

Seeks to further amend notification no. 152/2009 dated 31.12.2009, to increase the rate of duty of customs on imports of "Polybutadiene Rubber" originating in Korea RP and imported under the India-Korea Comprehensive Economic Partnership Agreement

GOVERNMENT OF INDIA
MINISTRY OF FINANCE
(DEPARTMENT OF REVENUE)

Notification No. 31/2020-Customs
New Delhi dated the 13th July, 2020

G.S.R(E).— Whereas in the matter concerning imports of "Polybutadiene Rubber" (hereinafter referred to as the subject goods) falling under tariff item 4002 20 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.22/7/2019-DGTR, dated the 7th November, 2019 published in the Gazette of India, Extraordinary dated the 7th November, 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, in the preliminary findings of the Bilateral Safeguard investigation issued vide F.No.22/7/2019-DGTR, dated the 12th May, 2020, published in the Gazette of India, Extraordinary dated the 12th May, 2020, the Authority has provisionally concluded that-

- (i) the domestic industry has suffered serious injury as a result of duty concessions granted to Korean imports leading to increased imports of the subject goods from Korea at low prices;
- (ii) that injury to the domestic industry has been caused by the increased Korean imports and there is a causal link between increased imports of subject goods from Korea and serious injury to the domestic industry;
- (iii) the factors present constitute critical circumstances and are affecting the overall performance of the domestic industry, justifying imposition of provisional bilateral safeguard measure,

and has recommended imposition of the provisional bilateral safeguard measure of increasing the rate of customs duty on subject goods originating in Korea RP imported under the Comprehensive Economic Partnership Agreement between the Republic of India and the Republic of Korea (hereinafter referred to as the Trade Agreement), to the level of Most Favoured Nation duty on the subject goods as on the date of application of the bilateral safeguard measure or Most Favoured Nation duty on the subject goods on the day immediately preceding the date of entry into force of the Trade Agreement, whichever is less, for a period of 200 days.

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 9 of the said rules, the Central Government, on being satisfied that it is necessary in the public interest so to do, 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 342 and the entries relating thereto, the following serial numbers and entries shall be inserted, namely: -

(1)	(2)	(3)	(4)
"342A	400220	All goods	10.00";

- (ii) After the first proviso, the following proviso shall be inserted, namely-

"Provided further that, to give effect to the provisional bilateral safeguard measure, as recommended by the Director General of Trade Remedies, -

- (a) nothing contained in serial number 342 and entries relating thereto in the said Table shall have effect up to and inclusive of the 28th day of January 2021, and
 - (b) the entries contained in serial number 342A in the said Table shall have effect up to and inclusive of the 28th day of January 2021;
- unless revoked, superseded or amended earlier."

[F. No.354/53/2020-TRU]

(Jainendra Singh Kandhari)
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. 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.