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**Government of India
Ministry of Commerce & Industry
Department of Commerce
(Directorate General of Anti-Dumping & Allied Duties)**

Notification

Jeevan Tara Building, 4th Floor
5, Parliament Street, New Delhi-110001
Date: 11.03.2016

Preliminary Findings

Subject: Anti Dumping investigation concerning imports of “Glazed/Unglazed Porcelain/ Vitrified tiles in polished or unpolished finish with less than 3% water absorption”, originating in or exported from China PR.

No.14/14/2014-DGAD:- Having regard to the Customs Tariff Act, 1975, as amended from time to time (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) thereof;

A. Background of the case

2. Whereas, Gujarat Granito Manufacturers Association and Sabarkantha District Ceramic Association (hereinafter also referred to as the applicants) filed an application before the Designated Authority (hereinafter also referred to as the Authority) in accordance with the Customs Tariff Act, 1975, as amended from time to time, (hereinafter also referred to as the Act) and 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) for initiation of anti-dumping investigation and imposition of anti-dumping duty on the imports of “Glazed/Unglazed Porcelain/Vitrified tiles in polished or unpolished finish with less than 3% water absorption”, (hereinafter also referred to as the subject goods), originating in or exported from China PR (hereinafter also referred to as the subject country).

3. And whereas, the Authority on the basis of sufficient prima facie evidence, submitted by the applicant issued a public notice vide Notification No. 14/14/2014-DGAD dated 13th October, 2015, published in the Gazette of India, Extraordinary, initiating the subject investigation in accordance with the sub Rule 5 of the Rules, to determine the existence, degree and effect of the alleged dumping and to recommend the amount of anti-dumping duty, which, if levied, would be adequate to remove the injury to the domestic industry.

B. PROCEDURE

4. The following Procedure described below has been followed with regard to this investigation:
- i. The Authority notified the embassy of China PR in India about the receipt of the anti-dumping application, before proceeding to initiate the investigation in accordance with sub-rule 5(5) of the Anti-dumping Rules.
 - ii. The Authority issued a public notice dated 13th October, 2015, published in the Gazette of India, Extraordinary, initiating anti-dumping investigation concerning imports of the subject goods, originating in or exported from the subject country.
 - iii. Since a large number of producers/exporters from the subject countries expressed interest to participate in the subject investigation, the Authority resorted to sampling in terms of Rule 17(3) of the Anti-dumping Rules and Article 6.10 of WTO Agreement.
 - iv. A sampling questionnaire was sent to the following known producers/exporters of the subject goods in the subject country enclosing a copy of the initiation notification, and non-confidential application of the domestic industry, with copy to the Embassy of China PR in India, with the advice to provide necessary information within 15 (fifteen) days of the date of the letter:

- 1. Eagle Brand Holdings Ltd
- 2. Foshan An Tai Trading Company Ltd.
- 3. Foshan Bright-June Trading Co., Ltd
- 4. Foshan Chang Wei Enterprise Co.,Ltd
- 5. Foshan City Sanshui Dongsheng Trading Co.,Ltd.
- 6. Foshan Dihai Trading Development Co. Ltd.
- 7. Foshan Dingfu Import & Export Co,Ltd.
- 8. Foshan Dunhuang Building Materials Co., Ltd.
- 9. Foshan Eiffel Ceramic Co.,Ltd
- 10. Foshan Ever Rising Trading Company Limited

11. Foshan Everlasting Enterprises Ltd.
12. Foshan Flons Import & Export Trading Co.,Ltd.
13. Foshan Gani Ceramics Co.,Ltd.
14. Foshan General Success Trading Co., Ltd.
15. Foshan Gold Medal Ceramics International Trade Co.,Ltd.
16. Foshan Greenland International Co.,Ltd
17. Foshan Hanking Import & Export Co.,Ltd
18. Foshan Harvest Enterprise Limited.
19. Foshan Hengde Trade Co., Ltd.
20. Foshan Henry Trading Co.,Ltd.
21. Foshan Junjing Industrial Co., Ltd.
22. Foshan Newpearl Trade Co.,Ltd.
23. Foshan Sandebo Ceramics Co., Ltd.
24. Foshan Simple Building Materials Co.,Ltd.
25. Foshan Sky Stone Imp/Exp Co.,Ltd.
26. Foshan Skyplanet Import & Export Co.,Ltd.
27. Foshan Textiles Import & Export Co.,Ltd.
28. Foshan Tong Hai International Import And Export Trading Corporation Limited
29. Foshan Venizea Ceramics Co.,Ltd.
30. Foshan Winning Enterprise Co.,Ltd.
31. Foshan Xinzhongwei Economic & Trade Co., Ltd.
32. Foshan Yuehua Xingye Import And Export Co., Ltd.
33. Grand Import & Export Co.,Ltd.
34. Guangdong Agribusiness Group Imp.& Exp. Co., Ltd.
35. Guangdong Bode Fine Building Material Co., Ltd.
36. Guangdong Fotao Group Import & Export Trading Co.,Ltd.
37. Guangdong Jinying Import&Export Co., Ltd.
38. Guangdong Overland Ceramlcs Co., Ltd.
39. Foshan Sanshui
40. Guangdong Winto Ceramics Co., Ltd.
41. Joyson Ceramic Materials Co., Ltd.
42. Kertiles (Foshan) Inc.
43. Minsum Industry Co.,Ltd.
44. Monalisa Industry Co.,Ltd Of Foshan City
45. New Zhong Yuan Ceramics Import & Export Co.,Ltd. Of Guangdong
46. Sanfi Import & Export Co.,Ltd.
47. Shanghai Cimic Tile Co.,Ltd.
48. Shen Zhen 1-Touch Business Service Ltd.
49. Shenzhen Jianhuida Import & Export Co., Ltd.
50. Shenzhen Jingxing Mei Commercial & Trade Co.,Ltd
51. Shenzhen Jyd International Logistics Co., Ltd
52. Shenzhen Liyifang Industrial Co.,Ltd.
53. Shenzhen Yanghuiyuan Trade Co.,Ltd.
54. Sinotrans Shenzhen Logistics Company Limited
55. Square Meter Ceramics Company Limited

56. Xiamen Senstar Imp. & Exp. Co.,Ltd.
57. Xiamen Xieli Metals & Minerals Imp.& Exp. Co., Ltd.
58. Xiamen Zhongxinlong Import And Export Co.,Ltd.
59. Meikeda Electric Video Co.,Ltd.
60. Jiangsu Zeying Import & Export Co.,Ltd
61. Lianyungang Hengtian International Trade Co., Ltd.
62. Fuzhou Bona Imp.&Exp. Co., Ltd.
63. Xiamen Dareful Trading Development Co.,Ltd
64. Fujian Datian Nuosiqi Trade Co.,Ltd.
65. Nanchang Qiaoxin Trade Co.,Ltd.
66. Jingdezhen Kito Ceramic Co.,Ltd
67. Zhenjiang Beili'an Foreign Trade Co.,Ltd.
68. Kaiying(Fujian)Import & Export Co.,Ltd.
69. Nenjiang County Sunshine Economic And Trade Co., Ltd.
70. Zibo Poseidon Int'l Trading Co.,Ltd.
71. Novacasa Kitchen & Bathroom Co.,Ltd
72. Quzhou Bulai'en Trading Co.,Ltd.
73. Guangdong Foshan Packaging Imp.& Exp.Co.,Ltd.
74. Foshan Sanden Enterprise Co.,Ltd.
75. Foshan Longways Building Materials Co.,Ltd.
76. Foshan Fotiles Ceramics Co.,Ltd.
77. Vegro Tiles Co.,Ltd.
78. Foshan Sincere Building Materials Co.,Ltd.
79. Foshan Zhongzhenghui Trading Co.,Ltd
80. Foshan Sunrise Trading Co.,Ltd.
81. Enping City Huachang Ceramic Co.Ltd
82. Qingyuan Ouya Ceramic Co., Ltd.
83. Jieming New Materials Co.,Ltd.
84. Foshan Access Trading Co.,Ltd.
85. Foshan Team-Business Economic&Trade Co.,Ltd.
86. Foshan Taihecheng Import&Export Co.,Ltd.
87. Foshan Oceanland Ceramics Co.,Ltd.
88. Shenzhen Zixun Communications Teehnology Co,Ltd
89. Shen Zhen He Li Sheng Trade Co.,Ltd
90. Guizhou Hongyangtai Trading Co.,Ltd.
91. Top Import And Export Trading Co.,Ltd.
92. Gui Yang Zhifeilong Trading Co., Ltd.
93. Ganna Njiaheimport&Exportco.,Ltd
94. Horgos Sanli Trade Co.,Ltd
95. Chengdu Yinshi Trade Co., Ltd.
96. Shenzhen Feng'ao Trade Co., Ltd.
97. Horgos Xinmeng Trade Co.,Ltd
98. Fo Shan King Sun Import & Export Trading Limited Company
99. Chengdu Yunianshang Trading Co., Ltd.
100. Chengdu Liduoli Imp.& Exp.Trade Co.,Ltd
101. Gannan Aifeite Import&Export Co.,Ltd

102. Foshan Lex Ceramic Co.,Ltd.
103. Gabba Co.,Ltd.
104. Shenzhen Yuanchuangliye Trade Co.,Ltd
105. Jingdezhen Five Continent Porcelain Co., Ltd
106. Ningbo Han-Yum Import & Export Co.,Ltd
107. Global Way Done Logistics (Xiamen) Co.,Ltd
108. Lanzhou Ruifengde Business Co.,Ltd
109. Huoerguosi Shengtian Trade Co.,Ltd
110. Shenzhen Youxiangteng Trading Co.,Ltd
111. Chaoyang Saiwai Mining Co.,Ltd
112. Anhui Huangshan Foreign Trade Corporation.
113. Gao'an Huashun Import And Export Trading Co., Ltd.
114. Guangzhou Henghang Trade Co.,Ltd
115. Lanzhou Guixinxian Trading Co., Ltd.
116. Chengdu Yunlin Trading Co., Ltd.
117. Chengdu Dafengyu Commerce Co.,Ltd
118. Guangyuan Shengming Trading Co., Ltd.
119. Fuzhou Kangtuoda Trade Co.,Ltd.
120. Interior Foreign Trade
121. Chengdu Sitiye Technolongies Co Ltd
122. Xinjiang Jinshili Import And Export Co., Ltd
123. Seed Decorative Material Co.,Ltd.
124. Suifenhe Xingjun Economic And Trade Co.,Ltd
125. Ganzhou Yu Ji Apparel Co., Ltd.
126. Shenzhen City Gu Gen Hua Trading Co., Ltd.
127. Lanzhou Kaidaxin Trading Co.,Ltd.
128. Xiamen Fit Import And Export Co.,Ltd
129. Sitaik New Material (Zhangjiagang) Co., Ltd.
130. Foshan Mege Alfa Enterprise Co.,Ltd.
131. Shenzhen City Bang De Rui Investment Co.,Ltd
132. Jiangxi Native Produce Import And Export Corporation Limited
133. Sichuan Deyang Ruilin Trade Co.,Ltd
134. Shenzhen Xingming Import And Export Trading Co., Ltd.
135. Kaiping City Wilson Trading Co., Ltd.
136. Hangzhou Meetlin Imp.& Exp. Co.,Ltd.
137. Foshan International Trade Co.Ltd.
138. Shen Zhen Jia Yun Shun Trade Co.,Ltd.
139. Foshan Worceter Trade Co. Ltd
140. Foshan P & L Building Materials Co. Ltd
141. Foshan Clouds Import And Export Co. Ltd
142. Huida Sanitary Ware Co. Ltd
143. Foshan City Motil Import & Export Trade Co. Ltd
144. Foshan Sanshui Hongyuan Ceramics Enterprise Co. Ltd
145. Foshan Qisheng Ceramics Co. Ltd
146. Foshan Kioro Decorative Material Co Ltd

