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**F. No. 7/25/2021-DGTR
Government of India
Ministry of Commerce and Industry
Department of Commerce
(Directorate General of Trade Remedies)
4thFloor, Jeevan Tara Building,
5-Parliament Street, New Delhi -110001**

Initiation Notification

Case No. AD (NSR) - 01/2021

(New Shipper Review)

Dated: 10th September, 2021

Subject: - Initiation of New Shipper Review under Rule 22 of the Anti- Dumping Rules for determination of the individual dumping margin for M/s Al-Razi Chemical Complex Limited (Producer-cum-Exporter) in the matter of anti-dumping duty imposed on the imports of “Hydrogen Peroxide” originating in or exported from Bangladesh.

F.No. 7/25/2021-DGTR: M/s Al-Razi Chemical Complex Limited (hereinafter referred to as the applicant or the petitioner), a producer-cum-exporter of the subject goods from Bangladesh, has filed an application in accordance with the Customs Tariff Act, 1975 (hereinafter referred to as the Act) as amended from time to time 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 referred to as the AD Rules) before the Designated Authority (hereinafter referred to as the Authority) requesting for determination of the individual dumping margin for them in the matter of the anti-dumping duties levied on the dumped imports of Hydrogen Peroxide originating in or exported from Bangladesh. The said duties were recommended by the Authority vide Notification No. 14/3/2015-DGAD dated 11th April, 2017 and levied by the Central Government vide Notification No. 28/2017-Customs (ADD) dated 14th June, 2017, read with Notification No. 33/2018- Customs (ADD) dated 1st June, 2018.

A. Producer/Exporter involved

2. The present investigation relates to the proposed exports of Hydrogen Peroxide by M/s Al-Razi Chemical Complex Limited, Bangladesh (producer-cum-exporter) in terms of the application filed before the Authority in accordance with the Act and the AD Rules.

B. Initiation of Review in respect of New Producer/Exporter

3. Rule 22 of the AD Rules states as under:

Rule 22. Margin of dumping, for exporters not originally investigated (1) If a product is subject to Anti-dumping duties, the Designated Authority shall carry out a periodical review for the purpose of determining individual margins of dumping for any exporters or producers in the exporting country in question who have not exported the product to India during the period of investigation, provided that these exporters or producers show that they are not related to any of the exporters or producers in the exporting country who are subject to the Anti-dumping duties on the product.

(2) The Central Government shall not levy Anti-dumping duties under sub-section (1) of section 9A of the Act, on imports from such exporters or producers during the period of review as referred to in sub-rule (1) of this rule:

Provided that the Central Government may resort to provisional assessment and may ask a guarantee from the importer if the Designated Authority so recommends and if such a review results in a determination of dumping in respect of such products or exporters, it may levy duty in such cases retrospectively from the date of the initiation of the review.

(3) The anti-dumping duty already imposed for co-operative un-sampled exporters or producers may also be extended to such exporters or producers who were not originally investigated.

4. These AD Rules thereby require the Authority to initiate review for the purpose of determining the individual margin of dumping for any exporter or producer in the exporting country in question who has not exported the subject goods to India during the period of investigation of the earlier investigations and who is not related to any of the exporters and the producers in the exporting country who are subjected to the anti-dumping duty.
5. M/s Al-Razi Chemical Complex Limited (producer-cum-exporter) has provided the necessary information as required under Rule 22 of the Anti-dumping Rules.
6. The Authority, having been *prima facie* satisfied that the conditions as prescribed under Rule 22 of AD Rules are met with, hereby decides to initiate a New Shipper Review investigation for determination of their individual dumping margin in relation to the anti-dumping duties levied on the dumped imports of Hydrogen Peroxide originating in or exported from Bangladesh in pursuance of the recommendations made by the Authority vide final findings Notification No. 14/3/2015-DGAD dated 11th April, 2017 and Customs Notification No. 28/2017-Customs (ADD) dated 14th June, 2017, read with Notification No. 33/2018- Customs (ADD) dated 1st June, 2018.
7. The Authority recommends provisional assessment on all exports of the subject goods made by M/s Al-Razi Chemical Complex Limited till this review is completed, in accordance with Rule 22 of the AD Rules and having regard to Customs Notification No. 28/2017-Customs (ADD) dated 14th June, 2017, read with Notification No. 33/2018-Customs (ADD) dated 1st June, 2018.

