

MINISTRY OF COMEMRCE

(Initiation Notification)

New Delhi, the 28th January, 1998

Subject: Initiation of anti-dumping investigations concerning import of Calcium Carbide from China and Romania

No. 27/1/97-ADD- A petition has been filed by M/s. Industrial Chemicals and Monomers Ltd., M/s. Birla Corpn. Ltd. (Unit : Birla Carbide and Gases), M/s. Tecil Chemicals and Hydro Power Ltd., and M/s. Panyam Cements and Mineral Industries Ltd.. in accordance with the Customs Tariff (Amendment) Act, 1995 and Customs Tariff (identification, Assessment and Collection of Anti-Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 before the Designated Authority (hereinafter also called as the Authority) alleging dumping Calcium Carbides from China and Romania (hereinafter also referred to said Countries) and requested for investigation and levy of anti-dumping duty.

2. Domestic Industry: The petition has been filed by M/s. Industrial Chemicals and Monomers Ltd., M/s. Birla Corpn. Ltd. and M/s. Tecil Chemicals and Hydro Power Ltd., who account for more than 25% of domestic production, and therefore, have a standing to file a petition on behalf of domestic industry under the aforesaid rules. It has been submitted that M/s. DCM Shriram Fertilisers and Chemicals may be excluded from the preview of domestic industry as their production is has not been included as they are importers of the said product during 1997.

3. Product Involved: The product involved is Calcium Carbide of all sizes. Calcium Carbide is one of the basic Industrial Chemicals for manufacture of a wide range of Acetylene based chemicals.

Calcium Carbide is classified under Custom Code 28.49 (which reads as Carbides) of Customs Tariff Act. The classification is however, indicative only and is in no way binding on the scope of present investigations.

4. Like Goods: The petitioner has claimed that Calcium Carbide produced by them has characteristics closely resembling with Calcium Carbide being imported from said countries and the two are being consumed interchangeably.

5. Normal Value: The petitioners have provided sufficient evidence to indicate the normal value prevailing in the domestic markets of the countries involved.

6. **Export price:** The petitioners have claimed export price on the basis of data compiled from Chemical Weekly and has stated that the statistics published by the Directorate of Commerce Intelligence and Statistics, Calcutta, may not be relied upon since quantities of imports widely vary from month to month. Since those prices are CIF the petitioners have claimed adjustments for ocean freight, marine insurance, customs clearance and port handling, local transportation in the countries of export, and special packaging for working out ex- works Export Price.

7. **Dumping Margin:** There is sufficient prima facie evidence that export price to India has been lower than the Normal Value in the said countries for all sizes of Calcium Carbide indicating that the same are being dumped by the exporters from China and Romania.

8 **Injury:** The various parameters relating to injury such as quantum of imports in absolute terms, market share, import price from the alleged countries and various indicators affecting domestic industry such as production, sales, selling prices, stocks, profit and loss, collectively and cumulatively prima facie indicate that the domestic industry has suffered material injury.

9. There is prima facie evidence that imports of Calcium Carbide originating from the said countries are causing material injury to the domestic industry.

10. **Initiation of Anti Dumping Investigation:** The Designated Authority, therefore, initiates anti dumping investigation into the existence, degree and effect of alleged dumping of Calcium Carbide originating in or exported from China and Romania.

11. **Period of Investigation:** The period of investigation for the purpose of present investigations is April, 1996 to July, 1997 (16 months).

12. **Submission of information :** The exporters in China and Romania and Importers in India known to be concerned are being addressed separately to submit relevant information in form and manner prescribed and to make their views known to Smt. Rathi Vinay Jha, Designated Authority & Additional Secretary to Government of India, Ministry of Commerce, Udyog Bhavan, New Delhi- 110011.

13. Any other interested party may also make its submissions relevant to the investigation in the prescribed form and manner within the time limit set out below.

14. **Inspection of. Public File:** 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 Time Limit: Any information relating to the present investigation should be sent in writing so as to reach the Designated Authority at the address mentioned above not later than forty days from the date of publication of this notification. The known exporters and importers, who are being addressed separately, are, however, required to submit the information within forty days from the date of letters addressed to them separately.

16. In case where an interested party refuses access to, or otherwise does not provide necessary information within a reasonable period, or significantly impedes the investigation, or the information is incomplete in any respect 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.

RATHI VINAY JHA,
Designated Authority