

GOVERNMENT OF INDIA
MINISTRY OF FINANCE
(DEPARTMENT OF REVENUE)

Notification No. 44/2020-Customs

New Delhi dated the 18th December, 2020

G.S.R(E).— Whereas in the matter concerning imports of “Phthalic Anhydride” (hereinafter referred to as the subject goods) falling under tariff item 2917 35 00 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975) (hereinafter referred to as the Customs Tariff Act), the Director General of Trade Remedies (hereinafter referred to as the Authority) initiated an investigation in terms of the India-Korea Comprehensive Economic Partnership Agreement (Bilateral Safeguard Measures) Rules, 2017 (hereinafter referred to as the said rules) *vide* initiation notification under F.No.22/8/2019-DGTR, dated the 1st October, 2019 published in the Gazette of India, Extraordinary dated the 1st October, 2019 in order to determine whether the imports of the subject goods from Korea RP constitute increased imports and whether the increased imports have caused or are threatening to cause serious injury to the domestic industry.

And whereas, on basis of the preliminary findings of the Authority in the Bilateral Safeguard investigation issued *vide* F.No.22/8/2019-DGTR, dated the 11th May, 2020, published in the Gazette of India, Extraordinary dated the 11th May, 2020, the Central Government imposed provisional Bilateral Safeguard measure on the subject goods *vide* notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 29/2020-Customs, dated the 6th July, 2020, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R. 430 (E), dated the 6th July, 2020 by making further amendments in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No.152/2009-Customs, dated the 31st December, 2009, published in the Gazette of India, *vide* number G.S.R. 943 (E), dated the 31st December, 2009.

And whereas, the Authority in its final findings in the Bilateral Safeguard investigation issued *vide* F.No.22/8/2019-DGTR, dated the 28th September, 2020, published in the Gazette of India, Extraordinary dated the 28th September, 2020, has concluded that-

- (i) imports of the product from Korea have increased and constitute “increased imports” within the meaning of the Rules and India-Korea Comprehensive Economic Partnership Agreement;
- (ii) the increased imports have caused serious injury and threatened to cause serious injury to the domestic industry;
- (iii) there exists a causal link between the increased imports of the originating goods due to the reduction or elimination of custom duty under the India-Korea Comprehensive Economic Partnership Agreement and serious injury and threat of serious injury to the domestic industry,

and has confirmed its preliminary findings issued *vide* notification No. 22/8/2019-DGTR dated

the 11th May, 2020 and recommended imposition of bilateral safeguard measure of increasing the rate of customs duty on subject goods originating in Korea RP and imported into India as specified in the aforesaid final findings, from the date of issue of the notification of imposition of provisional measure by the Central Government *vide* notification No.29/2020-Customs dated 6th July, 2020.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act, 1962 (52 of 1962) read with rule 11 and sub-rule (2) of rule 12 of the said rules, the Central Government, on being satisfied that it is necessary in the public interest so to do, confirms the provisional bilateral safeguard measure imposed with effect from 6th July, 2020 and hereby makes the following further amendments in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No.152/2009-Customs, dated the 31st December, 2009, published in the Gazette of India, *vide* number G.S.R. 943 (E), dated the 31st December, 2009, namely-

In the said notification-

- (i) in the Table, after serial number 230B and the entries relating thereto, the following serial numbers and entries shall be inserted, namely:-

(1)	(2)	(3)	(4)
“230C.	2917 35 00	All goods	5.63”;

- (ii) For the first proviso, the following proviso shall be substituted, namely:-
“Provided that, to give effect to the bilateral safeguard measure, as recommended by the Director General of Trade Remedies, -
(a) nothing contained in serial number 230A and entries relating thereto in the said Table shall have effect up to and inclusive of the 5th day of July, 2022, and
(b) nothing contained in serial number 230C and entries relating thereto in the said Table shall have effect up to and inclusive of the 5th day of July, 2021;
unless revoked, superseded or amended earlier.”.

[F. No.354/51/2020-TRU]

(Gaurav Singh)
Deputy Secretary to the Government of India

Note: The principal notification No. 152/2009-Customs, dated the 31st December, 2009 was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-Section (i) *vide* number G.S.R. 943 (E), dated the 31st December, 2009 and was last amended *vide* notification No. 37/2020-Customs, dated the 20th October, 2020, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub- Section (i), *vide* number G.S.R. 651 (E), dated the 20th October, 2020.