147. Foshan Porcerim Ceramics Co Ltd
148. Fogangtongqing Ceramics Co Ltd
149. Foshan B & W Ceramics Co Ltd.,
150. Guangdong Kito Ceramics Co. Ltd
151. Foshan Gaomingbeisite Ceramic Co. Ltd
152. Guangdong Guanxing Ceramics Enterprise Co Ltd
153. Foshan New Heng Long Polished Tile Co. Ltd
154. Foshan Ishine Trading Co. Ltd
155. Foshan Real Import And Export Co Ltd
156. Foshan Launching Imp. & Exp. Co Ltd
157. Foshanneo's Building Material Co Ltd
158. Foshan Griffiths Building Material Ltd.,
159. Foshan Kovic Import & Export Co Ltd
160. Marshal Ceramics Group
161. Guangdong Tianbi Ceramics Co. Ltd
162. Guangdong Xinruncheng Ceramics Co Ltd
163. Foshan Huanqiu Import & Export Co Ltd
164. Foshan Ying Cheng Trading Co Ltd
165. Guangxi Goshen Porcelabobo Ceramics Co Ltd
166. Foshan Kihut Ceramic Co Ltd
167. Foshan Gani Ceramic Tiles Co Ltd
168. Huida Sanitary Ware Co Ltd
169. Foshan Ishine Trading Co Ltd
170. Jieming Newmaterials Co Ltd
171. Foshan Eiffel Ceramic Co Ltd
172. Foshan Sunrise Trading Co. Ltd
173. Foshan Fortune Import & Export Trade Co Ltd
174. Foshan Gani Ceramics Co Ltd
175. Guangdong Jiajun Ceramic Co Ltd
176. Foshan Royal House International Trade Co Ltd
177. Foshan Gaoming Yaju Ceramics Co Ltd
178. Foshan Oceanland Ceramics Co Ltdno.168
179. Heshan Super Ceramic Co Ltd
180. Foshan Dunhuang Building Materials Co., Ltd
181. Foshan Nan Hai Rongjia Im&Ex Trading Co. Ltd
182. Guangdong Homeway Ceramics Industry Co Ltd.,
183. Guangdong Hongyu Ceramics Co Ltd
184. Guangdong Winto Ceramics Co Ltd
185. Qingyuan Ouya Ceramics Co Ltd
186. Guangdong Bode Fine Building Material Co., Ltd.
187. Foshan Shiwan Eagle Brand Ceramic Ltd
188. Zhaoqing Mingjia Ceramic Co Ltd
189. Foshan Junjing Industrial Co Ltd
190. Foshan Lihua Ceramic Co Ltd
191. Foshan Henry Ceramic Co. Ltd

- v. The following parties, who submitted exporters questionnaire response and MET response prior to the sampling process, were also considered by the Authority in the sampling process:
- Foshan Dosuntiles
 - Guangdong Yongsheng Ceramics Co., Ltd
 - Gaoyao Jinshajiang Ceramics Co Ltd
 - Foshan Ishine Trading Co Ltd
- vi. The following parties responded to the sampling questionnaire:

SI No.	Company Name
1.	Foshan Gold Medal Import and Export Trading Go., Ltd
2.	Foshan Sunny Ceramic Co., Ltd
3.	FoshanFortune Imp. And Exp. Trade Co., Ltd.
4.	GrandhouseCeremics Co., Ltd
5.	FoshanOceanland Ceramics Co., Ltd
6.	Guangdong Overland Ceramics Co., Ltd
7.	FoshanDosuntiles Co., Ltd
8.	GaoyaoJianshanjiang Ceramics Co., Ltd
9.	Foshan Beyond Import and Export Co., LTd
10.	Zhanjiang Zlhonghong Ceramics Co., Ltd
11.	Heyuan Romantic Ceramics Co., Ltd
12.	Guangdong Guanxing Ceramics Enterprise Co., Ltd
13.	FoshanWeinaer Ceramics Co., Ltd
14.	Foshan Han King Import & Export Co., Ltd
15.	FoshanShiwan Eagle Brand Ceramic Ltd
16.	Guandong Bode Fine Building Material Co., Ltd
17.	Guangdong Winto Ceramics Co., Ltd
18.	FoashanJunjing Industrial Co., Ltd
19.	FoshanDunhunang Building Material Co., Ltd
20.	Guangdong Homeway Ceramics Industry Co., Ltd
21.	Guangdong Hongyu Ceramics Co., Ltd
22.	Guangdong Tianbi Ceramics Co., Ltd
23.	QingyuanQuya Ceramics Co., Ltd
24.	Foahan Sunrise Trading Company Limited
25.	Foshan Wings Import & Export Co., Ltd
26.	Foshan Homey Ceramics Co., Ltd
27.	Guangdong Xinfengjing Ceramics Co., Ltd
28.	Foshan P & D Industries Co., Ltd
29.	Guangdong FoshanRedpearl Building Material Co., Ltd
30.	Foshan Louis Valentino Ceramic Co., Ltd
31.	Foshan HCC Building Material Co., Ltd
32.	Foshan New Heng Long Polished Tiles Co., Ltd
33.	Foshan City Xin Wan Xiang Import & Export Trading Co., Ltd.

34.	FoshanYongshengye Import & Export Co., Ltd
35.	Zibo Biyu Ceramic Co., Ltd
36.	Huida Sanitary Ware Co., Ltd
37.	FoshanXiongchuang Ceramic Co., Ltd
38.	Guangdong Haosen Ceramics Co., Ltd
39.	FoshanHaosen Import and Export co., Ltd
40.	FoshanKihut Ceramic Co., Ltd
41.	Kun Lagy Limited
42.	ZhaoqingAomilong Construction Materials Co., Ltd
43.	Foshan JBN Industrial Co., Ltd
44.	FoshanSkyplanet Import and Export
45.	Foshan Gold Full House Building Material Co., Ltd
46.	Foshan Clouds import & Export Co., Ltd
47.	FoshanNanhaiRongjia IM & EX Co., Ltd
48.	Monglisa Group Co., Ltd
49.	Guangdong Monalisa Trading Co., Ltd
50.	Guangdong Gelaisi Ceramics Co., Ltd
51.	FoshanSanshuiHuiwanjia Ceramics Co., Ltd
52.	FoshanNewpearl Trade Co., Ltd
53.	FoshanQiangbio Ceramics Co., Ltd
54.	FoshanHongliao Trade Co., Ltd
55.	Sheenway Corporation Ltd
56.	FoshanNanhaiXiqiaoJiersi Ceramics Co., Ltd
57.	Foshan City SanshuiDongsheng Trading Co., Ltd
58.	FoshanHelai Building Materials Co., Ltd
59.	Foshan City Gaoming district hui Mei AO Building Material Co., Ltd
60.	FoshanXinzhongwei Economic and Trade Co., Ltd
61.	Globelink overseas (HK) Ltd
62.	FoshanChanchengJinyi Ceramic Co., Ltd
63.	FoshanWorceter Trade Co., Ltd
64.	Jiangxi fulingao Ceramics Co., Ltd
65.	Southern Building Materials & Sanitary Stone Technology Co., Ltd
66.	Guangdong Luxury Micro-crystal Stone Technology Co., Ltd
67.	New Zhong Yuan Ceramics Import & Export Co., Ltd of Guangdong
68.	Guangdong Yongsheng Ceramics Co., Ltd
69.	FoshanIshine Trading Co., Ltd
70.	Enping City Huachang Ceramic Co., Ltd
71.	Guangdong Xinruncheng Ceramics Co., Ltd
72.	FogangTongqing Ceramics Co., Ltd
73.	Foshan International Trade Co., Ltd
74.	GaoyaoJinshanjinag Ceramics Co., Ltd
75.	FoshanDosuntiles Co., Ltd

76.	Foshan Henry Trading Co., Ltd
77.	FoshanLihua Ceramic Co., Ltd
78.	Foshan New Heng Long Polished Tiles Co., Ltd
79.	Jieming New Materials Co., Ltd
80.	FoshanGani Ceramic Tiles Co., Ltd
81.	QingyuanGani Ceramic Tiles Co., Ltd
82.	FoshanNanhaiYonghong Ceramic Co., Ltd
83.	Foshan Jun Enterprise Co., Ltd
84.	FoshanSunvin Ceramics Co., Ltd
85.	FoshanWeijun Building Material Co., Ltd
86.	FoshanSkystone Import and Export Co., Ltd
87.	FoshanSany Ceramics Co., Ltd
88.	FoshanSanshuiHongyuan Ceramics Enterprise Co., Ltd
89.	Foshanparcos Ceramics Co., Ltd
90.	FoshanHuanqiu Import & Export Co. Ltd
91.	FoshanFotiles Ceramics Co., Ltd
92.	Joyson Ceramics Material Co., Ltd
93.	Guangzhou Metals and Minerals IMP. & EXP. Ltd
94.	Foshan Sincere Building Material Co., Ltd
95.	Foshan Griffiths Building Material Ltd
96.	FoshanKovic Import and Export Co., Ltd
97.	Foshan Eiffel Ceramics Co., Ltd
98.	FoshanDongpeng Ceramics Co., Ltd
99.	FoshanWorceter Trade Co., Ltd
100.	Foshan City Ying Cheng Trading Co., Ltd
101.	Foshan royal House International Trade Co., Ltd
102.	FoshanGaomingYaju Ceramics Co., Ltd
103.	FoshanMianland Imp. & Exp. Co., Ltd
104.	M/s FoshanQualicer Industrial Co., Ltd
105.	M/s Guangdong Kito Ceramics Co., Ltd
106.	M/s Jingdezhen Kito Ceramic Co., Ltd

vii. After examining the responses to the sampling questionnaire, the Authority selected the following as the sampled parties, in terms of Rule 17(3) of the Rules, whose quantum of export to India during the POI was more than 200 thousand Square Meter:

- a. Guangdong Haosen Ceramics Co., Ltd (Producer) - Foshan Haosen Import and Export Co., Ltd, M/s Foshan Kihut Ceramic Co., Ltd, M/s Kun Lagy Ltd (Exporters).
- b. M/s Foshan Lihua Ceramics Co. Ltd. (Producer)- M/s Foshan Henry Trading Co. Ltd.(Exporter)
- c. M/s Foshan Chancheng Jinyi ceramics co. Ltd. (Producer)-M/s Foshan

Worceter Trade Co. Ltd. (Exporter)

- d. Foshan Qiangbio Ceramics Co. Ltd. (Producer) - M/s Foshan Hongliao Trade co. Ltd. and M/s Sheenway Corporation Ltd. (Exporters).
 - e. M/s Southern Building Materials & Sanitary Stone Technology Co. Ltd., M/s Jiangxi Fulingao Ceramics Co. Ltd. and M/s Guangdong Luxury Microcrystal Stone Technology Co (related Producers) - M/s New Zhong Yuan Ceramics Import & Export Co., Ltd .(Exporter)
 - f. M/s Guangdong Gelaisi Ceramics Co., Ltd. and M/s Foshan Sanshui Huiwanjia Ceramics Co., Ltd (related Producers)- M/s Foshan Newpearl Trade Co., Ltd. (Exporter)
 - g. M/s Foshan Nanhai Xiqiao Jiersi Ceramics Co., Ltd. (Producer) - M/s Foshan City Sanshui Dongsheng Trading Co., Ltd.(Exporter)
- viii. The above stated sampled parties were advised to download the questionnaires (exporter's questionnaire and market economy questionnaire) from the website – <http://www.commerce.nic.in> and file the responses, along with their comments, if any, within the stipulated time.
- ix. The following parties were selected but not sampled since their exports during the POI fell short of the required volume:
- a. M/s Foshan Helai Building Materials Co., Ltd and M/s Foshan City Gaoming district hui Mei AO Building Material Co., Ltd (Producer)- M/s Foshan Xinzhongwei Economic and Trade Co., Ltd, M/s Globlink Overseas (HK) Ltd (Exporter)
 - b. M/s Foshan City TaoQuiang Building Material Co., Ltd (Producer) - M/s Foshan Fortune Imp. And Exp. Trade Co., Ltd. (Producer & Exporter)
 - c. M/s Monalisa Group Co., Ltd (Producer) - M/s Guangdong Monalisa Trading Co., Ltd (Exporter)
 - d. M/s Foshan Gold Full House Building Material Co., Ltd (Producer) - M/s Foshan Nanhai Rongjia IM & EX Co., Ltd, M/s Foshan Clouds Import & Exports Co., Ltd (Exporter)
 - e. M/s Guangdong Yongsheng Ceramics Co., Ltd (Producer) - M/s Foshan Ishine Trading Co., Ltd (Exporter)
 - f. M/s Foshan Sunny Ceramic Co., Ltd (Producer) - M/s Foshan Gold Medal Import and Export Trading Go., Ltd (Exporter)
 - g. M/s Enping City Huachang Ceramic Co., Ltd (Producer & Exporter)
 - h. M/s Foshan Oceanland Ceramics Co., Ltd (Producer & Exporter)
 - i. M/s Guangdong Overland Ceramics Co., Ltd (Producer & Exporter)
 - j. M/s Guangdong Kito Ceramics Co., Ltd (Producer & Exporter)
 - k. M/s Foshan Sincere Building Material Co., Ltd (Producer & Exporter)

