

[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. 05/2024-Customs (ADD)

New Delhi, the 14th March, 2024

G.S.R...(E).- Whereas, the designated authority, *vide* notification number 7/12/2023-DGTR, dated the 20th September, 2023, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 20th September, 2023, had initiated the review in terms of sub-section (5) of section 9A of the Customs Tariff Act, 1975 (51 of 1975) (hereinafter referred to as the Customs Tariff Act), and read with 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 “Ethylene Vinyl Acetate (EVA) Sheet for Solar Module” (hereinafter referred to as the subject goods) falling under tariff items 3920 10 11, 3920 10 19, 3920 10 99, 3920 61 90, 3920 62 90, 3920 99 19, 3920 99 39 or 3920 99 99 of the First Schedule to the Customs Tariff Act, originating in or exported from China PR (hereinafter referred to as the subject country), imposed *vide* notification of the Government of India, Ministry of Finance (Department of Revenue), number 15/2019-Customs (ADD), dated the 29th March, 2019, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R. 272(E), dated the 29th March, 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 country, the designated authority in its final findings, published *vide* notification number 7/12/2023-DGTR, dated the 28th December, 2023, published in the Gazette of India, Extraordinary, Part-I, Section 1, dated the 28th December, 2023, has come to the conclusion that-

- (i) the subject goods continue to be exported to India at prices below the normal value, resulting into dumping of the subject goods;
- (ii) dumped imports from subject country are causing injury to the domestic industry;
- (iii) there is likelihood of not only continuation but also intensification of dumping and consequent injury to the Indian industry in the event of cessation of the existing anti-dumping duties at this stage,

and has recommended continued imposition of the anti-dumping duty on imports of the subject goods, originating in or exported from the subject country, in order to remove injury to the domestic industry.

Now, therefore, in exercise of the powers conferred by sub-sections (1) and (5) of section 9A of the Customs Tariff Act, 1975 read with rules 18, 20 and 23 of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 and in supersession of the notification of the Government of India, Ministry of Finance (Department of Revenue), number 15/2019-Customs (ADD), dated the 29th March, 2019, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R. 272(E), dated the 29th March, 2019, 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 tariff item(s) of the First Schedule to the Customs Tariff Act as specified in the corresponding entry in column (2), originating in or exported from the country as specified in the corresponding entry in column (4), produced by the producers as specified in the corresponding entry in column (5), and imported into India, an anti-dumping duty at the rate equal to the amount as indicated in the corresponding entry in column (6), in the currency as specified in the corresponding entry in column (7) and as per unit of measurement as specified in the corresponding entry in column (8) of the said Table, namely :-

TABLE

S. No.	Tariff Item(s)	Description of goods	Country of origin/ Country of Export	Producer	Amount	Currency	Unit of Measurement
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1.	3920 10 11, 3920 10 19, 3920	Ethylene Vinyl Acetate (EVA) Sheet for Solar Module	China PR	Changzhou Sveck Photovoltaic New Materials Co., Ltd.	590	USD	MT
2.	10 99, 3920 61 90, 3920 62 90, 3920 99 19, 3920 99 39, 3920 99 99		China PR	Any others	897	USD	MT

*Custom classification is only indicative and the determination of the duty shall be made as per the description of product under consideration.

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 publication of this notification in the Official Gazette and shall be payable in Indian currency.

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, 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. CBIC-190354/25/2024-TRU Section-CBEC]

(Nitish Karnatak)
Under Secretary to the Government of India