C. Period Of Investigation

8. The period of investigation for the purpose of the present review is 1st April, 2021 to 31st December, 2021.

D. Submission of Information

9. The known interested parties are being informed separately to enable them to submit the relevant information in the form and manner prescribed and to make their views

known to the Designated Authority, Directorate General of Trade Remedies, Department of Commerce, Ministry of Commerce and Industry, Government of India, 4th Floor, Jeevan Tara Building, Parliament Street, New Delhi -110001. Any other interested party may also make its submissions relevant to the investigation to the Authority in the prescribed form and manner within the time limit set out below.

E. Time Limit and submission of information

10. All the information relating to this review should be sent in writing to the Authority not later than thirty days from the date of completion of the Period of Investigation/review as stated in relevant para above. 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 AD Rules.
11. In view of the special circumstances arising out of COVID-19 pandemic, all the communications should be sent to the Authority via email at the email addresses adg15-dgtr@gov.in, adv13-dgtr@gov.in, jd13-dgtr@gov.in and dd15-dgtr@gov.in.
12. Any other interested party may also make its submissions relevant to the investigation in the prescribed form and manner as applicable within the time limit set out above. Any party making any confidential submission before the Authority is required to make a nonconfidential version of the same available to other interested parties.

F. Submission of Information on Confidential Basis

13. Any party making any confidential submission or providing information on confidential basis before the Authority is required to simultaneously submit a non-confidential version of the same in terms of Rule 7(2) of the Rules and the Trade Notices issued in this regard. Failure to adhere to the above may lead to rejection of the response/submissions.

14. The parties making any submission (including Appendices/Annexures attached thereto) before the Authority, including questionnaire response, are required to file confidential and non-confidential versions separately.
15. The "confidential" or "non-confidential" submissions must be clearly marked as "Confidential" or "Non-confidential" at the top of each page. Any submission made without such marking shall be treated as non-confidential by the Authority and the Authority shall be a liberty to allow the other interested parties to inspect such submissions.
16. The confidential version shall contain all information which is by nature confidential and/or other information which the supplier of such information claims as confidential. For information which is claimed to be confidential by nature or the information on which confidentiality is claimed because of other reasons, the supplier of the information is required to provide a good cause statement along with the supplied information as to why such information cannot be disclosed.
17. The non-confidential version is required to be a replica of the confidential version with the confidential information preferably indexed or blanked out (in case indexation is not feasible) and summarized depending upon the information on which confidentiality is claimed. The non-confidential summary must be in sufficient detail to permit a reasonable understanding of the substance of the information furnished on confidential basis.
18. However, in exceptional circumstances, the party submitting the confidential information may indicate that such information is not susceptible to summary, and a statement of reasons why summarization is not possible must be provided to the satisfaction of the Authority.
19. The Authority may accept or reject the request for confidentiality on examination of the nature of the information submitted. If the Authority is satisfied that the request for confidentiality is not warranted or if the supplier of the information is either unwilling to make the information public or to authorize its disclosure in generalized or summary form, it may disregard such information.

20. Any submission made without a meaningful non-confidential version thereof or without good cause statement on the confidentiality claim shall not be taken on record by the Authority.
21. The Authority on being satisfied and accepting the need for confidentiality of the information provided, shall not disclose it to any party without specific authorization of the party providing such information.

G. Inspection Of Public File

22. A list of interested parties will be uploaded on DGTR's website along with the request therein to all of them to email the non-confidential version of their submissions to all other interested parties since the public file will not be accessible physically due to ongoing Covid-19 global pandemic.

H. Non-cooperation

23. In case where an interested party refuses access to or otherwise does not provide the 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.


Anant Swarup
(Designated Authority)