

## Notification No. 98 /2010-Customs

New Delhi, the 28th September, 2010

**G.S.R.783(E).** - Whereas, in the matter of import of Recordable Digital Versatile Disc [DVD] of all kinds (hereinafter referred as the subject goods), falling under heading 8523 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975) and originating in, or exported from Malaysia, Thailand and Vietnam, (hereinafter referred to as the subject countries) into India, the Designated Authority, in its preliminary findings vide notification No. 14/16/2009-DGAD dated the 13th November, 2009, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 13th November, 2009, had come to the conclusion that,-

a) the subject goods had been exported to India from the subject countries below its normal value;

b) the domestic industry had suffered material injury;

c) the injury had been caused by the dumped imports from subject countries;

and had recommended imposition of provisional anti-dumping duty on all imports of the subject goods originating in, or exported from, the subject country;

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 vide notification No. 48/2010-Customs, dated the 12th April, 2010, published in the Gazette of India, Extraordinary Part II, Section 3, Sub-section (i), vide number G.S.R. 313(E), dated the 12th April, 2010;

And Whereas, the Designated Authority, in its final findings vide notification No. 14/16/2009-DGAD dated the 2nd July, 2010, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 2nd July, 2010, has come to the conclusion that-

(i) the subject goods have been exported to India from the subject countries below its normal value;

(ii) the domestic industry has suffered material injury;

(iii) the injury has been caused by the dumped imports from subject countries,

and has recommended imposition of definitive anti-dumping duty on all imports of the subject goods, originating in, or exported from, the subject countries;

Now, therefore, in exercise of the powers conferred by sub-section (1) read with sub-section (5) of section 9A of the said 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, on the basis of the aforesaid final findings of the designated authority, hereby imposes on the goods, the description of which is specified in column (3) of the Table below, falling under heading of the First Schedule to the said Customs Tariff Act specified in the corresponding entry in column (2), originating in the country specified in the corresponding entry in column (4), and exported from the country specified in the corresponding entry in column (5) and produced by the producer specified in the corresponding entry in column (6) and exported by the exporter specified in the corresponding entry in column (7), and imported into India, an anti-dumping duty at the rate equal to the amount indicated in the corresponding entry in column (8), in the currency as specified in the corresponding entry in column (10) and per unit of measurement as specified in the corresponding entry in column (9) of the said Table.

**Table**

S. No.	Tariff heading	Description of goods	Country of origin	Country of export	Producer	Exporter	Amount	Unit	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1	8523	Digital Versatile Disc Recordable	Vietnam	Vietnam	M/s-Ritek Vietnam Co. Ltd	M/s-Ritek Vietnam Co. Ltd	29.75	Per 1000 pieces	US Dollar
2	8523	Digital Versatile Disc Recordable	Vietnam	Vietnam	Any other combination of producer and exporter other than at S. No. 1		50.51	Per 1000 pieces	US Dollar

3	8523	Digital Versatile Disc Recordable	Vietnam	Any country other than Vietnam and other than the country already subject to anti dumping duty vide S. No. 3 under column 5 of the duty table in Notification No. 8/2009- Customs dated the 22nd January, 2009	Any	Any	50.51	Per 1000 pieces	US Dollar
4	8523	Digital Versatile Disc Recordable	Any country other than countries attracting anti dumping duty	Vietnam	Any	Any	50.51	Per 1000 pieces	US Dollar
5	8523	Digital Versatile Disc Recordable	Thailand	Thailand	Any	Any	25.98	Per 1000 pieces	US Dollar
6	8523	Digital Versatile Disc Recordable	Thailand	Any country other than Thailand and other than the country already subject to anti dumping duty vide S. No. 6 under	Any	Any	25.98	Per 1000 pieces	US Dollar

				column 5 of the duty table in Notification No. 8/2009- Customs dated the 22nd January, 2009					
7	8523	Digital Versatile Disc Recordable	Any country other than countries attracting antidumping duty	Thailand	Any	Any	25.98	Per 1000 pieces	US Dollar
8	8523	Digital Versatile Disc Recordable	Malaysia	Malaysia	Any	Any	35.92	Per 1000 pieces	US Dollar
9	8523	Digital Versatile Disc Recordable	Malaysia	Any country other than Malaysia and other than the country already subject to anti dumping duty vide S. No. 9 under column 5 of the duty table in Notification No. 8/2009- Customs dated the 22nd January,	Any	Any	35.92	Per 1000 pieces	US Dollar

				2009					
10	8523	Digital Versatile Disc Recordable	Any country other than countries attracting anti dumping duty	Malaysia	Any	Any	35.92	Per 1000 pieces	US Dollar

2. The anti-dumping duty imposed under this notification shall be levied for a period of five years (unless revoked, superseded or amended earlier) with effect from the date of imposition of the provisional anti-dumping duty, that is, the 12th April, 2010, and shall be payable in Indian currency.

Explanation.- For the purposes of this notification,—

(a) Digital Versatile Disc Recordable means such discs of all kinds and includes DVD-R, DVD+R, DVD-RW and DVD+RW;

(b) rate of exchange applicable for the purposes 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. 354/244/2009-TRU (Pt.1)]

**(K.S.V.V. Prasad)**  
Under Secretary to the Government of India