

[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. 59/2021-Customs (ADD)

New Delhi, the 4th October, 2021

G.S.R. ---(E). - Whereas, in the matter of anti-dumping duty on imports of ‘Ceramic Tableware and Kitchenware, excluding knives and toilet items’(hereinafter referred to as the subject goods) falling under the heading 6911, 6912 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 China PR, the designated authority, *vide* its final findings in notification No. 14/05/2016-DGAD, dated the 8th December, 2017, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 8th December, 2017, had recommended imposition of definitive anti-dumping duty on subject goods, originating in or exported from the China PR;

And whereas, on the basis of the aforesaid findings of the designated authority, the Central Government had imposed anti-dumping duty on imports of subject goods, originating in or exported from China PR, *vide* notification of the Government of India in the Ministry of Finance (Department of Revenue), No.4/2018-Customs (ADD), dated the 21st February, 2018, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R. 179(E), dated the 21st February, 2018;

And whereas, the designated authority, *vide* notification No. 7/33/2020-DGTR, dated the 25th September, 2020, published in the Gazette of India, Extraordinary, Part I, Section 1 dated the 25th September, 2020, in the matter of circumvention of the anti-dumping duty imposed on imports of subject goods originating in or exported from the China PR, had initiated an investigation to determine the need for extending the anti-dumping duty imposed on imports of subject goods, originating in or exported from the China PR, *vide* notification of the Government of India in the Ministry of Finance (Department of Revenue), No.4/2018-Customs (ADD), dated the 21st February, 2018, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R. 179(E), dated the 21st February, 2018, to the imports of subject goods falling under the heading 6911, 6912 of the First Schedule to the Customs Tariff Act, originating in, or exported from Malaysia into India;

And whereas, the designated authority in its final findings, published *vide* notification No.7/33/2020-DGTR, dated the 3rd August, 2021, in the Gazette of India, Extraordinary, Part I, Section 1, has come to the conclusion that-

- a. there has been a change in pattern of trade in case of subject goods and there appears no economic justification other than imposition of duties for such change in pattern of trade;
- b. imports of subject goods are entering at dumped prices;
- c. the import of subject goods has undermined the remedial effect of existing anti-dumping measures on subject goods originating in or exported from China PR;
- d. dumping margin is above *de minimis*, the commercial gain due to erosion of anti-dumping duty on subject goods has benefitted producers or exporters by exporting subject goods;

and has recommended imposition of the existing anti-dumping duty imposed on the imports of subject goods, originating in or exported from the China PR, *vide* notification of the Government of India in the Ministry of Finance (Department of Revenue), No.4/2018-Customs (ADD), dated the 21st February, 2018, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R. 179(E), dated the 21st February, 2018, on the subject goods, originating in or exported from Malaysia into India.

Now, therefore, in exercise of the powers conferred by sub-sections (1), (1A) and (5) of section 9A of the Customs Tariff Act, read with rule 27 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, specification of which is specified in column (4), falling under heading of the First Schedule to the Customs Tariff Act, specified in the corresponding entry in column (2), originating in the countries specified in the corresponding entry in column (5), exported from the countries specified in the corresponding entry in column (6), produced by the producers specified in the corresponding entry in column (7), exported by the exporters specified in the corresponding entry in column (8) and imported into India, an anti-dumping duty at the rate equal to the amount specified in the corresponding entry in column (9), in the currency specified in the corresponding entry in column (11) and as per unit of measurement specified in the corresponding entry in column (10) of the said Table, namely:-

Table

S. No.	Sub-Heading	Description of Goods *	Specification	Country of origin	Country of export	Producer	Exporter	Amount	Unit of Measurement	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
1	6911 and 6912	Ceramic Tablewares and Kitchenwares	Any	Malaysia	Malaysia	Any	Any	1.04	kg	US Dollar
2	6911 and 6912	Ceramic Tablewares and Kitchenwares	Any	Malaysia	Any	Any	Any	1.04	kg	US Dollar
3	6911 and 6912	Ceramic Tablewares and Kitchenwares	Any	Any other than Malaysia and China PR	Malaysia	Any	Any	1.04	kg	US Dollar

*Description of the subject goods is “Ceramic table wares and kitchen wares, excluding knives and toilet items”. Bone china, stoneware and porcelain-ware all constitute ceramic products.

2. The anti-dumping duty imposed under this notification shall be effective from the date of publication of this notification in the Official Gazette and will be co-terminus with the anti-dumping duty on subject goods as levied *vide* aforesaid notification No.4/2018-Customs (ADD), dated the 21st February, 2018, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number

G.S.R. 179(E), dated the 21st February, 2018 (unless revoked, superseded or amended earlier), and the anti-dumping duty shall be paid 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 Customs Act.

[F. No. CBIC-190354/188/2021-(TRU)-CBEC]

(Rajeev Ranjan)

Under Secretary to the Government of India