

MINISTRY OF COMMERCE AND INDUSTRY
(Department of Commerce)
Directorate General of Anti-dumping & Allied Duties

NOTIFICATION

13th July, 2005

Sub: Anti-Dumping Investigation concerning imports of Certain ‘Compressors’ originating in or imported from China PR and Malaysia - Termination of Investigation.

No.14/7/2004-DGAD - Having regard to the Customs Tariff Act 1975 as amended in 1995 and the Customs Tariff (Identification, Assessment and Collection of Anti-Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, thereof, the Designated Authority (hereinafter also referred to as Authority), under the above Rules, initiated an investigation vide notification dated 19th July 2004, into the alleged dumped imports of Certain Compressors from China PR and Malaysia. The investigation was initiated on the basis of a written application received from M/s BPL Engineering Ltd, Hyderabad, (hereinafter referred to as petitioner) on behalf of domestic industry, alleging dumping of Certain ‘Compressors’ originating in or exported from China PR and Malaysia.

2. The Authority issued a public notice dated 19th July 2004 initiating Anti-Dumping investigations concerning imports of Certain Compressors classified under custom Code 841430 and 84143000 in the Indian Trade Classification based on Harmonized system of the Customs Tariff Act, 1975 and under ITC HS Classification Rule, originating in or exported from China PR and Malaysia (hereinafter referred to as subject countries). The product under consideration in the present case was “Low temperature application compressors of a kind used in refrigerating equipment” (also referred to as subject goods hereinafter). The petition had been filed by M/s BPL Engineering Ltd, Medak, Andhra Pradesh and was supported by M/s Tecumseh Products India Limited, Ballabgarh, Haryana.

3. Substantial response/information to the questionnaire/notification was filed by the following exporters/producers from China PR:

1. M/s Guangzhou Refrigeration Company Ltd, China PR
2. M/s Wanbao Economic Trading Co Ltd, China PR

4. Response/information to the questionnaire/notification was also filed by a number of other exporters, Importers and users of the subject goods whose views were taken into account at various stages of the investigation.

5. The Authority conducted further investigation into the dumping, injury, and causal link between dumping and injury and also conducted public hearing on 2nd June 2005. The Authority also conducted verification of information submitted by the domestic industry, as well as, by the cooperating producers and exporters. Due to exceptional circumstance, the Central Government, in terms of the powers conferred upon it under Rule 17 (1) of the Antidumping Rules, extended the time period for completion of the investigation till 18th January 2006.

6. The petitioner vide their letter dated 5th July 2005 has made a written submission before the Authority requesting termination of anti dumping investigations concerning imports of the subject goods from China PR and Malaysia. They have stated

- i. “That it is over a year from the time that the application had been filed and the Compressor market has witnessed certain changes since then. Of late, due to increase in input costs, all manufacturers have been compelled to increase the compressor prices and this increase has been accepted partially by most refrigerator manufacturers.
- ii. That since the POI, there has also been a substantial shift in pattern of imports of low temperature application compressors from China PR and Malaysia. The import prices have also increased by approximately 10% and the share of imports from China and Malaysia has also come down with respect to imports from other countries.
- iii. That the domestic refrigerator industry is also trying to work closely with the domestic compressor industry by supporting them in their product development as per changing demands and assuring to source a minimum volume of their domestic requirements from the domestic compressor producers..
- iv. That in view of the pledged support of Indian manufacturers and the changed circumstances, we wish to withdraw our application for imposition of antidumping duties on import of compressors from P.R. of China and Malaysia.”

7. Rule 14 (a) of the Antidumping Rules provide that the Authority shall, by issue of a public notice, terminate an investigation immediately, if it receives a request in writing for doing so, from or on behalf of the domestic industry affected, at whose instance the investigation was initiated.

8. The Authority notes that the investigation into alleged dumping and injury was initiated on the basis of fully documented written request filed by M/s BPL

Engineering Ltd, on behalf of domestic industry. The same applicant have now made a written submission withdrawing his original request for imposition of the duty in view of the changed condition in the market and the price structure of the product involved.

9. Therefore, in terms of Rule 14 (a) of the Antidumping Rules referred above, the Authority hereby terminates the investigation initiated vide notification No. 14/7/2004-DGAD dated 19th July 2004 and all proceedings connected with this case.

(Christy L. Fernandez)
Designated Authority