- l. M/s Guangdong Guanxing Ceramics Enterprise Co., Ltd (Producer & Exporter)
 - m. M/s Qingyuan Quya Ceramics Co., Ltd (Producer & Exporter)
 - n. M/s Jingdezhen Kito Ceramic Co., Ltd (Producer & Exporter)
 - o. M/s Foshan Louis Valentino Ceramic Co., Ltd (Producer & Exporter)
 - p. M/s Guangdong Xinfengjing Ceramics Co., Ltd (Producer & Exporter)
 - q. M/s Guangdong Tianbi Ceramics Co., Ltd (Producer & Exporter)
 - r. M/s Foshan HCC Building Material Co., Ltd (Producer & Exporter)
 - s. M/s Zhanjiang Zhonghong Ceramics Co., Ltd (Producer) - M/s Foshan Beyond Import and Export Co., Ltd(Exporter)
 - t. M/s Heyuan Romantic Ceramics Co., Ltd (Producer)- M/s Foshan Beyond Import and Export Co., Ltd(Exporter)
 - u. M/s Foshan Nanhai Yonghong Ceramic Co., Ltd (Producer) - M/s Foshan Jun Enterprise Co., Ltd (Exporter)
 - v. M/s Foshan Dunhunang Building Material Co., Ltd (Producer & Exporter)
 - w. M/s Foshan Sanshui Hongyuan Ceramics Enterprise Co., Ltd (Producer & Exporter)
- x. Apart from the sampled and non-sampled parties, as detailed above, the sampling response of the following parties were rejected by the Authority inter alia on the ground of non-submission of complete information required for the purpose of sampling and the reasons of rejection were intimated to each party and comments/submissions received thereon have also been examined and addressed in this finding:
- 1. M/s Joyson Ceramics Material Co., Ltd
 - 2. M/s Foshan Han King Import & Export Co., Ltd
 - 3. M/s Foshan Dosuntiles Co., Ltd
 - 4. M/s Foshan Ishine Trading Co., Ltd
 - 5. M/s Foahan Sunrise Trading Company Limited
 - 6. M/s Foshan Beyond Import and Export Co., LTD
 - 7. M/s Foshan JBN Industrial Co., Ltd
 - 8. M/s FoashanJunjing Industrial Co., Ltd
 - 9. M/s Foshan Weinaer Ceramics Co., Ltd
 - 10. M/s Foshan Sany Ceramics Co., Ltd
 - 11. M/s Foshan Griffiths Building Material Ltd
 - 12. M/s Foshan Yongshengye Import & Export Co., Ltd
 - 13. M/s Guangdong Winto Ceramics Co., Ltd
 - 14. M/s Foshan Homey Ceramics Co., Ltd
 - 15. M/s GrandhouseCeremics Co., Ltd
 - 16. M/s Foshan Weijun Building Material Co., Ltd
 - 17. M/s Foshan Huanqiu Import & Export Co. Ltd
 - 18. M/s Foshan Eiffel Ceramics Co., Ltd
 - 19. M/s Foshan Skyplanet Import and Export

20. M/s Foshan Skystone Import and Export Co., Ltd
21. M/s Guangzhou Metals and Minerals IMP. & EXP. Ltd
22. M/s Foshan Dongpeng Ceramics Co., Ltd
23. M/s Huida Sanitary Ware Co., Ltd
24. M/s Foshan Fotiles Ceramics Co., Ltd
25. M/s Foshan Shiwan Eagle Brand Ceramic Ltd
26. M/s Foshan Xiongchuang Ceramic Co., Ltd
27. M/s Foshan Qualicer Industrial Co., Ltd
28. M/s Foshan City Xin Wan Xiang Import & Export Trading Co., Ltd.
29. M/s Foshan Sunvin Ceramics Co., Ltd
30. M/s Foshan parcos Ceramics Co., Ltd
31. M/s Guangdong Xinruncheng Ceramics Co., Ltd
32. M/s Guandong Bode Fine Building Material Co., Ltd
33. M/s Foshan City Ying Cheng Trading Co., Ltd
34. M/s Foshan Wings Import & Export Co., Ltd
35. M/s Zibo Biyu Ceramic Co., Ltd
36. M/s Guangdong Hongyu Ceramics Co., Ltd
37. M/s Jieming New Materials Co., Ltd
38. M/s Guangdong Homeway Ceramics Industry Co., Ltd
39. M/s Foshan Kovic Import and Export Co., Ltd
40. M/s Guangdong Foshan Redpearl Building Material Co., Ltd
41. M/s Foshan New Heng Long Polished Tiles Co., Ltd
42. M/s ZhaoqingAomilong Construction Materials Co., Ltd
43. M/s FogangTongqing Ceramics Co., Ltd
44. M/s Foshan International Trade Co., Ltd
45. M/s GaoyaoJinshanjinag Ceramics Co., Ltd
46. M/s Foshan New Heng Long Polished Tiles Co., Ltd
47. M/s Foshan GaomingYaju Ceramics Co., Ltd
48. M/s Foshan Mainland Imp. & Exp. Co., Ltd
49. M/s Foshan P & D Industries Co., Ltd

- xi. The following producers/exporters of the subject goods from the subject country filed exporter's questionnaire response after the sampling process:

1.	Foshan Chan Cheng Jinyi Ceramics Co., Ltd
2.	Foshan Clouds Imp& Exp co., Ltd
3.	Foshan Gani Ceramic Tiles Co., Ltd
4.	Foshan Haosen Import and Export Co., Ltd
5.	Foshan Henry Trading Co., Ltd
6.	Foshan Hongliao Trade Co., Ltd
7.	Foshan Kihut Ceramic Co., Ltd
8.	Foshan Lihua Ceramic Co., Ltd
9.	Foshan Nan Hai Rongjia Import & Export Trading Co., Ltd-
10.	Foshan Newpearl Trade Co., Ltd

11.	Foshan Qiangbiao Ceramics Co., Ltd
12.	Foshan Sanshui Huiwanjia Ceramics Co., Ltd
13.	Foshan Worceter Trade Co., Ltd
14.	Gold Full House Building Material Co., Ltd
15.	Guangdong Gelaisi Ceramics Co., Ltd
16.	Guangdong Haosen Ceramics Co., Ltd
17.	Guangdong Luxury Micro-crystal Stone Technology Co., Ltd
18.	Jiangsi Fuligao Ceramics Co., Ltd
19.	Kun Lagy Limited, Hong Kong
20.	New Zhong Yuan Ceramics Import & Export Co., Ltd of Guangdong
21.	Qingyuan Gani Ceramic Tiles Co., Ltd
22.	Qingyuan Qingbiao Ceramics Co., LTd
23.	Sheenway Corporation Ltd, Hong Kong
24.	Southern Building Material & Sanitary Co., Ltd
25.	Xin Xing Xian Zhisheng Ceramics Co., Ltd

xii. The following producers/exporters of the subject goods from the subject country, who have filed exporter's questionnaire response, were sampled by the Authority in terms of Rule 17(3) of the Rules :

- a. Guangdong Haosen Ceramics Co., Ltd (Producer) - Foshan Haosen Import and Export Co., Ltd, M/s Foshan Kihut Ceramic Co., Ltd, M/s Kun Lagy Ltd (Exporters).
- b. M/s Foshan Lihua Ceramics Co. Ltd. (Producer)- M/s Foshan Henry Trading Co. Ltd.(Exporter)
- c. M/s Foshan Chancheng Jinyi ceramics co. Ltd. (Producer)-M/s Foshan Worceter Trade Co. Ltd. (Exporter)
- d. Foshan Qiangbio Ceramics Co. Ltd. (Producer) - M/s Foshan Hongliao Trade co. Ltd. and M/s Sheenway Corporation Ltd. (Exporters).
- e. M/s Southern Building Materials & Sanitary Stone Technology Co. Ltd., M/s Jiangxi Fulingao Ceramics Co. Ltd. and M/s Guangdong Luxury Microcrystal Stone Technology Co (related Producers) - M/s New Zhong Yuan Ceramics Import & Export Co., Ltd .(Exporter)
- f. M/s Guangdong Gelaisi Ceramics Co., Ltd. and M/s Foshan Sanshui Huiwanjia Ceramics Co., Ltd (related Producers)- M/s Foshan Newpearl Trade Co., Ltd. (Exporter)

- xiii. The following sampled producers/exporters of the subject goods from the subject country also filed MET questionnaire response:
- M/s Foshan Chancheng Jinyi ceramics co. Ltd.
 - Guangdong Haosen Ceramics Co., Ltd
 - Guangdong Newpearl Ceramics Group Co Ltd.
 - M/s Foshan Lihua Ceramics Co. Ltd.
 - M/s Foshan Henry Trading Co. Ltd.
- xiv. The following sampled producers/exporters of the subject goods from the subject country did not file exporters questionnaire response:
- M/s Foshan Nanhai Xiqiao Jiersi Ceramics Co., Ltd. (Producer) - M/s Foshan City Sanshui Dongsheng Trading Co., Ltd.(Exporter)
- xv. The exporters questionnaire/MET responses filed by the following non-sampled parties have not been accepted by the Authority:
- Foshan Gani Ceramic Tiles Co., Ltd
 - Qingyuan Gani Ceramic Tiles Co., Ltd
 - Foshan Clouds Imp& Exp co., Ltd
 - Foshan Nan Hai Rongjia Import & Export Trading Co., Ltd.
 - Gold Full House Building Material Co., Ltd
 - Qingyuan Qingbiao Ceramics Co., Ltd
 - Xin Xing Xian Zhisheng Ceramics Co., Ltd
- xvi. Questionnaires were sent to the following known importers/users of subject goods in India calling for necessary information in accordance with Rule 6(4) of the Anti-dumping Rules:

CERA	ANSHUL SIDDHI PROMOTERS AND BUILDERS	BREN CORPORATION
A M PATEL INFRA PVT LTD	APN HOME DECOR	BRIGHT INTERNATIONAL
A P GARMENTS,	ARAVIND CERAMICS	BROTHERS SHOPPING MALL
A P K IMPEX	ARIHANT BUILD-MART PVT.LTD.	C.LAKSHMIPATHY(PROP. RAINBOW INTERNATIONAL)
A.P.REXINE CENTRE	ARIHANT IMPEX,	CACHE FURNITURES LIMITED

A.T.K.ENTERPRISES	ARIHANT SALES CORPORATION,	CADDIE HOTELS PVT. LTD.
A.V.R.N. HOTELS PVT LTD	ARISE EXIM	CAMRON INTERNATIONAL
A.Z.DEVELOPERS.	ARIYAN GEMS	CAROLINE FURNISHERS PVT LTD.
AAKRTI IMPEX	ARUN PRASATH PARK	CASAMIA BUILDING MATERIAL TRADING PVT LTD
AAPT DISTRIBUTION PVT LTD	ARYA BUSINESS PVT LTD	CERACON CERAMIX INDIA PVT.LTD,
AARTI INFRASTRUCTURE & BUILDCON LIMITED	ARYAN EXPORTS	CHAKOLAS HABITAT PVT LTD
AASTHA CORPORATION	ASCON DEVELOPERS	CHANDAN EXPORTS,
AAVKAR CORPORATION	ASHED PROPERTIES INVESTMENTS (PVT) LTD,	CHANDAN IMPEX LLP
ABAD BUILDERS PVT LTD,	ASHLAR IMPEX	CHANDAN LIGHTS (PROP. MAHAVIR GAJRAJ
ABC IMPEX	ASHOK TRADERS	CHESHMA SHAHI RESORTS
ACCURA GLASS TILES ENTERPRISES	ASHOKA NIKETAN PVT LTD	CHILDRENS EDUCATION SOCIETY (REGD),
ACME PRODUCTS PVT LTD	ASIAN GRANITO INDIA LTD.,	CHINAR REALTY PVT. LTD.,
ACOR HOME LIFE SOLUTIONS PVT LTD	ASIATIC OVERSEAS	CHITRALI PROPERTIES PVT.LTD.
ADILSHINE IMPEX	ASWANI ORGANISERS	CHOICE TILES DECOR PVT. LTD.,
AGAM KUMAR	B N TELESRA & CO	CHRIST EDUCATIONAL SOCIETY
AISHWARIYA TILES	B.M.IMPEX	CITY MONTESSORI SCHOOL
AJAY TRADING CO	B.R. CERAMICS PVT.LTD.	CLASSIC GRANITES
AKSH IMPEX	BALAJI OVERSEAS	CLASSIC PAINT ROLLERS & ALLIED PRODUCTS
AKSHAR ENTERPRIS	BALAJI TRADE IMPEX	CLASSICA SANITARYWARE,
AKSHAYA PVT LTD,	BANGALORE INSTITUTE OF BANGALORE	COASTAL FREEZE TECH & SANITARIES

