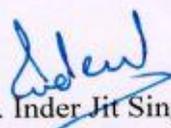


F.No.7/5/2017-DGAD
Government of India
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Anti-Dumping & Allied Duties

Dated 22nd July, 2017

Subject: Order issued for annulment of Sunset- Review Anti-Dumping Initiation Notification No. 7/5/2017-DGAD dated 16.6.2017 –reg.

1. Whereas, a Sunset review anti-dumping investigation concerning imports of 'Soda Ash', originating in or exported from China PR, European Union, Kenya, Pakistan, Iran, Ukraine and USA was initiated vide Notification No. 7/5/2017-DGAD dated 16.6.2017 in terms of Rule 23 of Indian Anti-Dumping Rules to review whether cessation of duty on imports of subject goods originating in or exported from subject countries shall lead to continuation or recurrence of dumping of the subject goods and injury to the domestic industry and the need for continuation of definitive duty in force
2. Whereas the abovementioned Sunset Review (SSR) was initiated subject to the outcome of the ongoing Mid-Term Review (MTR) Anti-dumping investigation concerning imports of 'Soda Ash', originating in or exported from China PR, European Union, Kenya, Pakistan, Iran, Ukraine and USA, which was remanded back to the Designated Authority vide orders of Hon'ble High Court of Gujarat in SCA 16426 to 16429 of 2016.
3. Whereas, the initiation of the SSR investigation during the pendency of the Mid-Term Review was necessitated in view of the order of the Supreme Court in the matter of Union of India vs M/s Kumho Petrochemicals Company Limited (Civil Appeal Nos. 008309-008310 of 2017 arising out of SLP (C) Nos. 29268 -29269 of 2014)holding that any one-year extension of antidumping duty after the expiry of existing antidumping duty would be illegal. Since there was still time for issuance of final findings in the above-referred mid-term review investigation and the existing anti-dumping duty was to lapse shortly i.e. on 3.7.2017., the Sunset Review was initiated subject to the outcome of the Mid-Term Review.
4. Whereas the Authority in Final Findings issued on 22.07.2017 in the referred Mid-Term Review (MTR) Anti-dumping investigation has now recommended discontinuation of anti-dumping duty imposed vide Notification No. 34/2012- Customs (ADD) dated 3rd July, 2012 on import of subject goods from the subject countries, thereby removing the very basis of Sunset Review stipulated in Rule 23(1B) of Indian Anti-Dumping Rules.
5. In view of above, the Notification No. 7/5/2017-DGAD dated 16.6.2017, issued regarding the initiation of Sunset Review is rescinded/ annulled with immediate effect.


(Dr. Inderjit Singh)
Designated Authority