

[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. 44/2018-Customs (ADD)

New Delhi, the 6th September, 2018

G.S.R.... (E). - Whereas, the designated authority *vide* notification number 7/13/2018-DGAD, dated the 4th April, 2018 published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 4th April, 2018, had initiated the Mid-term Review in term of section 9A of the Customs Tariff Act, 1975 (51 of 1975), (hereinafter referred to as the Customs Tariff Act), 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 'Graphite Electrodes of all diameters' (hereinafter referred to as the subject goods), originating in, or exported from China PR (hereinafter referred to as the subject country), imposed *vide* notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 04/2015-Customs (ADD), dated the 13th February, 2015, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R. 93(E), dated the 13th February, 2015;

And whereas, in the matter of Mid-term 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 F. No. 7/13/2018-DGAD, dated the 8th August, 2018 published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 8th August, 2018, has come to the conclusion that:

- (a) the imports of the subject goods from subject country in total imports into India has declined from 69% in 2012 to 55% in period starting from 1st April, 2017 to 31st March, 2018 (POI) whereas the share of imports from other countries has increased from 31% in 2012 to 45% during the POI;

- (b) there is overall improvement in the health of the domestic industry. The domestic industry is not suffering from injury and the alleged dumped imports from the subject country are not resulting in material injury to the Domestic Industry;
 - (c) there is an acute shortage of the subject goods in India and an insignificant increase in production capacities of the domestic producers compared to the significant rise in Indian demand combined with increased exports has led to a serious shortage of subject goods in the Indian market;
 - (d) the facts of the case before the Authority do not indicate any likelihood of dumping and injury in case of cessation of AD duties;
- and has concluded that continuance of anti-dumping duty is not warranted and has recommended discontinuance of existing anti-dumping duty on imports of the subject goods originating in or exported from subject country.

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. 04/2015- Customs (ADD), dated the 13th February, 2015, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R. 93(E), dated the 13th February, 2015, except as respects things done or omitted to be done before such rescission.

[F. No. 354/ 74/2014-TRU (Pt)]

(Gunjan Kumar Verma)
Under Secretary to the Government of India