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

Dated the 20<sup>th</sup> February, 2013

**NOTIFICATION**

**Initiation**

**(Midterm Review)**

**Subject: Initiation of midterm review regarding anti-dumping duty imposed on imports of Nylon Tyre Cord Fabric originating in or exported from Belarus.**

**F.No.15/28/2011-DGAD** -- Whereas having regard to the Customs Tariff Act, 1975, as amended in 1995 and thereafter (hereinafter also referred to as the Act) and the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, as amended from time to time (hereinafter also referred to as the Rules), the Designated Authority (hereinafter also referred to as the Authority) had issued its final findings vide Notification No.14/09/2008-DGAD dated 29.09.2009 recommending definitive anti-dumping duty on the imports of Nylon Tyre Cord Fabric (hereinafter also referred to as the subject goods), originating in or exported from Belarus (hereinafter also referred to as the subject country).

2. And whereas the Central Government, vide Customs Notification No. 121/2009-Customs dated 30.10.2009, had imposed definitive anti-dumping duty on the imports of the subject goods originating in or exported from the subject country.

**Product under consideration**

3. The product under consideration in the present investigation is Nylon Tyre Cord Fabric (NTCF) originating in or exported from Belarus. The subject good is a fabric of nylon, meant largely for tyre cord. NTCF finds application in different kinds of automotive tyres such as bus & truck tyres, two wheeler tyres, cycle tyres, light commercial vehicle tyres, animals driven vehicle tyres etc.

4. NTCF is produced using different deniers of yarn. The fabric is used for reinforcement of tyres. The product is sold as "Grey fabric" and also "Dipped fabric". These are only different forms of the product under consideration. All types of NTCF are within the scope of the product under consideration and are classified under Chapter 59, Custom subheading No. 5902.10.00 of the Customs Tariff Act. The classification is however indicative only and in no way binding on the scope of the present investigation.

### **Initiation**

5. The Customs Tariff Act, and the Anti-dumping Rules made there, requires the Authority to review from time to time the need for continuance of anti-dumping duties. M/s Grodno Azot, Production & Technological Complex, "Khimvololonko", Ul.Slavinskogo, 4, 230026, Grodno, Republic of Belarus, has filed an application for change of name of the producer/exporter in the relevant Customs Notifications from Grodno Khimvolokno to M/s Grodno Azot, following the affiliation of Grodno Khimvolokno to M/s Grodno Azot. In the Final Findings as well as the relevant Customs Notifications of the original investigation, the anti-dumping duty on the imports of the subject goods, originating in or exported from the subject country has been imposed on the producer/exporter combination of Grodno Khimvolokno, Belarus and M/s Kapsco Private Ltd, Singapore. In their MTR application M/s Grodno Azot has stated that M/s Grodno Khimvolokno is reorganized by way of affiliation to Grodno Azot and all activities of Grodno Khimvolokno have been terminated with effect from their affiliation. They have further claimed that in view of the same all their exports will be in the name of Grodno Azot and accordingly duties applicable to Grodno Khimvolokno may be made applicable to Grodno Azot.

6. In view of the above, the Designated Authority considers that the midterm review of the anti-dumping duty imposed on the of imports of the subject goods, originating in or exported from Belarus, would be appropriate at this stage under the provisions of rule 23 of AD Rules and Section 9A (5) of the Customs Tariff (Amendment) Act, 1995 as amended.

### **Countries Involved**

7. The country involved in the present investigation is Belarus.

### **Grounds for Review**

8. In the original investigation M/s Grodno Khimvolokno was subjected to the anti-dumping duties as the producer along with M/s Kapsco Private Ltd, Singapore as the exporter. M/s Grodno Azot has filed an application for change of name of the producer/exporter in the relevant Customs Notifications from Grodno Khimvolokno to M/s Grodno Azot, following the affiliation of Grodno Khimvolokno to M/s Grodno

Azot. In the Final Findings as well as the relevant Customs Notifications of the original investigation, the anti-dumping duty on the imports of the subject goods, originating in or exported from the subject country, has been imposed on the producer/exporter combination of Grodno Khimvolokno, Belarus and M/s Kapsco Private Ltd, Singapore. In their MTR application M/s Grodno Azot has stated that M/s Grodno Khimvolokno was reorganized in September, 2011 by way of affiliation to M/s Grodno Azot and all activities of M/s Grodno Khimvolokno have been terminated with effect from their affiliation. They have further claimed that in view of the same all their exports will be in the name of Grodno Azot and accordingly duties applicable to Grodno Khimvolokno may be made applicable to Grodno Azot.

### **Procedure**

9. Having regard to the information provided by the applicants indicating changed circumstances necessitating a review of the measure in force, the Designated Authority now considers it appropriate to conduct a Mid Term Review of the Final Findings notified vide No.14/09/2008-DGAD dated 29.09.2009 and the definitive anti-dumping duty imposed vide Customs Notification No. 121/2009-Customs dated 30.10.2009, in terms of the provisions of Section 9A (5) of Customs Tariff (Amendment) Act 1995 read with Rule 23 of the anti-dumping Rules supra. The present review is limited to the aspect of name change claimed by M/s Grodno Azot with regard to the Final Findings Notification No.14/09/2008-DGAD dated 29.09.2009 Customs Notification No. 14/09/2008-DGAD dated 29.09.2009.

### **Period of Investigation**

10. Since the present review investigation is restricted to only change of name, the Authority considers that the period of investigation is not relevant.

### **Submission of Information**

11. The exporters in subject country, their government through their Embassy/ Representative, the domestic industry, the importers and users in India known to be concerned and the domestic industry are being addressed separately to submit relevant information in the form and manner prescribed and to make their views known to the:

**The Designated Authority  
Ministry of Commerce & Industry  
Department of Commerce  
Directorate General of Anti-Dumping & Allied Duties (DGAD)  
Room No. 240, Udyog Bhavan,  
New Delhi-110011**

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.

**Time Limit**

12. Any information relating to the present review and any request for hearing should be sent in writing so as to reach the Authority at the address mentioned above not later than forty days (40 Days) from the date of initiation of this review notification. If no information is received within the prescribed time limit or the information received is incomplete, the Designated Authority may record its findings on the basis of the facts available on record in accordance with the Rules.

**Inspection of Public File**

13. In terms of Rules 6(7), any interested party may inspect the public file containing non-confidential version of the evidence submitted by other interested parties.

**Non-cooperation**

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, 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.

(J. S. Deepak)  
Designated Authority