

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. 5/2019-Customs (ADD)

New Delhi, the 24th January, 2019

G.S.R.... (E). - Whereas, the designated authority *vide* notification No.7/2/2018 DGAD, dated the 26th February, 2018, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 26th February, 2018, had initiated the 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 ‘Metaphenylene Diamine’ (hereinafter referred to as the subject goods) falling under the tariff item of the First Schedule to the Customs Tariff Act, originating in or exported from China PR (hereinafter referred to as the subject countries), imposed *vide* notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 11/2014- Customs (ADD), dated the 11th March, 2014 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R. 179 (E), dated the 11th March, 2014;

And whereas, the Central Government had extended the period of imposition of anti-dumping duty on the subject goods, originating in or exported from the subject countries up to and inclusive of the 21st March, 2019 *vide* notification of the Government of India, in the Ministry of Finance (Department of Revenue) No. 10/2018-Customs (ADD), dated the 20th March, 2018, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R. 247(E), dated the 20th March, 2018;

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.7/2/2018-DGAD, dated the 13th

December, 2018 published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 13th December, 2018 has come to the conclusion that:

- (i) imports from China PR continue to command a significant share in the domestic market;
- (ii) there has been continued dumping of the subject goods from China PR and the dumping is likely to continue and increase if the anti-dumping duty is allowed to cease;
- (iii) even when the performance of the domestic industry improved in respect of volume parameters, the domestic industry was not able to improve its market share and was still holding a share much lower than imports. Further, its performance deteriorated in respect of price parameters to such an extent that the domestic industry was suffering financial losses, cash losses and negative return on investment. Growth of the domestic industry is adverse. The domestic industry has suffered continued injury;
- (iv) there is likelihood of continuation of dumping and injury to the domestic industry.

and has recommended the imposition of definitive anti-dumping duty on the imports of subject goods, originating in or exported from the subject country and imported into India, 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, 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, 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), and imported into India, an anti-dumping duty at the rate equal to the amount as specified in the corresponding entry in column (7), in the currency specified in the corresponding entry in column (9) and

per unit of measurement as specified in the corresponding entry in column (8) of the said Table.

Table

S. No.	Heading/ Sub heading	Description of goods	Country of origin	Country of export	Producer	Amount of duty	Unit	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1.	29215120 or 29215190	Meta Phenylene Diamine' (MPDA), also known as m-Phenylene Diamine, 1,3-diaminobenzene, 1,3-Benzenediamine, m-Aminoaniline, mBenzenediamine, m-Diaminobenzene, 1,3-Phenylenediamine, 3-Aminoaniline, mFenylendiamin, Phenylenediamine, and m-Aminoaline, Phenylenediamine meta.	China PR	Any country including China PR	Sichuan North Hongguang Special Chemical Co. Ltd.	716.13	MT	US\$
2.	29215120 or 29215190	-do-	China PR	Any country including China PR	Zhejiang Amino-Chem Co., Ltd	573.92	MT	US\$
3.	29215120 or 29215190	-do-	China PR	Any country including China PR	Any producer other than at 1 and 2	1015.44	MT	US\$
4.	29215120 or 29215190	-do-	Any Country other than China PR	China PR	Any	1015.44	MT	US\$

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. 354/26/2013 –TRU (Pt. I)]

(Gunjan Kumar Verma)
Under Secretary to the Government of India