



आयुक्त सीमाशुल्क -II का कार्यालय  
**OFFICE OF THE COMMISSIONER OF CUSTOMS - II**  
(हवाई विशेष कार्गो आयुक्तालय) (AIRPORT SPECIAL CARGO COMMISSIONERATE)  
तकनीकी एवं सांख्यिकी विभाग Technical & Statistics Section  
आवास कॉर्पोरेट पॉइंट, मकवाना लेन, अंधेरी-कुर्ला रोड, मरोळ, मरोळ अंधेरी (पु.) मुंबई ४०० ०५९  
Awac Corporate Point, Makwana Lane, Marol, Andheri (E) Mumbai-59  
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**F. No:** Air SCC/02-32/18-19 Admn(T)

**DATE:** 10.12.2018

**PUBLIC NOTICE NO: 28 /2018**

**SUB: REPRESENTATION FROM ALL INDIA SACCHARIN MANUFACTURING ASSOCIATION - IMPLEMENTATION OF HON'BLE GUJARAT HIGH COURT ORDER dt.07.02.2018 IN SPECIAL CIVIL APPLICATION NO 1399 of 2018 -REG.**

Attention of the Importers , Custom Brokers and all concerned are invited to the Civil Notice dated 12.02.2018 in the Special Civil Application No. 1399 of 2018 in the Hon'ble High Court of Gujarat.

2. The anti-dumping duty on the Saccharine originating in and exported from China PR was imposed vide Notification No. 41/2007- Customs (ADD) dated 19.03.2007 for five years. These duties were extended vide Notification No. 07/2012- Customs (ADD) dated 13.01.2012 for period of five year following a sunset review initiated by the Director General of Trade Remedies (DGTR).
3. Subsequently, the petitioner Shree Vardayini Chemical Industries Pvt ltd. had filed a petition seeking extension of anti-dumping duty. Accordingly, the DGTR had initiated the investigation vide notification No. 15/23/2016-DGAD dated 30.12.2017. After concluding investigation, the DGTR issued final findings vide notification No. 15/23/2016-DGAD dated 30.12.2017 holding that there was no justification for further continuation of anti- dumping duty, largely because anti-dumping duty has been in force for ten years and has served the intended purpose for which anti-dumping duty was imposed.


4. The petitioner Shree Vardayini Chemical Industries Pvt. Ltd., aggrieved from the final findings of DGTR, had filed a Special Civil application No. 1399 of 2018 before the High Court of Gujarat.

5. The Hon'ble High Court of Gujarat, vide his Orders dated 07.02.2018, as intimated by the Dy. Assistant Registrar vide Civil Notice Dispatch No. CPC-C-0 dated 11.09.2018 has directed that:

*" goods that may be given clearance are accounted for and there should be information to the importer that a litigation is pending in form of this petition and as the court has issued notice, the clearance in absence of any protection would be viewed in proper prospective in light of the contention raised in the petition and subject to result of this petition".*

6. Subsequent to the orders of Hon'ble High Court of Gujarat, all the Imports of Saccharine covered under the above mentioned Anti-Dumping Notifications shall be made provisional and the same will be finalized after decision of the Hon'ble High Court of Gujarat in above case.

7. This issues in compliance of the Orders of the Hon'ble High Court of Gujarat dated 07.02.2018 as intimated by the Dy. Assistant Registrar vide Civil Notice Dispatch No. CPC-C-0 dated 11.09.2018 and Instruction No. 18/2018-TRU dated 25.10.2018.

  
(S. Anantha Krishnan)  
Commissioner of Customs,  
APSC, Mumbai Zone-III