

[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. 12/2021 -Customs (ADD)

New Delhi, the 5th March, 2021

G.S.R.---(E).- – Whereas, in the matter of “Black Toner in Powder Form” (hereinafter referred to as the subject goods), falling under tariff sub-heading 3707 90 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, Malaysia and Chinese Taipei (hereinafter referred to as the subject countries) and imported into India, the designated authority *vide* its preliminary findings No. 6/6/2020-DGTR, dated the 18th June, 2020, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 18th June, 2020, had recommended imposition of provisional anti-dumping duty on the imports of subject goods, originating in, or exported from the subject countries;

And, whereas, on the basis of the aforesaid findings of the designated authority, the Central Government had imposed provisional anti-dumping duty on the subject goods with effect from 10th August, 2020 *vide* notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 22/2020-Customs (ADD), dated the 10th August, 2020, published in the Gazette of India Extraordinary, Part II, Section 3, Sub-section (i) *vide* number G.S.R. 498(E), dated the 10th August, 2020;

And, whereas, the designated authority in its final findings *vide* notification No. 6/6/2020-DGTR, dated the 28th January, 2021, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 28th January, 2021, while confirming the preliminary findings dated the 18th June, 2020, has come to the conclusion that-

- (i) the product under consideration has been exported to India from the subject countries below its normal value;
- (ii) the domestic industry has suffered material injury;
- (iii) material injury has been caused by the dumped imports of the product under consideration from the subject countries;

and has recommended imposition of definitive anti-dumping duties on the imports of 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 20 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 tariff 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), 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 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 :-

TABLE

S. No	HS Code	Description of Goods*	Country of Origin	Country of Export	Producer	Amount	Unit	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1	3707	Black Toner in Powder Form*	China PR	Any country including China PR	a) Handan Hanguang OA Toner Co., Ltd. b) HG Technologies Co., Ltd.	1167	MT	USD
2	3707	Black Toner in Powder Form*	China PR	Any country including China PR	Any producer other than at serial number 1	1458	MT	USD
3	3707	Black Toner in Powder Form*	Any country other than China PR, Malaysia & Taiwan	China PR	Any	1458	MT	USD
4	3707	Black Toner in Powder Form*	Malaysia	Any country including Malaysia	Any	1568	MT	USD
5	3707	Black Toner in Powder Form*	Any country other than Malaysia, China PR	Malaysia	Any	1568	MT	USD
6	3707	Black Toner in Powder Form*	Taiwan	Any country including Taiwan	Any	159	MT	USD

S. No	HS Code	Description of Goods*	Country of Origin	Country of Export	Producer	Amount	Unit	Currency
7	3707	Black Toner in Powder Form*	Any country other than Taiwan, China PR & Malaysia	Taiwan	Any	159	MT	USD

*Black Toner in Powder Form excluding the following:

- (i) Color Toner;
- (ii) MICR Toner (Specialized Toner used for printing in Cheques);
- (iii) Toners imported for the use by Original Equipment Manufacturers of Printing Equipment;
- (iv) Toner in Cartridges;
- (v) Toner in liquid form;

2. The anti-dumping duty imposed under this notification shall be levied for a period of five years (unless revoked, superseded or amended earlier) from the date of imposition of the provisional anti-dumping duty, that is, the 10th August, 2020, and shall be payable in Indian currency:

Provided that the said anti-dumping duty shall not be levied for the period commencing from the date of the lapse of the provisional anti-dumping duty, that is, the 9th February, 2021 upto the preceding day of the publication of this notification in the Official Gazette.

Explanation.- For the purposes of this notification, rate of exchange applicable for the purpose 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. 354/91/2020-TRU]

(J. S. Kandhari)
Deputy Secretary to the Government of India