

[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. 28/2022-Customs (ADD)

New Delhi, the 21st September, 2022

G.S.R...(E).- Whereas, the designated authority, *vide* notification No. 7/26/2021-DGTR, dated the 27th August, 2021, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 27th August, 2021, had initiated the review in terms of sub-section (5) of section 9A of the Customs Tariff Act, 1975 (51 of 1975) (hereinafter referred to as the Customs Tariff Act), and in pursuance of rule 23 of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, in the matter of continuation of anti-dumping duty on imports of “Toluene Di-isocyanate” (hereinafter referred to as the subject goods) falling under tariff item 2929 10 20 of the First Schedule to the Customs Tariff Act, originating in or exported from China PR, Japan and Korea RP (hereinafter referred to as the subject countries) initially imposed *vide* notification of the Government of India, Ministry of Finance (Department of Revenue), No. 25/2017-Customs (ADD), dated the 5th June, 2017, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R. 555(E), dated the 5th June, 2017;

And whereas, in the matter of review of anti-dumping duty on imports of the subject goods, originating in or exported from the subject countries, the designated authority in its final findings, published *vide* notification No. 7/26/2021-DGTR, dated the 24th June, 2022, published in the Gazette of India, Extraordinary, Part-I, Section 1, dated the 24th June, 2022, has come to the conclusion that-

- (i) there is continued dumping of the subject goods from the subject countries and the imports are likely to enter the Indian market at dumped prices in the event of cessation of duty;
- (ii) dumped imports from subject countries are causing injury to the domestic industry;
- (iii) the information on record shows likelihood of continuation of dumping and injury in case the anti-dumping duty in force is allowed to cease at this stage;
- (iv) there is sufficient evidence to indicate that the revocation of the anti-dumping duty at this stage will lead to continuation of dumping and injury to the domestic industry,

and has recommended continued imposition of the anti-dumping duty on imports of the subject goods, originating in or exported from the subject country, 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, 1975 read with rules 18, 20 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, Ministry of Finance (Department of Revenue), No. 3/2018-Customs (ADD), dated the 23rd January, 2018, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R. 61(E), dated the 23rd January, 2018, 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 following Table, 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 country as specified in the corresponding entry in column (4), exported from the country as specified in the corresponding entry in column (5), produced by the producers as specified in the corresponding entry in column (6), an anti-dumping duty at the rate equal to the amount as indicated in the corresponding entry in column (7), in the currency as specified in the corresponding entry in column (8) and as per unit of measurement as specified in the corresponding entry in column (9) of the said Table, namely :-

TABLE

Sl. No.	Tariff Item	Description of goods	Country of Origin	Country of Export	Producer	Amount	Unit	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1.	29291020	Toluene diisocyanate	China PR	Any country including China PR	Covestro Polymers (China) Co., Limited	0.26	Kg	US\$
2.	-do-	-do-	China PR	Any country including China PR	Wanhua Chemical Group Co., Ltd.	0.26	Kg	US\$
3.	-do-	-do-	China PR	Any country including China PR	Any producer other than producer at Sl. No. 1 and 2 above	0.26	Kg	US\$
4.	-do-	-do-	Any country other than the subject countries	China PR	Any	0.26	Kg	US\$
5.	-do-	-do-	Korea RP	Any country including Korea RP	Hanwha Solutions Corporation	0.22	Kg	US\$
6.	-do-	-do-	Korea RP	Any country including Korea RP	BASF Company Limited	0.31	Kg	US\$
7.	-do-	-do-	Korea RP	Any country including Korea RP	Any producer other than producer at Sl. No. 5 and 6 above	0.44	Kg	US\$
8.	-do-	-do-	Any country other than the subject countries	Korea RP	Any	0.44	Kg	US\$
9.	-do-	-do-	Japan	Any country including Japan	Any	0.15	Kg	US\$

10.	-do-	-do-	Any other than the subject countries	Japan	Any	0.15	Kg	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 publication of this notification in the Official Gazette 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, 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. CBIC-190354/121/2022-TRU]

(Nitish Karnatak)
Under Secretary to the Government of India