

[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. 39/2015-Customs (ADD)

New Delhi, the 12th August, 2015

G.S.R. (E). – Whereas, the designated authority, *vide* notification No. 15/30/2013-DGAD, dated the 10th March, 2014, published in the Gazette of India, Extraordinary, Part I, Section 1, had initiated a review in the matter of continuation of anti-dumping duty on imports of Flax or Linen Fabric having flax content of more than 50% (hereinafter referred to as the subject goods) falling under heading 5309 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 People's Republic of China and Hong Kong (hereinafter referred to as the subject countries), imposed *vide* notification of the Government of India, in the Ministry of Finance (Department of Revenue) No. 142/2009-CUSTOMS, dated the 21st December, 2009, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R. 915(E), dated the 21st December, 2009;

And whereas, the Central Government had extended the anti-dumping duty on the subject goods, originating in or exported from the subject countries upto and inclusive of the 25th March, 2015, *vide* notification of the Government of India, in the Ministry of Finance (Department of Revenue) No. 17/2014-Customs (ADD), dated the 9th May, 2014, published in Part II, Section 3, Sub-section (i) of the Gazette of India, Extraordinary, *vide* number G.S.R 330(E), dated the 9th May, 2014;

And whereas, in the matter of review of anti-dumping duty on import of the subject goods, originating in or exported from the subject countries, the designated authority in its final findings, published *vide* notification No. 15/30/2013-DGAD, dated the 9th June, 2015, in the Gazette of India, Extraordinary, Part I, Section 1, has come to the conclusion that-

- (i) subject goods are exported from the subject countries at prices below their normal value, thus resulting in dumping;
- (ii) dumping margin and injury margin are positive in respect of imports of the subject goods from the subject countries;
- (iii) subject goods exported from the subject countries are likely to cause injury to the domestic industry in the event of cessation of anti dumping duty,

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

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 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 heading 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), exported by the exporters as specified in the corresponding entry in column (7), and imported into India, an anti-dumping duty at the rate equal to the amount as specified in the corresponding entry in column (8), in the currency as specified in the corresponding entry in column (10) and as per unit of measurement as specified in the corresponding entry in column (9) of the said Table, namely:-

Table

S. No	Heading	Description of goods	Country of origin	Country of export	Producer	Exporter	Amount	Unit	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1	5309	Flax or Linen Fabric having flax content of more than 50%	People's Republic of China	Any	Any	Any	0.75	Per metre	US Dollar
2	5309	Flax or Linen Fabric having flax content of more than 50%	Any country other than Hong Kong and country attracting anti-dumping duty	People's Republic of China	Any	Any	0.75	Per metre	US Dollar
3	5309	Flax or Linen Fabric having flax content of more than 50%	Hong Kong	Any	Any	Any	0.63	Per metre	US Dollar

4	5309	Flax or Linen Fabric having flax content of more than 50%	Any country other than People's Republic of China and country attracting anti-dumping duty	Hong Kong	Any	Any	0.63	Per metre	US Dollar
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2. The anti-dumping duty imposed under this notification 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 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. 354/62/2009-TRU (Pt.-I)]

(Akshay Joshi)
Under Secretary to the Government of India