

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. 9 /2018-Customs (ADD)

New Delhi, the 19th March, 2018

G.S.R.... (E). - Whereas, the designated authority *vide* notification No.7/14/2017 DGAD , dated the 22nd September, 2017 published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 22nd September, 2017, had initiated the 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 ‘Melamine’ (hereinafter referred to as the subject goods) falling under the tariff item 2933 61 00 of the First Schedule to the Customs Tariff Act, originating in, or exported from originating in or exported from European Union, Iran, Indonesia and Japan (hereinafter referred to as the subject countries), imposed *vide* notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 48/2012- Customs (ADD), dated the 8th October, 2012;

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 7th October, 2018 *vide* notification of the Government of India, in the Ministry of Finance (Department of Revenue) No. 47/2017-Customs (ADD), dated the 6th October, 2017, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R. 1222 (E), dated the 6th October, 2017;

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.7/14/2017-DGAD, dated the 19th February, 2018 published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 19th February, 2018 has come to the conclusion that:

- (i) the economic financial parameters of domestic industry post levy of Anti-Dumping Duty were stable and healthy. There was no injury due to imports from subject

countries i.e. EU, Iran and Japan during POI. Imports from Indonesia were Nil during injury period and POI and even post POI. Further there was no injury due to imports from subject countries in post POI;

- (ii) the imports made by GSFC from Qatar were significant during injury period, POI and post POI which were either at a price lower than import price from subject countries or comparable. Therefore, price depression if any could not be attributed to exports from the subject countries;
- (iii) protection of Anti-Dumping was for existing capacity of GSFC to address material injury on account of dumped imports from subject countries and cannot be extended for protecting additional capacity of product under consideration being set up by GSFC which is yet to come up;

and has recommended termination of Sunset Review investigation concerning imports of 'Melamine' originating in or exported from European Union, Iran, Indonesia and Japan and has not recommended continuation of existing Anti-Dumping Duty on imports of the 'Melamine' originating in or exported from European Union, Iran, Indonesia and Japan in accordance with rule 14 (b) of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995.

Now, therefore, in exercise of the powers conferred by sub-sections (1) and (5) of section 9A of the Customs Tariff Act, 1975 (51 of 1975) read with rules 18, 20 and 23 of the Customs Tariff (Identification, Assessment and Collection of Antidumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, the Central Government hereby rescinds the notification of the Government of India, in the Ministry of Finance (Department of Revenue) No. 48/2012- Customs (ADD), dated the 8th October, 2012, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R. 754 (E), dated the 8th October, 2012, except as respects things done or omitted to be done before such rescission.

[F. No. 354/319/2011 –TRU (Pt. I)]

(Ruchi Bisht)
Under Secretary to the Government of India