ALCON	BAPS SWAMINARAYAN SANSTHA	COLORKER CERAMICAS INDIA PVT LTD
ALCON REALTORS	BAPUJI EDUCATIONAL ASSOCIATION,	CONCEPT CREATOR
AL-SHABIB TRADING COMPANY	BARNES BROTHERS	CONCORDE HOUSING CORPORATION PVT LTD,
AMAN TRADING CO,	BATH CREATIONS	CORONA VITRIFIED PVT. LTD.
AMATYE TRADELINK PVT LTD	BATH DECOR	COSTA INTERNATIONAL
AMAZING INTERIORS AND FURNITURES	BATH SHOPPE	CREATIONS INDIA
AMBIENCE INTERNATIONAL	BATH WORLD	CRESCENT GREENS LANDSCAPES PVT LTD
AMOL MARKETING PVT LTD	BELJICO TRADING	CRESCENT SPA & RESORTS (INDORE) PVT. LTD,
AMUDHA CIVIL CONSTRUCTIONS PVT. LTD	BENOY MARBLES AND GRANITES	CROSS MATRIX TECHNOLOGIES (P) LTD
ANADI CORPORATION,	BHADRA ENTERPRISES	D.S. KULKARNI DEVELOPERS LIMITED,
ANAND POLYMERS	BHANSALI CERIM INDIA (P) LTD.	DARODE JOG REALITIES PVT. LTD.
ANANTH TECHNOLOGIES LTD.	BHARAT INFRASTRUCTURE & ENGINEERING LTD	DASTAGIR SHARIEFF
ANANYA SHELTERS PVT LTD	BHAV TRADE LINKS PVT.LTD.	DAZZLE DESIGNER TILES PVT LTD
ANIRUDDHASINH ARJUNSINH SOLANKI	BLISS IMPEX	DEEP ENTERPRISE
ANJANEYA IMPEX,	BLISS INTERNATIONAL IMPORT & EXPORT	DELHI METAL AGENCIES
ANNAI TIMBER & TILES	BLUE CHIP CONSTRUCTION	DEV RAJ RAM RAJ
ANSHUL BHOSALE REALTY	BLUE SEA TRADING AND CO.	DEVI CONSTRUCTIONS,
ANSHUL KARAN DEVELOPMENT CORPORATION	BLUE SKY TRADE TECH	DEVLAND & HOUSING LIMITED
DHARMESHKUMAR RAVJIBHAI MENDPARA	GEETHA TIMBER TILES & MARBLES	J.M.J.INTERNATIONAL
DHARMI ENTERPRISES	GERA DEVELOPMENTS (P) LTD.	J.T. PLAZA
DHAVAL DEVELOPERS	GIRIDHARI HOMES	JAYAM ASSOCIATES

	PVT LTD	
DHIYA FOUNDATION PVT LTD,	GLITORIUM PLUS	JAYBEESHA INTERNATIONAL PVT LTD
DIMENSION	GLOBAL ASSOCIATES,	JEBEE IMPEX
DINESH KUMAR SARAWAGI	GLOBAL CERAMICS PVT LTD.	JEMINI INTERNATIONAL
DIPAKKUMAR AJITKUMAR THAKKAR	GLOBE	JHUNJHUNU ACADEMY SAMITI
DISHA LOHARUKA INFRATECH PVT. LTD.	GLOVE ENTERPRISES,	JINDAL MITTAL GRAHA NIRMAN PVT LTD
DOLLAR INDUSTRIES LIMITED	GOLCHA GARMENTS,	JMS MARBLE & GRANITES
DOLPHIN INTERNATIONAL	GOLD CORPORATION	JODAS EXPOIM PVT. LTD.
DOMA CHANDRA SHEKAR REDDY	GOLDSYS	JRR CERAMICS PVT LTD
DOSHI BROTHERS.	GOOD HOMES	JUPITER GLOBAL TRADING
DR. SHAILESH PRABHAKAR KHACHANE	GRACE KNOWLEDGE VILLAGE CHARITABLE -	K K IMPEX
DREAMS RAKA ASSOCIATES	GRAND SOURCING PVT LTD	K N S CERAMIC WORLD
DURABLE FACADE SERVICES PVT LTD	GREENTREE LIFESCAPES LLP	K. S. WORTH INTERNATIONAL
DURAI MURUGAN EDUCATIONAL TRUST	GRESCASA CERAMICS LTD.	K.P.M. CRYSTAL PALACE
DWARKADAS RAMPRASAD MUNDADA	GS STONES PVT LTD	K.R IMPEX
EARTH REALITY	GSN ENTERPRISES,	KAG INDIA PVT LTD
EBRAHIM ESSA DEVELOPERS PVT. LTD.	GTP CERAMICS PVT LTD,	KAILAS CERAMICS PVT LTD,
ELEGANT MARBLES AND GRANI INDUSTRIES LTD.,	GUPTA PRIME RESORTS PVT. LTD.,	KAILAS TRADERS,
EMERALD SALES CORPORATION	H F INTERIORSS	KAJARIA CERAMICS LTD
EMPIRE PROPERTIES	H&H ASSOCIATES	KAKADIA ENTERPRISE
ESSAR IMPEX	HARSHA REALTORS PVT.LTD.,	KALCO PRODUCTS INDIA LIMITED
EUROIMPEX INDIA	HASMUKH ESTATES PVT.LTD	KAMLESH RATHOD. MR
EUROTECH	HOME 360	KANKATALA TEXTILES

MARKETING		PVT LTD
EXTOL TRADES PVT LTD	HOME DECOR ENTERPRISES	KAPSUN RESOURCES CORPORATION
FELICITA	HOTEL AFNA PARK	KARISHMA
FINESSE CREATIONS INC.	HOTEL GRT INTERNATIONAL,	KARMA IMPORTS ,
FIRST CHOICE INTERNATIONAL	HOTEL HARRYS	KAS INTERNTIONAL
FIVE STAR VIGHNESH ASSOCIATES (AOP)	HOTEL SUBA PALACE	KASTURI SHELTERS
FLAGSHIP INFRASTRUCTURE PVT.LTD	HOTEL VARJU VILLA	KATARIYA CAPITAL
FLOOR NEEDS	HOTEL VENITION INN	KAUSHALKUMAR PRABHUDAS PATEL
FLOOR TRENDZ PVT.LTD.	HOTEL VIVERA	KAVIYAN CONSTRUCTION PVT LTD
FOAM TRADING CORPORATION	HRB BOARDING & LODGINGS PVT LTD	KBR INFRATECH LIMITED,
FORTUNE CERAMICS	HYDROBATHS RAMCO MARKETING PVT LTD	KETHOS INTERNATIONAL
FOUZIYA MUSTHAFA KEEPAT	I SOURCES INTERNATIONAL	KHUSHI IMPEX
FRESH IMPEX,	IKON FURNITURES	KHUSHI OVERSEAS [PROP. NEELAM PARMAR]
FURNITURE CONCEPTS (INDIA) LTD.	INDITEX TRENT RETAIL INDIA PVT. LTD	KIRTI INFRASTRUCTURE
FURNITURE PALACE	INDO THAI DEVELOPERS PVT. LTD	KMG CERAMICS INDIA PVT. LTD,
FURNITURE ZONE NORTH	INFRA HOUSING PVT LTD	KRAN INTERNATIONAL
G M LIFE STYLE	INSPACHI CERAMICA,	KRISHNA CERAMIC CHOICE
G.K. ASSOCIATES	INTERSPAZE CREATIONS INDIA LLP	KRISHNA ENTERPRISES HOUSING AND INFRASTRUCTURE
GANDHI PLASTICS INDUSTRIES	INTEX SANITARY & KICHEN INTERIOR PVT LTD	KRISHNA KUNJ DEVELOPERS PVT.LTD.
GANESH RAMCHANDRA APTE	IPSIT ENTERPRISES	KRISHNA PALACE RESIDENCY PVT. LTD.
GANPAT TRADERS	IRIS INTERNATIONAL	KRISHNA REAL

		ESTATES
GAURAV PURUSHOTAM AGRAWAL	ISHAAN S BATH & KITCHEN	KRISHNA TRADING CO.,
GEEBEEES TRADING SYSTEMS	J S W INDUSTRIES	KRISSH INTERNATIONAL
KUNTAL TRADERS	OCEANIC ARTS & TILES PVT. LTD.	SANICO ENTERPRISE PVT LTD,
KUTIR PROJECTS PVT LTD,	OM INTERNATIONAL	SANJAY KUMAR MISHRA
LA CERA MALL PVT. LTD.	ON ASIA	SAT KAIVAL HOSPITAL PVT. LTD.
LABHAAZ METALLS	ONE CARE MEDICAL CENTRE	SAURABH KUMAR
LAKHSITA ENTERPRISES	OOM TRADEX PVT LTD	SAVAN DISTRIBUTORS
LAKSHMI EXPORT AND IMPORT	OPTUS CORPORATION	SDS INFRATECH P.LTD
LAKSHMI MARBLES,	ORACLE GRANITO LIMITED	SEALINE FOREIGN MERCHANDISE PVT LTD
LAMIT CERAMICS	ORMA MARBLE PALACE (PVT.) LTD.	SEVEN SEA ELECTRONICS
LE MARBLE GALLERY PVT LTD,	ORMA MARBLE PALACE PVT.LTD.	SHANTAN INNOVATIONS PVT. LTD.,
LEE - ITALIA CERAMIC	OVERSEAS PACKAGING INDUSTRIES PVT.LTD.	SHANTI BUILDERS
LIFESTYLE INTERNATIONAL PVT LTD	OXO INC	SHINE MARBLES
LIGHTING ERA	OXYLABS NETWORKS PVT LTD	SHIV NARAYAN JEWELLERS
LILSTA RETAIL PVT. LTD.	P.GUNASEKARAN STONES	SHIVA KITCHEN EQUIPMENTS PVT LTD
LIVE OAK RESORT PVT. LTD.	PACIFIC DEVELOPMENT CORPORATION LIMITED	SHIVDHARA MARBO GRANITO
LODHA HI-RISE BUILDERS PVT. LTD.,	PADMAIAH KOTRIKE	SHIVOHAM ENTERPRISES
LOHIA JAIN HOUSING COMPANY	PALAK ENTERPRISES	SHIVPARAVATI TEXTILES
LOHIA JAIN REALTY	PAMOS WORLD	SHREE BALA JI ENTERPRISES
LOLA CERAMICA INDIA	PANORAMA COUNTRY CLUB RESORTS PVT	SHREE DEVELOPERS

