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REGISTERED / AD

**CUSTOMS, EXCISE & SERVICE TAX APPELLATE TRIBUNAL
PRINCIPAL BENCH, WEST BLOCK NO.2, R.K.PURAM, NEW DELHI-110066
CUSTOMS APPEAL BRANCH**

Dated: 06/09/2016

To

Appellant as per address in table below

Respondent as per address in table below

Final Order No. AD/A/53353-53356/2016-CU[DB] dated 01/09/2016

I am directed to transmit herewith a certified copy of order passed by the Tribunal under section 9C of the Customs Tariff Act, 1975.


Deputy/Asstt. Registrar (CUSTOMS Appeal Branch)

Application	Appeal	Name and Address of Appellant
1	AD/2603/2012	Alkali Manufacturers Association Of India (amai), 3rd Floor, Pankaj Chambers Preet Vihar Commercial Complex, Vikas Marg, Delhi-110092
2	AD/Stay/3812/2012 AD/3015/2012	Hindustan Unilever Limited Unilever House, B.d Sawant Marg CHAKALA, ANDHERI (E) MUMBAI-400099
AD/MISC/51471/2016, 3 AD/MISC/57290/2013	AD/56752/2013	Thirumalai Chemicals Ltd 25b, Sipcot Industrial Complex, Ranipet, RANIPET, TAMILNADU-632403
4	AD/58546/2013	Alkali Manufacturers Association Of India 3rd Floor, Pankaj Chambers Preet Vihar Commercial Complex Vikas Marg NEW DELHI-110092

**Name and Address of
Respondent**

5 188
-DESIGNATED AUTHORITY
DIRECTORATE GENERAL OF ANTI-
DUMPING AND ALLIED DUTIES,
1. MINISTRY OF COMMERCE AND
INDUSTRIES. GOVERNMENT OF INDIA
UDYOG BHAWAN, NEW DELHI 110001
2. UNION OF INDIA MINISTRY OF
FINANCE SECRETARY - REVENUE
GOVERNMENT OF INDIA NORTH BLOCK,
NEW DELHI

DBD

Other Appellants and Respondents as per Annexure

Copy To

9 Advocate(s) / Consultant(s):

**Rajesh Sharma, Advocate
TRM, SOLICITORS &
CONSULTANTS,
K-3/A, SAKET,
NEW DELHI**

**Economic LawS Practic At Delhi
OFFICE NO. 801 A, 8TH
FLOOR KONNECTUS
TOWERS, TOWER A,
BHAVBHUTI MARG, OPP.
AJMERI GATE, NEW DELHI
AILWAY STATION, NEAR
MINTO BRIDGE, NEW DELHI-
110002
CENTRE, BARAKHAMBA
LANE,
NEW DELHI,**

**Rajesh Sharma, Adv
trm, solicitors & consoltants,
k-3/a, saket,
New Delhi,**

10 Additional Party's Name & Address :

11 Bar Association, CESTAT, Delhi

12 Director Publications, Customs, Excise. I.P. Estate, Delhi

13 M/s Centax Publications Pvt. Ltd., 1512-B, Bhishm Pitamah Marg, Opp. ICICI Bank of Defence colony New Delhi-3

14 Company Law Institute of India Pvt. Ltd., No.2 (old no.36), Vaithyaram Street, T. Nagar, Chennai-17

15 Taxmann Allied Service Pvt. Ltd., 59/32, New Rohtak Road, New Delhi-110005

16 Easy Service Tax Online Dot Com Pvt. Ltd., 407A, Iscon Mall, Satellite Road, Ahmedabad-15

17 LAWCRUX Advisors Pvt. Ltd., LAW House, 1-8, Sector-10, Faridabad 121003 (Haryana)

18 TaxIndiaOnline.com Pvt. Ltd., B-XI/8183, Vasant Kunj, New Delhi - 110070

19 Mark Professional Services Pvt. Ltd., 108, Everest Block, Aditya Enclave, Hyderabad - 38

20 The ICFAI society , 52, Nagarjuna Hill, Punjagutta Hyderabad.-500082

21 MS Knowlegde Processing Pvt. Ltd.(Taxmanagementindia.com),FF-19, 1st Floor,Cross River Mall,CBD Ground,Near Karkardooma Court,Delhi-110032

22 C.D.R. 23 Office Copy 24 Guard File


6/9/16
Deputy/Asstt. Registrar(CUSTOMS Appeal Branch)

**IN THE CUSTOMS, EXCISE & SERVICE TAX
APPELLATE TRIBUNAL
West Block No. 2, R.K. Puram, New Delhi – 110 066.
Principal Bench, New Delhi**

COURT NO. I

DATE OF HEARING : 01/09/2016.
DATE OF DECISION : 01/09/2016.

