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EXTRAORDINARY

GOVERNMENT OF INDIA  
MINISTRY OF FINANCE  
(DEPARTMENT OF REVENUE)

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New Delhi dated the 14<sup>th</sup> June, 2011.

**Notification No. 47 /2011 - Customs**

G.S.R.451 (E).- Whereas, the designated authority *vide* notification No.15/3/2010-DGAD, dated the 26<sup>th</sup> March, 2010, published in Part I, Section 1 of the Gazette of India, Extraordinary, dated the 26<sup>th</sup> March, 2010, had initiated review in the matter of continuation of final anti-dumping duty on Pentaerythritol (herein after referred to as the subject goods), falling under Sub-heading 290542 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), originating in, or exported from China PR and Sweden, imposed *vide* notification of Government of India in the Ministry of Finance (Department of Revenue), No. 37/2006-Customs, dated the 20<sup>th</sup> April, 2006, G.S.R. 235 (E), dated the 20<sup>th</sup> April, 2006, and extended by notification No. 73/2010-Customs dated 30<sup>th</sup> June, 2010, G.S.R. 569 (E), dated the 30<sup>th</sup> June, 2010;

And whereas, the designated authority *vide* notification No. 15/3/2010-DGAD, dated the 25<sup>th</sup> March, 2011, published in Part I, Section 1 of the Gazette of India, Extraordinary, dated the 25<sup>th</sup> March, 2011, after conducting Sunset Review has come to the conclusion that-

- (a) the subject goods are entering the Indian market at dumped prices and dumping margins of the subject goods imported from China PR are substantial and above de-minimis;
  - (b) the subject goods are likely to enter the Indian market at dumped prices and the likely dumping margins in respect of imports from China PR is going to be substantial and above de-minimis;
  - (c) the subject goods are likely to enter Indian market at dumped prices, should the present measures be withdrawn from China PR;
  - (d) the situation of domestic industry continues to be fragile and dumped imports from China PR continue to cause a substantial injury to the domestic industry. Further, should the present anti dumping duties be revoked from China PR, injury to the domestic industry is likely to continue and intensify;
  - (e) it is noted that the margins of both dumping and injury are negative so far as imports from Sweden are concerned, besides low volume of imports from Sweden, considering total demand in Indian market;
  - (f) it can therefore be concluded that in the event the duty is revoked, there is no likelihood of continuation or recurrence of injury from Sweden,
- and has recommended that the quantum of anti dumping duty in force needs to be revised so far as China PR is concerned and needs to be discontinued from Sweden.

Now, therefore, in exercise of the powers conferred by sub-section (1), read with sub-section (5) of section 9A of the said 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, on the basis of the aforesaid final findings of the designated authority, hereby imposes anti-dumping duty at the rate of US \$ 515 per MT on all imports of subject goods originating in or exported from China PR and imported into India.

2. This notification shall be effective for a period of five years from the date of issue of notification, unless revoked, superseded or amended earlier and the anti-dumping duty shall be paid in Indian currency.

Explanation.- For the purpose 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, issued from time to time, in exercise of the powers conferred by sub-clause (i) of clause (a) of sub-section (3) of section 14 of the said Customs Act, 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.354/151/2005-TRU (Pt-I)]

(Sanjeev Kumar Singh)  
Under Secretary to the Government of India