	LTD	
LORD KRISHNA ARCADE PVT LTD	PANVELKAR INFRASTRUCTURES PVT. LTD.,	SHREE IMPEX
M J INFRASTRUCTURE AND BUILDERS (INDIA) PVT. LTD.	PARADISE IMPEX	SHREE MARBLE IMPEX PVT.LTD.
M.J TRADE LINKS	PARAFAIT FOODS PVT LTD	SHREE MAX ENTERPRISES
M.K. ENTERPRISES.	PARAKKAT BUILDERS AND DEVELOPERS PVT. LTD.	SHREE NIWAS COTTON MILLS LTD
M.M.J.INTERNATIONAL,	PARMAARTH INTERNATIONAAL	SHREE SAI ENTERPRISES
MACGUIRE CERAMICS LLP	PAWAR SUREKHA HOTEL GOLD CASTLE	SHREE SIDH STONES PVT LTD
MADISON HOLDINGS	PEARL PRIDE TRADE PVT LTD	SHREE VIMAL CONSTRUCTION
MAESTRO INTERNATIONAL	PENDA MARKETING PVT LTD	SHREEM SPA &RESORTS LTD.
MAHA TRADING CO,	PERFECT ENTERPRISES	SHREEPATI VILLAS PVT.LTD.
MAHAKAL INTERNATIONAL CO	PERFECT WAY TRADING	SHRI HARI ASHRAM
MAHAVIR LAND DEVELOPER.	PING PONG GLOBAL LTD.,	SHRI SAI ENTERPRISES
MAITREE ASSOCIATES	PINNACLE HOSPITALS INDIA PVT LTD	SHRI SAMARTH IMPEX
MAJESTIQUE CITY	PIONEER GRAND PALACE	SHRIRAM HOUSING
MAJESTIQUE MANTRA ELEGANCE	PIONEER SYSTEMS AND PROJECTS,	SHYAM LAL.MR,
MALLAVA IMPEX	PIYUSH PALACE PVT LTD,	SIGARAM ASSOCIATES
MALWA CERAMICS PVT. LTD.	POOJA CONSTRUCTIONS	SILVER STREAK HOTELS PVT. LTD.,
MALWA MIRAGE CERAMICS PVT. LTD.	POONAM HASSIJA NEHA HASSIJA	SIMM SAMM HOTELS PVT LTD
MANAK EXPORTS	POULOMI ESTATES PVT LTD	SIMRAN INDIA INC.,
MANOJ AND COMPANY TRADING PVT. LTD.	PRADIP KUMAR SAH	SIROYA FM INFRA DEVELOPMENT PVT LTD
MANOJ INDUSTRIES,	PRASATH CONSTRUCTIONS	SJR ENTERPRISES
MANOJKUMAR SARAF	PRASVANTH IMPORT & EXPORT HOUSE,	SKY INTERNATIONAL

MARBLE CENTRE	PRATHAM CONSTRUCTIONS	SKYWARDS NIRVANA
MARBLE GALLERY	PRATHAM LAND MASTERS PVT LTD	SMIT IMPEX
MARMO HOME PVT LTD	PRECIOUS IMPORTS & EXPORTS	SMT BUILDERS
MARMO INDIA	PRIME INTERNATIONAL	SOBHA DEVELOPERS LTD.,
MARUDHAR HOSPITAL	PRINCE MARINE TRANSPORT SERVICES PVT LTD	SOHAM ESTATES
MARUTI MOHAN EXIM	PRISM CEMENT LIMITED	SOLAR EXIM PVT LTD
MARYGO INTERNATIONAL	PRIZM DEVELOPERS	SOMANY CERAMICS LIMITED
MATRIX DEVELOPERS PVT.LTD.	PROGRESSIVE POLYMERS	SONAL CERAMICS.
MAXMULLER TECHNOLOGIES, (PROP: D. ELANGO VAN)	Q-NINETH CERAMICS	SONORA INDUSTRIES PVT LTD
MAYANK EXPORTS,	R C INTERNATIONAL	SONY ENTERPRISES
MAYFAIR HOTELS AND RESORTS LTD.,	R.A.K CERAMICS INDIA PVT. LTD.,	SOUMYA TRADERS
MD MURSHID	R.A.SILKS	SPANGLES INTL. LTD.
ME COMPOSITE INTERNATIONAL	R.R. INFRA	SPANISO STUDIO
MEGA STAR EXIM PVT LTD	RADHA KRISHNA PIPE	SPANISO TILES
MERIDIAN ELECTRONICS PVT LTD,	RAFIUDEEN EDUCATIONAL & CHARITABLE TRUST	SPLASH FASHIONS INDIA PVT LTD
MERSEN IMPEX	RAFIYA REHMAN FOUNDATION	SRE LAKSHMI IMPEX
METRO INDUSTRIES	RAGHUVIR DEVELOPERS & BUILDERS	SREE CONSTRUCTIONS
METRO PROPERTIES	RAHUL BUILDERS & DEVELOPERS	SREE RAMAKRISHNA ENGINEERING WORKS
MFT GRAPHICS	RAINBOW ENTERPRISES	SREE VENKATESWARA CHARITABLE TRUST
MIDAS FABRI-COM TECHNOLOGIES PVT LTD	RAINBOW POWER SYSTEM	SREENATH PROMOTERS PVT LTD
MILAGRO CERAMICA PVT.LTD.	RAJ KUMAR CHOUDHARY	SREERAM GLOBAL TRADING PVT.LTD,
MILAN ENTERPRISES.	RAJAGIRI	SRI BALAJI TRADER

	HEALTHCARE AND EDUCATION TRUST	
M-IMPEX,	RAJDEEP JEWELLERS	SRI CHAMUNDA IMPEX
MIRAGE CERAMICS PVT. LTD.	RAJESH KUMAR	SRI DEVI EXPORTS
MIRAMAR PROPERTIES PVT LTD	RAJHANS ENTERPRISES,	SRI FURN IMPEX
MITTAL PROJECTS	RAKH HOSPITAL PVT. LTD.	SRI RAM GRANITS,
MODERN CERAMICS	RAMAYANA REALTORS PVT LTD	SRI SAI ENTERPRISES
MODERN SANITARY	RAMCO TRADERS IMPORTS & EXPORTS	SRI SAI VANDANA INTERNATIONAL
MODI GRANEXPO PRIVATE LIMITE	RAMESH SEEMAKURTI	SRI SHANKESHWAR IMPE
MOIN HIGHTECH ALLOYS	RANG SURJAN	SRI THIRUPATHI SUPER MARKET,
MONALISA CERAMICS INDIA PVT LTD.	RANGOLI ENTERPRISES	SRINIVASA TRADERS
MOSAICS INTERNATIONAL	RANGOLI TOWER	SRINIVASA TRUST,
MS NEW INDIA BUILDERS & DEVELOPERS PVT LTD	RANJEET PATTANAIK	SRS BUILDERS
MULTI SERVE ROLLS LTD.	RAR ENTERPRISES	SRUSHTI BATHS & INTERIORS PVT LTD
MYTEK PAPER (INDIA)	RATHI BANDHUS COMMERCIAL PVT. LTD.,	SRUSTI DIAM,
N.K. TRADING COMPANY	RATHI MARKETING,	SSM BUILDERS & PROMOTERS
NATURAL EXPORTS,	RAVI DEVELOPMENT	STARLIGHT SYSTEMS (I) LLP ,
NATURAL STONE	RAVIMURUGAA CONSTRUCTIONS PVT LTD,	STARZ CORP
NATVAR PARIKH AND BROS.	REAP OVERSEAS	STONEHENGE
NAVKAR DECOR	REDEFINE GROUP	SUKHWANI CONSTRUCTION
NAVKAR GRANI MART	RELIABLE PRINTING INK CO.	SUKHWANI INFRABUILD
NCC URBAN INFRASTRUCTURE LTD.	RENOWN INC.	SUMEET INFRACON PVT LTD,
NEEV CONWORKS,	REVERB SYSTEMS PVT	SUMERU TRADELINK

	LTD	PVT LTD
NEEV TECHNOCOM CO.	RICH TILES & SANATARY WARES	SUN RISE HOME AIDS PVT LTD
NEW TECH INTERNATIONAL	RILISONS IMPEX PVT LTD	SUN SALES AND MARKETING
NEW TECH INTERNATIONAL PROJECTS	RISHAB MARKETING,	SUNIL CERAMICS & SANITATIONS PVT LTD
NEW TIMBER INDUSTRIES	RISHABH ENTERPRISES,	SUNIL STEELS
NEXT IMPEX	RITE DEVELOPERS PVT.LTD.	SUNMINA GLOBAL INTERNATIONAL PVT LTD
NIA ENTERPRISE	RIZVI ESTATES & HOTELS PVT. LTD.,	SUPEIRO INDIA
NILADREE BUILD TECH PVT. LTD.	RIZVI LAND DEVELOPMENTS PVT. LTD.,	SUPREME MEGA CONSTRUCTIONS LLP
NIRO CERAMIC INDIA PVT LTD	RL EXPORTS AND IMPORTS	SURABHI SUPREME MARBLES & GRANITES .LTD
NITCO LIMITED	ROHAN PROJECTS	SURAJ IMPEX
NIYAS PROJECTS	ROYAL CIROMICS	SURESH KUMAR GARG, KARTA,
NOBLE EXIM	RUTU BUILDERS	SWAPNIL WILLINGDON CHRISTIAN
NOCIL STEELS	S J PROPERTIES	T. D. M. IMPEX,
NOOPUR ENTERPRISE,	S R TRADERS	T.LAKSHMI NARAYANA (PROP.M/S.NISARGA HOTEL)
NORTHERN SKY PROPERTIES PVT LTD.	S S ENTERPRISE	TANU ENTERPRISES.
NR GREENWOOD CONSTRUCTION PVT.LTD,	S S GROUP	THAI IMPEX PVT LTD
NUOVAFIL AND INFOTECK PVT.LTD	S. V. INFRA DEVELOPLERS	THAMEEMA TRADING CORPORATION
NYVELLY MARBONET COMPANY PVT LTD.,	S.B. INTERNATIONAL	THANEKAR CONSTRUCTION CO.,
OCEAN CREST MARINE	S.R. ENTERPRISES	THE KAPAREVA GROUP-23
OCEAN TRADE COM PVT. LTD.	S.R.S. BUILDERS	THE NEW ALLIANCE GROUP
THEODORA IMPEX INDIA PVT LTD	V1 BUILD MART PVT LTD	WEERA ENTERPRISES
TILE GALLERY	VALUE MART SUPER	WELL BUILD

	MARKETS PVT LTD	CONSTRUCTIONS
TIRUMALA TRADING COMPANY,	VANSAN HOMES P LTD	WHITE MARBLE HOUSE
TOKHEIM INDIA PVT LTD	VARUN EXPORTS	WWI SOURCING PVT LTD
TOLINS TYRES PVT LTD	VASANTHA CONSTRUCTIONS PVT LTD	YEDUR ENTERPRISES,
TRADE INDIA CORPORATION	VASHIST TRADERS	YESESI SUPERMARKET PVT LTD
TRANSWAY INTERNATIONAL	VEL INFRASTRUCTURE	YOGI DIVINE SOCIETY
TRENDZ EXIM	VELOBA TILES STUDIO	YUTIKA IMPORTS
TRINITY IMPEX	VERUNO INDIA PVT LTD	ZAZZY
TRISHLA DISTRIBUTOR	VIHAAN IMPEX,	ZEBA REALITY
TRISHUL BUILDTECH & INFRASTRUCTURES P LTD	VIJAY HOTELS	Kailash Ceramic (P) Ltd
U M IMPEX,	VIJAY IMPEX	Inigo Tiles
U,S,M.WORLD STYLES	VIJAY SANITARY STORE	Extol Trades Private Ltd
UNICORN GLOBAL ADVENTURES PVT LTD	VIJAYALAKSHMI IMPORTS & EXPORTS	Mirage Ceramics Pvt Ltd
UNIVERSAL ENTERPRISES	VINTAGE TILES PVT.LTD.	Aman trading Com.,
UNIVERSAL SALES DEPOT	VIRANI CONSTRUCTION COMPANY	Arihant Sales Corporation
USHAKHA OVERSEAS INC	VISION GLOBAL SOLUTIONS	Bhansali Cerim India pvt ltd
V SOURCE BUILDING MATERIALS (P) LTD	VIV MARBLE & GRANITES	Bhav trade Links Pvt Ltd
V V BROTHERS	VOORA SHREERAM CONSTRUCTIONS P LTD	La Cera Mall Pvt Ltd
V.P.R. BUILDERS	WATEREDGE HOSPITALITY PVT LTD	Poona Ceramics
V.V. ENTERPRISES	WATINUKSUNG JAMIR	All Kerala Tiles & Sanitary Ware Dealers Association

xvii. The following importers have filed questionnaire response:

- a. Asian Granito India Limited
- b. Bright International Import & Export

- c. Dimension
 - d. H&R Johnson (India)
 - e. Inigo Tiles
 - f. Kajaria Ceramics Limited
 - g. Katariya Capital Promoters & Builders
 - h. Malwa Ceramics Pvt. Ltd.
 - i. Penda Marketing Pvt. Ltd.
 - j. Somay Ceramics Limited
 - k. Spaniso Studio
 - l. Thai Impex (P) Limited
 - m. Rajhans Enterprises
 - n. Sree Ramamkrishna Engineering works
- xviii. Apart from the respondent sampled producers/exporters, importers/users, domestic industry and other domestic producers, the following interested parties also made submissions during the course of this investigation:
- 1. All Kerala Tiles & Sanitaryware Dealers Association.
 - 2. Gaoyao Jinshajiang Ceramics Co., Ltd
 - 3. Foshan Liangjian ceramic Co. Ltd.
 - 4. Foshan City Xin Wan Xiang Import & export trading Co. Ltd.
 - 5. Foshan Weinaer Ceramics Co., Ltd
 - 6. Foshan Han King Import & export Co. Ltd,
 - 7. Foshan Yongshengye Import & export Co. Ltd.
 - 8. TaisahnFokung Trading Co. Ltd.
 - 9. Foshan Sidino Building Material Co. Ltd.
 - 10. Dosun Tiles
 - 11. FogangTongqing ceramics Co. Ltd.
 - 12. Foshan Beyond Import and Export Co., LTd
 - 13. Foshan Dunhunang Building Material Co., Ltd
 - 14. QingyuanQuya Ceramic Co., Ltd
 - 15. Guangdong Guanxing Ceramic Enterprise Co., Ltd
 - 16. Foshan Han King Import & Export Co., Ltd
 - 17. Foshan Sunrise Trading Company Limited
 - 18. Foshan Junjing Industrial Co., Ltd
 - 19. foshanshiwan eagle brand ceramic ltd.
 - 20. guangdong Bode Fine Building material Co.
 - 21. Yangxi Bode Fine Building Material Co. Ltd.
 - 22. Guangdong Winto Ceramics Co., Ltd,
 - 23. Guangdong Homeway Ceramics Industry Co., Ltd,
 - 24. Guangdong Hongyu Ceramics Co., Ltd
 - 25. jieming new materials co. Ltd.

