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PART II, SECTION 3, SUB-SECTION(i)]

GOVERNMENT OF INDIA

MINISTRY OF FINANCE

(DEPARTMENT OF REVENUE)

Notification No. 2/2022-Customs (CVD)

New Delhi, dated the 28th April, 2022

G.S.R ...(E).— Whereas, in the matter concerning imports of “Copper Tubes and Pipes” (hereinafter referred to as the subject goods) falling under tariff items 7411 10 00, 7411 21 00, 7411 22 00, and 7411 29 00 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975) (hereinafter referred to as the Customs Tariff Act), originating in or exported from Malaysia, Thailand and Vietnam (hereinafter referred to as the subject countries), and imported into India, the Designated Authority in its final findings, published in the Gazette of India, Extraordinary, Part I, Section 1, *vide* notification No. 04/10/2020-DGTR, dated the 31st January, 2022 has come to the conclusion that-

- (i) the subject goods have been exported to India from the subject countries at subsidized prices;
- (ii) the domestic industry has suffered material injury due to subsidization of the subject goods;
- (iii) the material injury has been caused by the subsidized imports of the subject goods originating in or exported from the subject countries;

and has recommended the imposition of countervailing duty on imports of the subject goods originating in, or exported, from the subject countries.

Now, therefore, in exercise of the powers conferred by sub-sections (1) and (6) of section 9 of the Customs Tariff Act, 1975 read with rules 20 and 22 of the Customs Tariff (Identification, Assessment and Collection of Countervailing Duty on Subsidized Articles and for Determination of Injury) Rules, 1995, 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 following Table, falling under tariff items of the First Schedule to the Customs Tariff Act as specified in the corresponding entry in column (2), originating in the countries as specified in the corresponding entry in column (4), exported from the countries as specified in the corresponding entry in column (5), produced by the producers as specified in the corresponding entry in column (6), and imported into India, countervailing duty calculated at the rate mentioned in column (7) of the said Table, namely:-

TABLE

Sl. No.	Tariff Item	Description*	Country of origin	Country of export	Producer	Duty Amount as % of CIF value
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	74112100, 74112200, 74112900 and 74111000	Copper Tubes and Pipes	Malaysia	Any country including Malaysia	M/s Mettube SDN BHD (Malaysia) (Producer) and M/s MetTube International Sdn Bhd (Malaysia) (Exporter)	5.31
2.	-do-	-do-	Malaysia	Any country including Malaysia	Any producer other than the producer mentioned in Sl.No. 1 above	11.53
3.	-do-	-do-	Any country other than Malaysia	Malaysia	Any	11.53
4.	-do-	-do-	Thailand	Any country including Thailand	M/s Kobelco and Materials Copper Tubes (Thailand) Co Ltd	NIL
5.	-do-	-do-	Thailand	Any country including Thailand	M/s Loyal Hailiang Copper (Thailand) Company Limited	NIL
6.	-do-	-do-	Thailand	Any country including Thailand	M/s Fine Metal Technologies Public Company Limited	6.16
7.	-do-	-do-	Thailand	Any country including Thailand	Any producer other than the producer mentioned in Sl.No. 4, 5 and 6 above	7.57
8.	-do-	-do-	Any country other than Thailand	Thailand	Any	7.57
9.	-do-	-do-	Vietnam	Any country including Vietnam	M/s Jintian Copper Industrial (Vietnam) Company Limited	2.13
10.	-do-	-do-	Vietnam	Any country including Vietnam	M/s Hailiang (Vietnam) Copper Manufacturing Company Limited	2.30

11.	-do-	-do-	Vietnam	Any country including Vietnam	M/s Toan Phat Copper Tube Joint Stock Company	6.81
12.	-do-	-do-	Vietnam	Any country including Vietnam	Any producer other than the producer mentioned in Sl.No. 9, 10 and 11	14.76
13.	-do-	-do-	Any country other than Vietnam	Vietnam	Any	14.76

* *Internally Grooved Copper Tubes are excluded from the product description*

2. The countervailing 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, -

- (a) the rate of exchange applicable for the purposes of calculation of such countervailing 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 Act.
- (b) “CIF value” means the assessable value as determined under section 14 of the Customs Act, 1962 (52 of 1962).

[F. No. CBIC-190354/184/2021-TO(TRU-I)-CBEC]

(Rajeev Ranjan)

Under Secretary