.S.R. 1101(E), dated the 29th November, 2016;

And whereas, in the matter of review of anti-dumping duty on import of the subject goods, originating in or exported from the subject country, the designated authority in its final findings, published in the Gazette of India, Extraordinary, Part I, Section 1, *vide* notification number 7/7/2021-DGTR, dated the 27th October, 2021, has *inter alia* come to the conclusion that, -

- (i) the fact that the dumped imports continued even after anti-dumping duties and there are practices like circumvention to evade the duties in place show a strong likelihood situation that rate of imports may increase significantly if the existing anti-dumping duties are revoked;
- (ii) that there is a likelihood of continuation/recurrence of dumping and injury to the domestic industry in the event of cessation of duties at this stage,

and has recommended continued imposition of an anti-dumping duty on imports of the subject goods, originating in, or exported from the subject country and imported into India;

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. 54/2016- Customs (ADD), dated the 29th November, 2016 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R 1101(E), dated the 29th November, 2016, except as respects things done or omitted to be done before such supersession, 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 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), imported into India, an anti-dumping duty at a rate which is 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:-

Sl. No	Tariff Item	Description of Goods	Country of Origin	Country of Export	Producer	Amount	Unit of Measurement	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1	8716 90 10	Axle for Trailers*	China PR	Any country including China PR	Guangdong Fuwa Heavy Industries Co., Ltd.	0.16	Kg	United States Dollar
2	8716 90 10	Axle for Trailers*	China PR	Any country including China PR	Any producer other than serial no 1	0.31	Kg	United States Dollar
3	8716 90 10	Axle for Trailers*	Any country other than China PR	China PR	Any producer	0.31	Kg	United States Dollar

* includes 'Axle for Trailers in Semi Knocked Down / Completely Knocked Down condition' i.e., in an unassembled, unfinished or incomplete form.

2. The anti-dumping duty imposed under this notification shall be effective for a period of five years (unless revoked, suspended and 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, the 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, 1962.

[F. No. CBIC-190354/15/2022-TRU Section-CBEC]

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