26. Guangdong Xinruncheng Ceramics Co., Ltd
27. Zhaoqing Aomilong Construction Materials Co., Ltd,
28. Foshan Skystone Import and Export Co., Ltd,
29. Foshan JBN industrial Co. Ltd.
30. Foshan Nenogress Porcellanato Co. Ltd.
31. Foshan Fotiles ceramics Co. Ltd.
32. Guangzhou Cowin New Material Co. Ltd.
33. Guangzhou Metals and Minerals import & export Ltd ,
34. Heyuan Becarry Ceramics Co. Ltd.
35. Joyson Ceramics Material Co. Ltd.,
36. Foshanxiangyu ceramics co. Ltd,
37. Shundenewwonder Ceramics Plant,
38. Foshan Qisheng ceramics materials Co. Ltd.,
39. Foshan Henglong ceramics Co. Ltd.
40. Huida sanitary ware co. Ltd.
41. Foshan Yongshengye import & export Co. Ltd.
42. Foshan eiffel ceramics Co. Ltd.,
43. Guangdong shenghui Ceramics co. Ltd.
44. Zhaoqingweida ceramics Co. Ltd.
45. Foshan Weijun Building Material Co., Ltd,
46. Foshan Sanshui Chengda Building Materials Factory
47. Foshan Dongpeng Ceramics Co., Ltd,
48. Huashengchang Ceramics Co.,
49. Qingyuan Nafuna Ceramics Co., Ltd
50. Lixian Xinpeng Ceramics Co., Ltd
51. Foshan Kovic Import and Export Co., Ltd,
52. Foshan Skystone Import and Export Co., Ltd,
53. Foshan Jinbali Ceramics Co., Ltd
54. Foshan Qualicer Industrial Co., Ltd,
55. Guangzhou Cowin New Material Co., Ltd
56. Foshan City Ying Cheng Trading Co., Ltd,
57. Guangxi Goshen Porcelabobo Ceramics Co., Ltd
58. Foshan Sany Ceramics Co., Ltd,
59. Foshan Nanhai Jinyatao Ceramics Co., Ltd
60. Foshan Griffiths Building Material Ltd,
61. Zibo Jiahui Ceramics Co., Ltd
62. Foshan Huanqiu Import & Export Co. Ltd,
63. Jiangxi Shiwan Huanqiu Ceramics Co., Ltd
64. Foshan Sunvin Ceramics Co., Ltd,
65. Jiefeng Decorative Material Co., Ltd

66. Foshan parcos Ceramics Co., Ltd,
67. Foshan Kaituozhe Ceramic Co., Ltd,
68. Gaoyao Jinshajiang Ceramics Co., Ltd,
69. Foshan Laili Ceramic Co., Ltd
70. Guangdong Sbolo Building Material Co., Ltd and Foshan Yuyue Ceramics Co., Ltd
71. Guangdong Kito Ceramics Co., Ltd
72. Jingdezhen Kito Ceramic Co., Ltd
73. Foshan wings Import & Export Co., Ltd, Guangdong Grifine Ceramics Co., Ltd
74. Foshan Nanhai Shi Dan LI Ceramics Co., Ltd
75. Grandhouse Ceramics Co., Ltd
76. Kailas ceramics (P) Ltd.,
77. Bhansali Cerim India Pvt. Ltd.,
78. Ceracon Ceramix India Pvt. Ltd.,
79. Malwa Ceramics Pvt. Ltd.,
80. Dimension
81. Dazzle Desiner Tiles Pvt. Ltd.,
82. Kethos International,
83. Arihant Sales Corp.,
84. Chandan Impex LLP,
85. La Cera Mall Pvt. Ltd.,
86. Inigo tiles,
87. Penda Marketing Pvt. Ltd.,
88. Poona Ceramics
89. Chandan Exports
90. Camron International,
91. Spaniso Studio,
92. Sai Sai Enterprise,
93. APK Impex.
94. H&R Johnson
95. Qinguan Gani Ceramics Co. Ltd.
96. Foshan Gani Ceramics Co. Ltd
97. Monalisa Group Co Ltd
98. Guangdong Monalisa Trading Co Ltd
99. Foshan Lihua
100. Fosshan Henry
101. Recron Marketing Ltd

- xix. The Authority made available non-confidential version of the evidence presented by various interested parties in the form of a public file kept open for inspection by the interested parties.
- xx. In the application, the applicants submitted that the prices reported in the DGCI&S data do not reflect the actual import price of the product under consideration. There exists significant difference between prices reported by DGCI&S and the prices at which actual imports are made. The applicants claimed that the Customs authorities have fixed minimum import price for the subject goods and therefore the import price reported in DGCI&S data being assessable value of imports representing the price at which customs authorities have assessed the imports. They have therefore claimed that the price at which the goods are imported and the price at which the goods have been assessed for clearance are two different figures in the present case. Therefore, applicants considered import price on the basis of imports made by certain major domestic producers, who are also major importers of the subject goods, for the purpose of determining export price. The Authority accepted the argument of the applicants prima facie for the purpose of initiation of this investigation.
- xxi. Post initiation, request was made to the Directorate General of Commercial Intelligence and Statistics (DGCI&S) to arrange details of imports of the subject goods for the past three years, including the period of investigation. Information was received from the DGCI&S. Information concerning imports of the subject goods have also been received from the DG, Systems and DG, Valuation. The Authority had made a reference to the Department of Revenue seeking clarification regarding the minimum import price as alleged by the applicants. The Department of Revenue vide their reply dated 14th October, 2015 informed that no minimum values of vitrified/porcelain tiles imported from China has been fixed for the purpose of assessments. They further informed that DG, Valuation provides weighted average import prices for the purpose of providing value band for reference of appraising officers assessing the bills of entry. Comparing the imports data received from the DGCI&S, DG, Valuation and the exporter's questionnaire responses filed by the sampled exporters, the Authority notes that the import prices have often been reassessed by the Customs authority. In view of this position, the Authority has relied upon the imports data received from the DGCI&S for volume of imports and DG, Valuation data for prices of imports in the present investigation for the purpose of this preliminary finding.

- xxii. The cost of production and cost to make and sell the subject goods in India based on the information furnished by the applicant on the basis of Generally Accepted Accounting Principles (GAAP) was worked out in accordance with Annexure III of the anti dumping rules so as to ascertain if anti-dumping duty lower than the dumping margin would be sufficient to remove injury to Domestic Industry.
- xxiii. Information provided by the interested parties on confidential basis was examined with regard to sufficiency of the confidentiality claim. On being satisfied, the Authority has accepted the confidentiality claims, wherever warranted and such information has been considered confidential and not disclosed to other interested parties. Wherever possible, parties providing information on confidential basis were directed to provide sufficient non confidential version of the information filed on confidential basis.
- xxiv. Investigation was carried out for the period starting from 1st April, 2014 to 31st March, 2015 (POI). The examination of trends, in the context of injury analysis, covered the periods Apr'11-Mar'12, Apr'12-Mar'13, Apr'13-Mar'14 and the period of investigation.
- xxv. After receiving the responses from all interested parties, the Authority analysed their responses as also the averments made by the domestic industry alleging injury from the alleged dumped imports, and examined herein below as to whether there is any need for recommendation of imposition of preliminary duties to off-set injury to the domestic industry.
- xxvi. On the spot verification of the information provided by the applicants was carried out to the extent considered necessary for the preliminary findings.
- xxvii. The submissions made by the interested parties during the course of this investigation including post sampling submissions and considered relevant by the Authority have been addressed in this preliminary finding.
- xxviii. *** in this Notification represents information furnished by the interested parties on confidential basis and so considered by the Authority under the Rules.
- xxix. The exchange rate adopted for the POI is 1 US \$ =Rs 61.69.

C. Product Under Consideration and Like Article

Views of the Domestic Industry

5. The domestic industry has submitted as follows:-

- i. The product under consideration ("PUC") in the present case is "Unglazed tiles in polished or unpolished finish and Glazed Porcelain/Ceramic tiles both with less than 3% water absorption

(commonly known as Vitrified Tiles/Porcelain tiles” referred as Vitrified Tiles or Vitrified Porcelain Tiles.

- ii. Vitrified/Porcelain tiles can be glazed or unglazed and are used primarily for coverings for floors as well as on walls. These tiles are used in buildings, homes, restaurants, cinema halls, airports, swimming pools, railway stations etc.
- iii. Subject goods are classified under Chapter 69. The scope of the product under consideration in this case under CTA falls under 69.07, 69.08 or 69.14. Glazed porcelain tiles being imported under Chapter Heading 69.14 are substitutable with the unglazed tiles of Chapter Heading 69.07 in terms of properties, use, functions, distribution, channels etc. The customs classification is indicative only and in no way it is binding upon the product scope.
- iv. Product under consideration is mainly produced and sold in two sizes (i) 600 mmX600 mm (ii) 800 mmX800 mm. Imports are also of mainly these two categories.
- v. There is no known difference in the subject goods produced by the domestic industry and that imported from the subject country. The subject goods produced by the domestic industry and the subject goods imported from subject country are comparable in terms of characteristics such as physical and chemical characteristics, manufacturing process and technology, functions and uses, product specifications, distribution and market & tariff classification of the goods.
- vi. The product under consideration is produced upto 3% water absorption. In particular, tiles of water absorption between 0.5% and 3% are being produced by the domestic industry and therefore cannot be excluded from the scope of PUC.
- vii. Tiles above 1000mm x 1000mm should not be excluded as Constituents of domestic industry produces (i) 1000X1000 mm tiles; (ii) tiles with one side above 1000 mm. The data provided clearly shows significant production of tiles above 1000mm.
- viii. Earlier, tiles above 800 X 800 mm were included by the Authority even when the domestic industry was not manufacturing the same in the matter of imports of ceramic tiles. This was challenged before the CESTAT and the appellate authority upheld the decision of the Authority.

Views of the other interested parties

6. The other interested parties have submitted as follows:

- i. The product under consideration needs to be amended to exclude products not manufactured by the domestic industry.
- ii. The domestic industry does not manufacture the following sizes of tiles and therefore the same should be excluded from the purview of product under consideration:
 - a. Tiles of dimensions 800 mm x 800 mm with water absorption more than 0.5 percent.
 - b. Tiles of dimensions above 1000 mm x 1000 mm
- iii. There is difference between laminatic porcelain panels and regular porcelain tiles on account of various parameters including physical appearance, size, price, end use, manufacturing process, machines, market place, interchangeability and standards. The Authority is also requested to clarify whether the laminatic porcelain panels and regular porcelain tiles are on single product.