Anti Dumping Appeal No. 2603 of 2012

[Arising out of the Notification No. 34/2012-Customs (ADD) dated 03/07/2012 issued by the Ministry of Finance. Final Finding of the Designated Authority No. 14/17/2010-DGAD dated 17/02/2012.]

M/s Alkali Manufacturers Association of India Appellant

Versus

Designated Authority Directorate General]
of Anti-Dumping and Allied Duties] Respondent

Appearance

Ms. Reena Asthana Khair, Shri Rajesh Sharma and Ms. Rita Jha,
Advocates – for the appellant.

S/Shri Amit Singh, Advocate for DA and Govind Dixit, Authorized Representative (DR) – for the Respondent.

For I.P. :

S/Shri Sharad Bhansali and Jitendra Singh, Advocates.

**Anti Dumping Stay Application No. 3812 of 2012 in Appeal
No. 3015 of 2012**

[Arising out of the Notification No. 34/2012-Customs (ADD) dated 03/07/2012 issued by the Ministry of Finance. Final Finding of the Designated Authority No. 14/17/2010-DGAD dated 17/02/2012.]

M/s Hindustan Unilever Limited Appellant

Versus

Designated Authority Directorate General]
of Anti-Dumping and Allied Duties] Respondent

Appearance

Shri Somnath Shukla, Advocate – for the appellant.

S/Shri Amit Singh, Advocate for DA and Govind Dixit, Authorized Representative (DR) – for the Respondent.

For I.P. :

Ms. Reena Asthana Khair, Shri Rajesh Sharma and Ms. Rita Jha, Advocates

**Anti Dumping Appeal No. 56752 of 2013 with Misc.
Application Nos. 51471 & 57290 of 2016 and**

[Arising out of the Notification No. 58/2012-Customs (ADD) dated 24/12/2012 issued by the Ministry of Finance. Final Finding of the Designated Authority No. 14/01/2011-DGAD dated 28/09/2012.]

M/s Thirumalai Chemicals Limited

Appellant

Versus

Designated Authority Directorate General]
of Anti-Dumping and Allied Duties]

Respondent

Appearance

Ms. Reena Asthana Khair, Shri Rajesh Sharma and Ms. Rita Jha, Advocates – for the appellant.

S/Shri Amit Singh, Advocate for DA and Govind Dixit, Authorized Representative (DR) – for the Respondent.

Anti Dumping Appeal No. 58546 of 2013

[Arising out of the Notification No. 8/2013-Customs (ADD) dated 18/04/2013 issued by the Ministry of Finance. Final Finding of the Designated Authority No. 14/3/2011-DGAD dated 09/02/2013.]

M/s Alkali Manufacturers Association of India

Appellant

Versus

Designated Authority Directorate General]
of Anti-Dumping and Allied Duties]

Respondent

Appearance

Ms. Reena Asthana Khair, Shri Rajesh Sharma and Ms. Rita Jha, Advocates – for the appellant.

S/Shri Amit Singh, Advocate for DA and Govind Dixit, Authorized Representative (DR) – for the Respondent.

For I.P. :

S/Shri Ankit Sharma, Darpan Bhugan and M. Ratheesh, Advocates.

**CORAM : Hon'ble Shri Justice Dr. Satish Chandra, President
Hon'ble Mrs. Archana Wadhwa, Member (Judicial)
Hon'ble Shri B. Ravichandran, Member (Technical)**

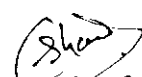
Final Order No. 53353-53356/2016 Dated : 01/09/2016

Per. Justice (Dr.) Satish Chandra :-

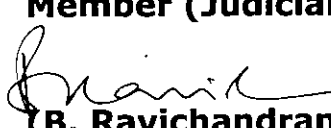
Ms. Reena Khair, learned Counsel for the appellant submits that fundamental calculations of NIP have already been challenged before the Hon'ble High Court, Delhi where the matter is still pending. Similar submission being made by Shri Somnath Shukla, the learned Counsel for the appellant – M/s Hindustan Unilever Limited.

2. We note that the determination of correct NIP being the central point of the Designated Authority's Finding, simultaneous proceedings before this Tribunal is not tenable.

3. In view of above, all the appeals are disposed of with liberty to come again after the decision of Hon'ble High Court of Delhi, if so advised, within the prescribed time. M.A's also disposed of.
(Order dictated and pronounced in the open court.)


(Justice Dr. Satish Chandra)
President


(Archana Wadhwa)
Member (Judicial)


(B. Ravichandran) 29/6.
Member (Technical)

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