

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. 32/2019-Customs (ADD)**

New Delhi, the 10<sup>th</sup> August, 2019

G.S.R.... (E). - Whereas, the designated authority, *vide* notification No.7/34/2018 DGTR , dated the 29<sup>th</sup> October, 2018 published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 29<sup>th</sup> October, 2018, had initiated the review in terms 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 ‘Homopolymer of Vinyl Chloride Monomer (suspension grade)’ (hereinafter referred to as the subject goods) falling under the heading 3904 of the First Schedule to the Customs Tariff Act, originating in, or exported from originating in or exported from China PR, Thailand and United States of America (hereinafter referred to as the subject Countries), imposed *vide* notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 27/2014-Customs (ADD), dated the 13<sup>th</sup> June, 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 upto and inclusive of the 12<sup>th</sup> day of August, 2019 *vide* notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 23/2019-Customs (ADD), dated the 11<sup>th</sup> June, 2019, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R. 416 (E), dated the 11<sup>th</sup> June, 2019;

And whereas, in the matter of review of anti-dumping duty on imports of the subject goods, originating in or exported from the subject Countries, the Designated Authority in its final findings, published *vide* notification No. F. No.7/34/2018-DGTR, dated the 18<sup>th</sup> July, 2019 published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 18<sup>th</sup> July, 2019 has come to the conclusion that: -

- (i) the product under consideration has been exported into India from the subject countries during period of investigation at dumped prices;

- (ii) the Domestic Industry has not suffered material injury during the period of investigation in terms of either price or volume effect with anti-dumping duty measure being in force. There exists likelihood of injury due to imports from USA and China on cessation of AD duty and the likelihood of injury of imports from Thailand is quite low and insignificant;
- (iii) the likelihood analysis indicates that in event of cessation of Anti-dumping duty, the exports by USA and China to countries other than India are likely to get diverted to India and the landed value of significant volume of such diverted exports would cause injury to the domestic industry when compared with the Net Import Price during post period of investigation.

and has recommended continued imposition of the anti-dumping duty on the subject goods, originating in or exported from the subject country;

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 the 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), 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 as specified in the corresponding entry in column (9) and as per unit of measurement as specified in the corresponding entry in column (8) of the said Table, namely:-

### **DUTY TABLE**

S. No.	Heading	Description	Country of Origin	Country of Export	Producer	Amount	Unit	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1.	3904	Homopolymer of vinyl chloride monomer (suspension	People's Republic of China	People's Republic of China	i. M/s Tianjin LG Bohai Chemical Co., Ltd. ii. M/s Tianneng Chemical Co.,	61.14	MT	US Dollar

		grade)			Ltd iii. M/s Tianjin Dagu Chemical Co., Ltd iv. M/s Xinjiang Shengxiong Chlor-Alkali Co., Ltd v. M/s Chiping Xinfu PVC Co., Ltd. vi. M/s CNSG Jilantai Salt Chlori - Alkali Chemical Co., Ltd. vii. M/s Yibin Haifeng Herui Co., Ltd.			
2.	3904	Homopolymer of vinyl chloride monomer (suspension grade)	People's Republic of China	People's Republic of China	Any other producer except i to vii mentioned above in column no. (6)	147.96	MT	US Dollar
3.	3904	Homopolymer of vinyl chloride monomer (suspension grade)	People's Republic of China	Any country other than People's Republic of China	Any	147.96	MT	US Dollar
4.	3904	Homopolymer of vinyl chloride monomer (suspension grade)	United States of America	United States of America	M/s Westlake Vinyls Company LP or M/s Westlake Vinyls, Inc., or M/s Axial, LLC	29.99	MT	US Dollar
5.	3904	Homopolymer of vinyl chloride monomer (suspension grade)	United States of America	United States of America	M/s Oxy Vinyls, LP	49.10	MT	US Dollar
6.	3904	Homopolymer of vinyl chloride monomer (suspension grade)	United States of America	United States of America	Any other producer except M/s Westlake Vinyls Company LP, M/s Westlake Vinyls, Inc., M/s Axial, LLC, M/s Oxy Vinyls, LP	115.54	MT	US Dollar
7.	3904	Homopolymer of vinyl chloride monomer (suspension grade)	United States of America	Any country other than United States of America	Any	115.54	MT	US Dollar

**Note:** The product under consideration is Homopolymer of vinyl chloride monomer (PVC) (suspension grade) where various polymer chains are not linked to each other, which however, excludes the specialty poly vinyl chloride suspension resins such as cross-linked poly vinyl chloride, chlorinated poly vinyl chloride (CPVC), vinyl chloride – vinyl acetate copolymer (VC-Vac), poly vinyl chloride paste resin and poly vinyl chloride blending resin.

2. The anti-dumping duty imposed under this notification shall be effective for a period of 30 Months (unless revoked, superseded or amended earlier) from the 13<sup>th</sup> August, 2019 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. 354/70/2007 –TRU (Pt. II)]

(Gunjan Kumar Verma)  
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