

**MINISTRY OF COMMERCE AND INDUSTRY**  
**(DEPARTMENT OF COMMERCE)**  
**DIRECTORATE GENERAL OF ANTI-DUMPING AND**  
**ALLIED DUTIES**

**NEW SHIPPER REVIEW INITIATION NOTIFICATION**

NEW DELHI, DATED THE 23rd May, 2003

**Subject:** Initiation of **New-Shipper Review** of Anti-dumping duty imposed on imports of **Vitrified /Porcelain Tiles** on request of M/s Nanhai Shangyuan Oulian Construction Ceramics Co. Ltd, China (Producer) and M/s Prestige General Trading ,Dubai, UAE(Exporter) reg.

**NO.15/2/2003-DGAD.** M/s. Nanhai Shangyuan Oulian Construction Ceramics Co. Ltd., China, producer with M/s. Prestige General Trading, Dubai, UAE as exporter had filed a petition 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 before the Designated Authority (hereinafter referred to as the Authority) requesting for a review of the Anti-Dumping duty recommended by the Designated Authority on exports of Vitrified /Porcelain Tiles (hereinafter referred to as subject goods) from PR China and UAE in the earlier case of Anti-Dumping investigation where Government has notified the Anti-Dumping duty vide Notification No.50/2002 Customs dated 2.5.2002 falling under Chapter 69 of Customs Tariff Act.

2. On the request of M/s Nanhai Shangyuan Oulian Construction Ceramics Co. Ltd., China, Authority initiated review, vide Notification no. 37/1/2001-DGAD dated 20.9.2002. However, this review was terminated vide Notification dated 12.1.2003 based on the view of the Central Government that suspension of anti dumping duties to New Shippers would apply only after the publication of the final findings.

3. The Authority had notified the preliminary findings vide Notification No.37/1/2001-DGAD dated 3rd December, 2001 and final finding vide notification No. 37/1/2001-DGAD dated 5th February, 2003. Anti-Dumping duty was imposed by the Central Government on the preliminary findings vide Notification No. 50/2002-Customs dated 2nd May, 2002 and in respect of final findings vide Notification No 73/2003 Customs dated 1st May, 2003. Consequent to the publication of the final finding recommendations the same producer-exporter had requested the Authority for initiation of a New Shipper Review vide application dated 15th March, 2003

## **EXPORTER INVOLVED:**

4. The present investigations relate to exports of Vitrified/Porcelain Tiles by M/s. Nanhai Shangyuan Oulian Construction Ceramics Co.Ltd., China, producer with M/s. Prestige General Trading, Dubai, UAE as exporter to India (hereinafter also referred to as the Petitioner).

## **INITIATION OF REVIEW IN RESPECT OF NEW EXPORTER:**

5. The Customs Tariff (Amendment) Act, 1995 and the Rules made there under require the Authority to review for the purpose of determining individual margin of dumping for any exporter or producer in the exporting country in question who has not exported to India the subject goods during the period of investigation of the earlier case of Anti-Dumping investigation against import of Vitrified/Porcelain Tiles from PR China and UAE where Anti-Dumping duty has been notified vide Notification No.73/2003-Customs Dated 1st May, 2003. The petitioner has furnished prima facie evidence that it satisfies the conditions prescribed under Rule-22 of Anti-Dumping duty Rules, and has requested for determination of separate dumping margin.

6. The Authority having been satisfied with the conditions as prescribed under Rule 22 of Anti-Dumping Rules, decides to review the Anti-Dumping duty imposed by the Central Government in pursuance of the recommendations made by the Authority vide Notification No. 37/1/2001-DGAD dated 5.2.2003, and having regard to Notification No. 73/2003 Customs dated 1.5.2003, as requested by M/s. Nanhai Shangyuan Oulian Construction Ceramics Co.Ltd., China, producer with M/s. Prestige General Trading, Dubai, UAE as exporter.

7. Having decided to initiate New Shipper review the final findings notified vide Notification No.37/1/2001-DGAD dated 4th February, 2003 needs to be reviewed with regard to import of Vitrified/Porcelain Tiles from PR China, the Authority hereby initiates investigations to determine separate dumping margin-in respect of M/s. Nanhai Shangyuan Oulian Construction Ceramics Co.Ltd., China, producer with M/s Prestige General Trading, Dubai, UAE as exporter in accordance with the Rules Supra.

8. The Authority recommends provisional assessment on all exports made by M/s. Nanhai Shangyuan Oulian Construction Ceramics Co.Ltd., China, producer with M/s. Prestige General Trading, Dubai, UAE as exporter of subject goods, till this review is completed, in accordance with the Rule 22 of the Rules Supra and having regard to Notification No. 73/2003 Customs dated 1.5.2003

## **PERIOD OF INVESTIGATION:**

9. The period of investigation for the purpose of the present review is 1st July, 2002 to 30th June, 2003 (12 months).

**SUBMISSION OF INFORMATION:**

10. The exporters and importers known to be concerned and domestic industry are being informed separately to enable them to submit relevant information in the form and manner prescribed and to make their views known to the Designated Authority, Directorate General of Anti Dumping & Allied Duties, Department of Commerce, Ministry of Commerce and Industry, Government of India, Udyog Bhavan, New Delhi-110011. Any other interested party may also make its submissions relevant to the investigation to the above Authority in the prescribed form and manner within the time limit set out below.

**TIME LIMIT:**

11. All information relating to this review should be sent in writing so as to reach the Authority at the above address not later than thirty days from the date of completion of period of investigation. If no information is received within the prescribed time limit or the information received is incomplete, the Authority may record its findings on the basis of the facts available before the Authority in accordance with the Rules Supra.

**INSPECTION OF PUBLIC FILE**

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

13. All interested parties shall provide a Confidential summary in terms of Rule 7(2), for the Confidential information provided as per Rule 7(1) of the rules Supra.

14. In case where as 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 such recommendations to the Central Government as deemed fit.

**L.V.SAPTHARISHI**  
DESIGNATED AUTHORITY