

[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. 36 /2017-Customs (ADD)

New Delhi, the 28<sup>th</sup> July, 2017

G.S.R.... (E). - Whereas, the designated authority vide notification no.15/11/2016 DGAD , dated the 8<sup>th</sup> July, 2016 published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 8<sup>th</sup> July, 2016 had initiated the second sunset review in term of sub-section (5) of section 9 A 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 ‘Polytetraflouroethylene or PTFE’ (hereinafter referred to as the subject goods) falling under the tariff item 3904 61 00 of the First Schedule to the Customs Tariff Act, originating in, or exported from China PR (hereinafter referred to as the subject country), imposed vide notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 81/2011- Customs (ADD), dated the 24<sup>th</sup> August, 2011.

And whereas, the Central Government had extended the period of imposition of antidumping duty on the subject goods, originating in or exported from the subject country up to and inclusive of the 23<sup>rd</sup> August, 2017 vide notification of the Government of India, in the Ministry of Finance (Department of Revenue) No. 36/2016-Customs (ADD), dated the 2<sup>nd</sup> August, 2016, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R.596 (E), dated the 2<sup>nd</sup> August, 2016.

And whereas, in the matter of review of anti-dumping duty on imports of the subject goods, originating in or exported from the subject country, the Designated Authority in its final findings, published *vide* notification No. F. No.15/11/2016-DGAD, dated the 23<sup>rd</sup> June, 2017 published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 23<sup>rd</sup> June, 2017 has come to the conclusion that–

- (i) there is continued dumping of the product concerned from China, both in absolute terms and in relation to production/consumption in India causing injury to the domestic industry;
- (ii) imports are significantly undercutting the prices of the domestic industry. The price undercutting without prevailing anti-dumping duties is positive. Further, imports are suppressing and depressing the domestic prices;
- (iii) the performance of the Domestic Industry has deteriorated in terms of profits and return on investments;
- (iv) the dumped imports from China continue to cause injury to the domestic industry despite imposition of anti-dumping duty;
- (v) producers from subject country have significant capacity which establishes that in the event of cessation of duties, exports to India will intensify;
- (vi) dumping of the product under consideration from China is likely to continue/intensify should the antidumping duty be revoked,

and has recommended the imposition of definitive anti-dumping duty on imports of the subject goods originating in, or exported, from the subject country.

Now, therefore, in exercise of the powers conferred by sub-section (1) and sub-section (5) of section 9A of the Customs Tariff Act, and 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, 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), specification specified in the corresponding entry in column (4), originating in the countries as specified in the corresponding entry in column (5), and exported from the countries as specified in the corresponding entry in column (6), produced by the producers as specified in the corresponding entry in column (7), exported by the exporters as specified in the corresponding entry in column (8), and imported into India, an anti-dumping duty at the rate equal to the amount as specified in the corresponding entry in column (9), in the currency as specified in the corresponding entry in column (11) and per unit of measurement as specified in the corresponding entry in column (10) of the said Table:-

Table

S. No.	Tariff item	Description	Spec-ification	Country Of origin	Country Of export	Producer	Exporter	Amount	Unit	Cur-rency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
1.	3904 6100	Polytetra fluoro- ethylene (PTFE)	Any	China PR	China PR	Any	Any	2637	MT	US Dollar
2.	3904 6100	Polytetra fluoro- ethylene (PTFE)	Any	China PR	Any other than Russia or China PR	Any	Any	2637	MT	US Dollar
3.	3904 6100	Polytetra fluoro- ethylene (PTFE)	Any	Any other than Russia or China PR	China PR	Any	Any	2637	MT	US Dollar

2. The anti-dumping duty imposed shall be effective 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 purposes 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 Act.

[F.No.354/150/2005 –TRU (Part-I)]

(Ruchi Bisht)  
Under Secretary to the Government of India.