Examination by the Authority

7. The product under consideration for the purpose of present investigation and findings is “Glazed/Unglazed Porcelain/Vitrified tiles in polished or unpolished finish with less than 3% water absorption”, originating in or exported from China PR. Vitrified/Porcelain tiles can be glazed or unglazed and are used primarily for coverings for floors as well as on walls. These tiles are used in buildings, homes, restaurants, cinema halls, airports, swimming pools, railway stations etc. Vitrified/Porcelain tiles are a kind of ceramic tiles, but are made with slightly different elements. These tiles are made after vitrification process. Product under consideration is mainly produced and sold in two sizes (i) 600 mmX600 mm (ii) 800 mmX800 mm. Imports are also mainly taking place in these two sizes.
8. The Authority notes that the tiles are a material required for civil constructions. The demand for the different size and variety of tiles are mostly governed by necessity and aesthetics. The different size of tiles with different water absorption capacity and other properties are a matter of consumer choice and affordability and therefore technically and commercially substitutable. Under the Anti-dumping Rules, the Authority is required to determine whether the dumped goods cause injury to the domestic industry. Exclusion of any size or variety of

tile from the purview of the PUC may encourage the exporters to bring a shift in the consumer choice by dumping the excluded goods at affordable prices and get the PUC replaced in the market. Tiles of wider width can be cut and used in place of tiles of small width.

9. The information provided by the domestic industry shows that the constituents of the domestic industry have also produced and supplied tiles of 800 mm x 800 mm and 1000 mm x 1000 mm sizes. Further, since tiles of wider width can be cut to size and used in place of tiles of small width, the authority considers that it would not be appropriate to exclude tiles of 800 mm x 800 mm and 1000 mm x 1000 mm sizes.
10. As regards the submission made by certain interested parties that laminated porcelain panels are different from the regular tiles and therefore the same should be excluded from the purview of the PUC, the Authority notes that the claim has not been substantiated with documentary evidence. Moreover, porcelain panels being larger size tiles can always be cut to size and replaced with smaller sized tiles. Therefore, the Authority notes that it would not be prudent to exclude porcelain panels from the purview of the PUC at this preliminary finding stage.
11. Subject goods are classified under Chapter 69. The scope of the product under consideration in this case under CTA falls under 69.07, 69.08 or 69.14. Glazed porcelain tiles being imported under Chapter Heading 69.14 are substitutable with the unglazed tiles of Chapter Heading 69.07 in terms of properties, use, functions, distribution, channels etc. The customs classification is indicative only and in no way it is binding upon the product scope.
12. With regard to like article, Rule 2(d) of the Anti-dumping Rules provides as under:

"like article" means an article which is identical or alike in all respects to the article under investigation for being dumped in India or in the absence of such article, another article which although not alike in all respects, has characteristics closely resembling those of the articles under investigation."
13. After considering the information on record, Authority has determined that there is no known difference in the subject goods produced by the domestic industry and that imported from the subject country. The subject goods produced by the domestic industry and the subject goods imported from subject country are

comparable in terms of characteristics such as physical and chemical characteristics, manufacturing process and technology, functions and uses, product specifications, distribution and market & tariff classification of the goods. The consumers are using the two interchangeably. The goods produced by domestic industry are therefore being treated as like article to the goods imported from China for the purpose of present investigation.

D. Domestic Industry and Standing

Submissions made by interested parties

- i. The Designated Authority has considered 14 companies as ineligible companies. The applicants do not satisfy the criteria laid down under Rule 5(3) of AD Rules and does not qualify as domestic industry in terms of Rule 2(b).
- ii. The Authority has not disclosed the percentage of total imports made by 14 ineligible domestic producers individually and their comparison to total demand in India.
- iii. The exclusion of 14 producers from the scope of domestic industry is contrary to judicial pronouncements as none of the 14 producers have shifted their focus from production to imports.

Submissions made by Domestic Industry

14. No relevant submission has been made by the domestic industry in this regard.

Examination by the Authority

15. Rule 2(b) of the AD Rules defines domestic industry as under:

“domestic industry” means the domestic producers as a whole engaged in the manufacture of the like article and any activity connected therewith or those whose collective output of the said article constitutes a major proportion of the total domestic production of that article except when such producers are related to the exporters or importers of the alleged dumped article or are themselves importers thereof in such case the term ‘domestic industry’ may be construed as referring to the rest of the producers”

16. The Application has been filed by Gujarat Granito Manufacturers Association and Sabarkantha District Ceramic Association, on behalf of the following domestic producers of the product under consideration:

- a. Ricasil Ceramic Industries Private Limited
- b. Comet Granito Pvt. Ltd.
- c. Cengres Tiles Ltd
- d. Sunshine Ceramics Co., Ltd
- e. Sims Ceramic Pvt. Ltd.,
- f. Wintel Ceramic Pvt. Ltd.,
- g. Simpolo Vitrfied Pvt. Ltd.,
- h. Zeal Top Granito Pvt. Ltd.,
- i. Tocco Ceramic Pvt. Ltd.,
- j. City Tiles,
- k. Sanford Vitrifified Pvt Ltd,
- l. Red Stone Granito Ltd.,
- m. Lexus Granito Pvt. Ltd.,
- n. Silk Touch Vitrifified Pvt Ltd,
- o. Qutone Granito Pvt Ltd,
- p. Simolex Vitrifified Pvt Ltd,
- q. Olwin Tiles Pvt. Ltd.,
- r. Coral Granito Pvt. Ltd,
- s. Duracon Vitrifified Pvt. Ltd., \
- t. Varmora Granito Pvt. Ltd.,
- u. Metro City Tiles Pvt Ltd,
- v. Affil Vitrifified Pvt Ltd,
- w. Sentosa Granito Pvt. Ltd.
- x. Casa Tiles Pvt. Ltd.

17. The application has been supported by 13 other domestic producers of subject goods, namely, Clayris Ceramic Pvt Ltd, Ramoji Granite Limited, Icon Granito Pvt. Ltd., Lorenzo vetrified pvt. Ltd., New Pearl Vitrifified Pvt. Ltd., Alliance Vitrifified Pvt. Ltd., Famous Vitrifified Pvt. Ltd., Blueart Granito Pvt. Ltd., Sun World Vitrifified Pvt. Ltd., Senso, Siyaram Vitrifified Pvt. Ltd., Savio Ceramica Pvt Ltd and Shubh Tiles Pvt. Ltd.

18. Certain domestic producers namely Kajaria Ceramics Ltd, H & R Johnson (India), Somany Ceramics Ltd, Asian Granita India Limited, Silica Ceramica Private Ltd, Commander Vitrifified Pvt Ltd, Vintage Tiles Pvt Ltd, Cosa Ceramic Pvt. Ltd, Acer Granito Pvt. Ltd., Jaxx Vitrifified Pvt. Ltd, Antique Marbonite Pvt. Ltd., Oracle, RAK Ceramics Ltd, New Vardhman Vitrifified Pvt Ltd., have made significant imports of subject goods from the subject country or are related to the exporters/importers of subject goods from the subject country and are therefore considered as ineligible domestic producers.

19. Production of applicants, supporters and other eligible domestic producers during the POI, as submitted by the applicants, is as follows:

1	Production by applicant companies	'000 sqmtr	68,096
2	Production by Supporting Companies	'000 sqmtr	27,113
3	Production by other eligible domestic producers	'000 sqmtr	86,811
4	Total Indian production	'000 sqmtr	182,020
5	Share of applicants in Indian production	%	37.41
6	Share of applicants + Supporters	%	52.31

20. From the above data, it may be seen that the production of the applicants is 37.41% of total Indian production, thereby constituting "a major proportion" of the total eligible domestic production. Further, applicant companies along with supporters constitute 52.31% of total eligible production by domestic industry. It is noted that none of the applicant and supporting companies have imported the product under consideration, nor they are related to an importer or exporter of the product under consideration. Thus, applicant companies constitute domestic industry within the meaning of the Rule 2(b) and the application, therefore, satisfies the requirement of standing in terms of Rule 5(3) of the Rules.

E. Miscellaneous Issues

Miscellaneous issues raised by the domestic industry

21. Miscellaneous submissions by domestic industry are as follows:

- i. The petitioners provided prima facie evidence regarding normal value, export price and dumping margin justifying initiation of present investigation. Designated Authority has also found sufficient prima facie evidence of dumping causing injury to the domestic industry and therefore initiated this case. The interested parties have not established how the information contained in the petition does not tantamount to sufficient evidence.
- ii. The domestic industries are injured by a history of massive dumping of subject product from the subject country. The anti-dumping duty should be imposed retrospectively. Considering the huge volume of such imports and threat of material injury to the domestic industry, unless duty is

recommended retrospectively, the desired remedial measures of anti-dumping duties may not be accomplished.

- iii. Authority found sufficient prima facie evidence of dumping causing injury to the domestic industry. Interested parties have not established how the information contained in the petition does not tantamount to sufficient evidence. It is relevant to point out in this regard that adequacy and accuracy of information provided improves during the course the course of investigation.
- iv. The Custom authorities have fixed minimum valuation for subject goods and thereby are over valuating the imports which are coming at much lower value than the value fixed. Therefore, petitioners have also considered import price of one of the domestic producer who is also a major importer of subject goods for the purpose of determining value of imports of subject goods for the POI. This eventually led to significant difference in the dumping margin based on DGCI&S and actual imports.
- v. There is no "segregation" of Domestic Industry in two groups. In view of large number of companies, consolidation has been done by putting some companies in one file and remaining in other the names of the companies are the names of the petitioners. Separate information was prepared for convenience sake, in view of large number of petitioner companies. Since there are 24 companies forming part of domestic industry, for administrative convenience, the data of the companies have been consolidated by preparing two files containing 12 companies each. Thereafter, the information has been cumulated for domestic industry as a whole. These are mere administrative conveniences for accumulating data relating to a large number of companies.

Miscellaneous issues raised by the interested parties

22. The following miscellaneous submissions have been made by the interested parties during the course of this investigation and considered relevant by the Authority:

- i. The petition filed by the applicants is grossly deficient and lacks supportive evidences and therefore bad in law.
- ii. The petition fails to establish dumping, injury and causal link and does not call for imposition of anti-dumping duty.

- iii. The claim of domestic industry for recommending retrospective levy of ADD is not substantiated in terms of Section 9A (3) of the Customs Tariff Act.
- iv. The rejection of the questionnaire responses on the grounds of non submission of response by unrelated parties is contrary to the sampling questionnaire format.
- v. The sampling selection, constituting 30 percent of exports, does not represent the export reality.
- vi. Additional information furnished by the parties, pursuant to the rejection of sampling questionnaire responses, should be accepted by the Authority and eligible parties should be allowed average dumping margin.
- vii. There is no legal requirement for filing of responses by all the producers whose goods are exported to India.
- viii. In earlier anti-dumping investigations concerning vitrified/porcelain tiles, a few companies of the subject country were exempted from the antidumping duty. Indian agents of those companies had a monopoly in imports from such companies which resulted in undue benefits to those agents. In case anti-dumping duties are again imposed, no exemptions to any manufacturer from the subject country should be given to avoid undue monopoly in the market.

Examination of the Authority

23. The present investigation has been initiated on the basis of prima facie analysis of the information/data furnished by the applicant showing dumping of subject goods from the subject countries, injury to the domestic industry on account of the said dumping and causal link between the two. The contention of the opposing interested parties that the initiation of investigation is bad in law due to misleading data furnished by the applicant and improper evaluation of data by the Authority is without any basis as the Authority has prima facie satisfied itself about the accuracy and adequacy of information on the basis of information furnished by the petitioner.
24. As regards the request for retrospective imposition of anti-dumping duty made by the domestic industry, Section 9A(3) of the Customs Tariff Act provides as follows:

If the Central Government, in respect of the dumped article under inquiry, is of the opinion that -

(i) there is a history of dumping which caused injury or that the importer was, or should have been, aware that the exporter practices dumping and that such dumping would cause injury; and

(ii) the injury is caused by massive dumping of an article imported in a relatively short time which in the light of the timing and the volume of imported article dumped and other circumstances is likely to seriously undermine the remedial effect of the anti-dumping duty liable to be levied,

the Central Government may, by notification in the Official Gazette, levy anti-dumping duty retrospectively from a date prior to the date of imposition of anti-dumping duty under sub-section (2) but not beyond ninety days from the date of notification under that sub-section, and notwithstanding anything contained in any law for the time being in force, such duty shall be payable at such rate and from such date as may be specified in the notification.

25. The Authority would examine the matter concerning retrospective imposition of anti-dumping duty at the stage of final finding.

