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Government of India  
Department of Commerce  
Ministry of Commerce & Industry  
(Directorate General of Anti-Dumping & Allied Duties)  
Udyog Bhawan, New Delhi  
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**INITIATION NOTIFICATION**

**Subject: Initiation of Anti-dumping investigations on imports of Ceramic Tiles originating in or exported from China PR.**

**No.14/16/2008-DGAD**, M/s H & R Johnson (India) Ltd. & M/s Kajaria Ceramics Ltd. have filed an application before the Designated Authority (herein after referred to as the Authority) in accordance with the Customs Tariff Act, 1975 as amended in 1995 and Customs Tariff (Identification, Assessment and Collection of Anti-Dumping Duty on dumped articles and for determination of injury) Rules, 1995(herein after referred to as Rules) for initiation of anti dumping investigation concerning alleged dumping of Ceramic Tiles (hereinafter referred to as subject goods) originating in or exported from China PR (hereinafter referred to as subject country).

2. AND WHEREAS, the Authority finds that sufficient prima facie evidence of dumping of subject goods by the subject country, injury to the domestic industry and causal links between the dumping and injury exist, the Authority hereby initiates an investigation into the alleged dumping, and consequent injury to the domestic industry in terms of the Rules 5 of the said Rules, to determine the existence, degree and effect of any alleged dumping and to recommend the amount of antidumping duty, which if levied would be adequate to remove the injury to the domestic industry.

**Domestic Industry**

3. Application has been filed by M/s H & R Johnson (India) Ltd. & M/s Kajaria Ceramics Ltd. through M/s APJ-SLG Trade Law, New Delhi on behalf of the domestic industry. As per the evidence available applicants have the standing to file the case for anti dumping investigation on behalf of domestic industry as per Rule 2(b) and Rule 5(3)(a) of Anti Dumping Rules.

**Product under consideration**

4. The product under consideration for the investigation is Ceramic Glazed tiles other than vitrified tiles where at least one of the sides (length or width) exceeds 17 inches/431.80 Millimeters (MM)/43.18 Centimeters (CM)/1.4167 feet. These goods are used as covering for walls and floors in the buildings. The product is classified under Custom Tariff heading 6908 9090.

**Like Article**

5. The applicant has claimed that the subject goods, which are being dumped into India, are identical to the goods produced by the domestic industry. There are no differences either in the technical specifications, quality, functions or end-uses of the dumped imports and the domestically produced

subject goods. The two are technically and commercially substitutable and hence should be treated as 'like article' under the Anti-dumping Rules. Therefore, for the purpose of the present investigation, the subject goods produced by the applicant in India are being treated as 'Domestic Like Article' to the subject goods being imported from the subject country.

#### **Country(s) involved**

6. The country involved in the present investigation is China PR.

#### **Normal Value**

7. The Authority notes that the applicant has proposed that Italy be treated as market economy third country for determining normal value for China PR. The applicant could not get the information of normal value from Italy, therefore, the applicant has constructed the normal value for China PR on the basis of cost of production of the domestic producers in terms of provisions of para 7 of Annexure-1 of Anti-dumping Rules. The Authority has prima-facie considered the normal value of subject goods in subject country on the basis of constructed values as made available by the applicants and it has been considered by the Authority for the purpose of initiation.

#### **Export Price**

8. The export prices have been claimed on the basis of data obtained from Impex Statistics Services, Mumbai. Price adjustments have been claimed on account of Ocean freight, marine insurance, port handling and port charges, sales commissions etc. to arrive at the net export price. There is sufficient evidence of export prices claimed by the applicants for the subject goods from the subject country.

#### **Dumping Margin**

9. There is sufficient evidence that the normal values of the subject goods in the subject country are significantly higher than the net export prices indicating prima-facie that the subject goods are being dumped by the exporters from the subject country.

#### **Injury and Causal Link**

10. The applicants have furnished evidence regarding the injury having taken place as a result of the alleged dumping in the form of increased volume of dumped imports, price undercutting, price underselling, price depression, price suppression and deterioration of performance of the domestic industry. There is sufficient *prima-facie* evidence of the material injury being suffered by the applicants caused by dumped imports from the subject country.

#### **Period of Investigation**

11. The period of investigation (POI) for the purpose of present investigation is 1st April 2007 to 31st March 2008 (12 months). The injury investigation period will however cover the periods April,2004-March,05, April,2005-March,2006, April,2006-March,2007 and the POI.

**Submission of information**

12. The exporters and importers known to be concerned and domestic industry are being informed separately to enable them to file all information relevant in the form and manner prescribed. Any other party interested to participate in the present investigation may write to:

**The Designated Authority**  
**(Directorate General of Anti-Dumping & Allied Duties)**  
**Government of India**  
**Ministry of Commerce & Industry**  
**Department of Commerce**  
**Udyog Bhavan, New Delhi-110011.**

**Time limit**

13. Any information relating to this investigation should be sent in writing so as to reach the Authority at the above address not later than 40 days from the date of publication of this notification. If no information is received within the prescribed time limit or the information received is incomplete, the Authority may record their findings on the basis of the facts available on record in accordance with the Rules supra.

**INSPECTION OF PUBLIC FILE**

14. In terms of rule 6(7) any interested party may inspect the public file containing non-confidential versions of the evidence submitted by other interested parties.

15. All interested parties shall provide a confidential and non-confidential summary in terms of Rule 7 (2), for the confidential information provided as per Rule 7 (1) of the Rules supra.

16. In case any interested party refuses access to and otherwise does not provide necessary information within a reasonable period, or significantly impedes the investigation, the Authority may record its findings on the basis of the facts available to it and make such recommendations to the Central Government as deemed fit.

**(R. Gopalan)**  
**The Designated Authority**