

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

Dated the 28th February 2006

Initiation Notification (Sunset Review)

Subject: Initiation of Sunset Review regarding anti-dumping duty imposed on imports of White Cement originating in or exported from United Arab Emirates (UAE) and Iran.

No. 15/6/2005-DGAD - Whereas having regard to the Customs Tariff Act, 1975 as amended in 1995 and the Customs Tariff (Identification, Assessment and Collection of Duty or Additional Duty on Dumped Articles and for Determination of Injury) Rules, 1995 (herein after referred to as AD Rules), vide Notification Number 64/1/2000-DGAD dated 30.8.2001, the Designated Authority (herein after referred to as the Authority) notified its final findings recommending definitive anti dumping duty on import of White Cement (hereinafter referred to as subject goods) originating in or exported from United Arab Emirates and Iran (hereinafter referred to as subject countries).

And whereas definitive antidumping duty was imposed on the subject goods vide Customs Notification No. 99/2001-Customs, dated 3.10.2001.

2. Product Under Consideration

The product under consideration is White Portland Cement commonly known as White Cement. White Cement is construction material and it is primarily used for non-structural purposes. It is used for architectural purposes, flooring, manufacturing of flooring tiles, cement based exterior paints and cement wash (white wash). White Cement has low content of soluble alkalies and does not cause stain. White Cement is classified in Chapter 25 of the Custom Tariff Act (Section V of the Act, which pertains to Mineral Products) under the sub-heading 2523.21. The Customs and ITC HS classification is, however, indicative only and in no way binding on the scope of the present investigation.

3. Initiation

The Customs Tariff (Amendment) Act 1995 and the AD Rules made there under require the Authority to review from time to time the need for continuance of anti-dumping duty. M/s. J K White Cement Works (Unit of J K Cement Limited) supported by M/s Grasim Industries Ltd. (White Cement Division), Kharia Khangar, Rajasthan have filed an application substantiating the need for sunset review of the anti-dumping duty imposed on the subject goods originating in or exported from UAE and Iran and have requested for continuation and enhancement of the anti-dumping duty imposed on subject goods under the above mentioned notifications for a further period of 5 years. The Designated Authority considers that the sunset review of the anti dumping duty recommended would be appropriate at this stage under the provision of section 9A (5) of the Customs Tariff (Amendment) Act, 1995 as amended and the rules made thereunder.

4. Countries Involved

The countries involved in the present reviews are UAE and Iran.

5. Procedure

Having satisfied itself on the basis of evidence submitted by domestic industry for review of the final findings notified vide No. 64/1/2000-DGAD dated 30.8.2001 and final duty imposed by Notification No. 99/2001-Customs, dated 3.10.2001, the Authority hereby initiates investigations to review whether cessation of antidumping duty on imports of White Cement originating in or exported from UAE and Iran is likely to lead to continuation or recurrence of dumping and injury to domestic industry in accordance with the Customs Tariff (Amendment) Act, 1995 and AD Rules.

The review covers all aspects of Notification No. 64/1/2000-DGAD dated 30.8.2001.

M/s. J K White Cement Works (Unit of J K Cement Limited) and M/s Grasim Industries Ltd. had represented on behalf of the domestic industry in the original investigations also. The Authority proposes to consider these companies, who constitute the major proportion of the production of the subject goods in India, as domestic industry in accordance with the Rules supra.

6. Period of Investigation

The period of investigation for the purpose of the present review is 1st October 2004 to 30th September 2005 (12 months). However, injury analysis shall cover the years 2002-03, 2003-04, 2004-05 and POI.

7. Submission of Information

The exporters in subject countries, their government through their Embassies in India, 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.

8. Time Limit

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 publication 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 AD Rules.

9. Inspection of Public File

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. 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.

(Christy L. Fernandez)
Designated Authority