26. As regards the submissions concerning sampling methodology and sampling process adopted in the present investigation, the Authority notes that the sampling in the present investigation has been done in terms of Rule 17(3) of the Anti-dumping Rules. Rule 17(3) states as follows:

The designated authority shall determine an individual margin of dumping for each known exporter or producer concerned of the article under investigation:

Provided that in cases where the number of exporters, producers, importers or types of articles involved are so large as to make such determination impracticable, it may limit its findings either to a reasonable number of interested parties or articles by using statistically valid samples based on information available at the time of selection, or to the largest percentage of the volume of the exports from the country in question which can reasonably be investigated, and any selection, of exporters, producers, or types of articles, made under this proviso shall preferably be made in consultation with and with the consent of the exporters, producers or importers concerned :

Provided further that the designated authority shall, determine an individual margin of dumping for any exporter or producer, though not selected initially, who submit necessary information in time, except where the number of exporters or producers are so large that individual examination would be unduly burdensome and prevent the timely completion of the investigation.

In terms of the above provisions, where the number of exporters is unmanageably large, a sample may be selected based on the following criteria:

- i. Reasonable number of interested parties by using statistically valid samples; or,
- ii. The largest percentage of the volume of exports from the country in question, which can be reasonably investigated.

27. In response to the sampling questionnaire circulated, a large number of responses were received involving many exporters with small volume of exports. All the questionnaire responses received were examined and it was observed that most of the responses were either filed by the exporters/traders without the corresponding response by the concerned producers. A few producers also filed responses without the corresponding response from the concerned exporters. The Authority notes that unless both the concerned producers and exporters file the response with required details, it may not be appropriate to accept such response as eligible for sampling and thus rejected sampling responses for want of complete information.

28. After examining each and every response, the Authority, in terms of the provisions laid down under Rule 17(3) of the Rules determined the minimum volume of export of 2 lakh SQM of the subject goods as the reasonable volume for the purpose of sampling, which can be reasonably investigated, for detailed investigation. Accordingly, 10 producers and ten 10 exporters, contributing around 60 lakh square meters of exports to India during the POI, were sampled for further investigation and were requested to offer their comments on the sampling and to file exporters questionnaire response and MET response. All the other non-sampled parties, whose sampling questionnaire responses were not rejected, were accepted by the Authority for consideration of weighted average dumping margin to be established with respect to the selected exporters/producers after further investigation. Keeping in mind the time bound nature of the anti-dumping investigations, there is no scope for the Authority to revisit the rejected sampling responses on the basis of furnishing of additional information by such parties post sampling.

F. Confidentiality

29. The following are the issues made by the domestic industry regarding confidentiality:

- i. Petitioners have provided all such information in the non confidential version as are required to be provided as per rules, trade notices and the practice being followed by the Authority in various investigations.
- ii. Names of Companies of Domestic producers who have imported the subject goods. is not in public domain and therefore has been kept confidential. Such information has direct impact on not only the company who has imported the product under consideration, but also on other producers who are not importing the product under consideration.
- iii. The Annual Reports of Domestic Industry as available on the website is abridged version and not complete. The complete annual report is business sensitive information and cannot be circulated.
- iv. Name of Companies who have delayed/stopped/not started production is confidential information, as disclosure of such names would have a significantly adverse effect upon the companies from whom that person acquired the information as they are not even in the market and could affect their future relationship with customers and competitors.
- v. Even indexed information of exports made is significant business information, as it can reveal position of the petitioning companies and their exports not only to other domestic producers, but also to other global players and Brazilian domestic industry.
- vi. Data on supplier wise exports to India, Brazil and the rest of the world is obtained with a clause of confidentiality. Disclosure of such information could prejudice supply of further information.
- vii. Statement showing imports from April, 2015 to most recent date in June, 2015 and listing of imports pertains to imports made by one of the domestic producer who is a major exporter. Disclosure of such information would be of competitive advantage to competitors and consumers
- viii. Quarter wise dumping margin and injury margin is based on the data of one of the major importer and therefore is confidential information which cannot be circulated. Disclosure of such information would cause serious prejudice to the said importer.
- ix. The Annual Reports of Domestic Industry as available on the website is abridged version and not complete. The complete annual report is business sensitive information and cannot be circulated.

30. The following are the issues made by the interested parties concerning confidentiality:

- i. The petitioners have claimed excessive confidentiality in regard to non-declaration of names of the ineligible domestic industries, export data, price undercutting, normal value etc.
- ii. The applicants have claimed confidentiality on various information/facts that are available in public domain such as annual reports of the domestic industries.

Examination by the Authority

31. With regard to confidentiality of information, Rule 7 of Anti-dumping Rules provides as follows:-

Confidential information: (1) Notwithstanding anything contained in sub-rules and (7) of rule 6, sub-rule (2), (3) (2) of rule 12, sub-rule (4) of rule 15 and sub-rule (4) of rule 17, the copies of applications received under sub-rule (1) of rule 5, or any other information provided to the designated authority on a confidential basis by any party in the course of investigation, shall, upon the designated authority being satisfied as to its confidentiality, be treated as such by it and no such information shall be disclosed to any other party without specific authorization of the party providing such information.

(2) The designated authority may require the parties providing information on confidential basis to furnish non-confidential summary thereof and if, in the opinion of a party providing such information, such information is not susceptible of summary, such party may submit to the designated authority a statement of reasons why summarization is not possible.

(3) Notwithstanding anything contained in sub-rule (2), if the designated authority is satisfied that the request for confidentiality is not warranted or the supplier of the information is either unwilling to make the information public or to authorise its disclosure in a generalized or summary form, it may disregard such information.

32. Information provided by the interested parties on confidential basis was examined with regard to sufficiency of the confidentiality claim. On being satisfied, the Authority has accepted the confidentiality claims, wherever warranted and such information has been considered confidential and not disclosed to other interested parties. Wherever possible, parties providing information on confidential basis was directed to provide sufficient non confidential version of the information filed on confidential basis. The Authority made available the non-confidential version of the evidences submitted by

various interested parties in the form of public file. The Authority notes that any information which is available in the public domain cannot be treated as confidential.

G. MARKET ECONOMY TREATMENT (MET), NORMAL VALUE, EXPORT PRICE AND DUMPING MARGIN

33. The following are the submissions made by the domestic industry in this regard:

- i. There is no justification in the contention that since some Chinese companies were granted MET at the time of previous investigations; the Designated Authority should, if so, de-facto apply the previous determination in the present case as well.
- ii. A number of Chinese exporters have actually bought tile bodies from other Chinese producers. Further, the major Chinese companies who were not attracting anti dumping duty bought tiles from other Chinese producers and supplied the same in the Indian market. In this case, if the company has bought tiles from other Chinese companies and have supplied in India, the Authority cannot grant MET unless all these companies whose products have been exported to India have also filed questionnaire responses.
- iii. Normal value could not be determined on the basis of price or constructed value in a market economy third country for the reason that the relevant information is not available to the petitioner. Export price from other countries to India cannot be adopted for the reason that import price from other countries could be affected due to imports from subject country. In order to arrive at normal value on this basis, the Authority shall require complete & exhaustive verifiable information on all domestic sales made by a cooperating producer in such third country, along with its cost of production and all other associated information and evidences (including all information in the ordinary course of trade). Petitioner has not been able to procure such information from a producer in market economy third country. Petitioner has therefore determined normal value on the basis of "any other reasonable basis". Thus, it would be seen that 'any other reasonable basis' forms sufficient basis for determination of normal value in case of China. The petitioners have provided information accordingly.
- iv. There is no material on record to show that goods imported from other

countries are different from goods imported from China. In fact, goods imported from other countries are like article to the goods imported from China. Petitioners have provided transaction wise details of exports from other countries to India which would readily establish that the goods are like article.

- v. As regards facts that tiles of same size may have different price, petitioners submit that the fact is also true for tiles which are imported from China, tiles produced in India and tiles imported from third countries. The interested parties have, however, not suggested any other mechanism to quantify the factors which will lead to its difference in price.

34. The following are the submissions made by interested parties and considered relevant by the Authority:

- i. The applicants have claimed China as non-market economy for the purpose of the present investigation. However, the Authority in previous investigations has determined tiles producers/exporters, to be operating at market economy principles. In view of the previous determination, the presumption of considering China PR as non-market economy is unjustified.
- ii. The determination of normal value by applicants on basis of price prevailing in Pakistan is doubtful as the corresponding information in table appears to be based on certain export price. The other information regarding Normal Value is also unreliable as most of the information is claimed confidential and which is claimed to be in public domain. Further there is not justified as to how Pakistan in appropriate market economy country for China PR.
- iii. Petitioner's assumption that China PR should be given non-market economy treatment is inconsistent with the requirements of paragraph 7 of Annexure I of the AD Rules. The general rule to arrive at normal value is the price or constructed value in a market economy third country or the price from such a third country to other countries including the country conducting the investigation. Only in those cases, where an authority is unable to apply or exhaust the general rule, the alternative option of using some other reasonable basis can be resorted to.
- iv. The level of exports and the product variety from other countries to India and exports from China to India are not comparable for determination of normal value. The determination of normal value on basis of prices reported by certain importer cannot be relied upon for

the purpose of fair determination. The Authority may determine normal value as paragraph 7 of Annexure of the AD Rules.

- v. The deductions to export price are inflated and are not substantiated with supporting evidences. The dumping margin determined by the applicants is also unreliable as the dumping margin claimed is determined in the range of 10-30 per cent. Such a determination by applicant is illogical and unrealistic.

Examination by the Authority

35. As regards the contention that Authority in previous investigations has determined certain tile producers/exporters to be operating at market economy principles and therefore the presumption of considering China PR as non-market economy is unjustified, the Authority notes that market economy status is required to be examined in each and every investigation as per the facts of each case. Moreover, the Authority notes that in the past three years China PR has been treated as a non-market economy country in anti-dumping investigations by India and other WTO Members. China PR has been treated as a non-market economy country subject to rebuttal of the presumption by the exporting country or individual exporters in terms of the Rules.
36. As regards the contention concerning determination of normal value by applicants on the basis of price prevailing in Pakistan, the Authority notes that in the applicants had adopted price prevailing in a market economy third country i.e. Pakistan for determining normal value for China in the application. They had also adopted the price from such a third country to other country, including India and the price actually paid in India, adjusted to include a reasonable profit margin, to determine the normal value for China. However, since Pakistan cannot be taken as a surrogate country for China due to their differential levels of development and other methodologies were not well substantiated by the applicants with supportive documents, the Authority resorted to the construction methodology on the basis of applicant industries weighted average cost of production duly adjusted while initiating the investigation. In view of the above non-market economy presumption and subject to rebuttal of the same by the responding exporters from china PR, normal value of the subject goods in China PR has been estimated in terms of Para 7 of Annexure 1 to the Rules.
37. The interested parties argued that the general rule to arrive at normal value is the price or constructed value in a market economy third country or the price from such a third country to other countries including the country conducting the investigation. Only in those cases, where an authority is unable to apply or

exhaust the general rule, the alternative option of using some other reasonable basis can be resorted to. In this regard, the provisions laid down under Para-7 of the Annexure I to the Rules are reproduced below:

"7. In case of imports from non-market economy countries, normal value shall be determined on the basis of the price or constructed value in a market economy third country, or the price from such a third country to other countries, including India, or where it is not possible, on any other reasonable basis, including the price actually paid or payable in India for the like product, duly adjusted if necessary, to include a reasonable profit margin. An appropriate market economy third country shall be selected by the designated authority in a reasonable manner [keeping in view the level of development of the country concerned and the product in question] and due account shall be taken of any reliable information made available at the time of the selection. Account shall also be taken within time limits; where appropriate, of the investigation if any made in similar matter in respect of any other market economy third country. The parties to the investigation shall be informed without unreasonable delay the aforesaid selection of the market economy third country and shall be given a reasonable period of time to offer their comments."

38. According to these Rules, the normal value in China PR can be determined on any of the following basis:

- a) On the basis of the price in a market economy third country, or
- b) The constructed value in a market economy third country, or
- c) The price from such a third country to other countries, including India.
- d) If the normal value cannot be determined on the basis of the alternatives mentioned above, the Designated Authority may determine the normal value on any other reasonable basis including the price actually paid or payable in India for the like product duly adjusted to include reasonable profit margin.

39. The Authority notes that for determination of normal value based on third country cost and prices, the complete and exhaustive data on domestic sales or third country export sales, as well as cost of production and cooperation of such producers in third country is required. No such information with regard to prices and costs prevalent in these markets have been provided either by the applicant or by the responding exporters, nor any publicly available information could be accessed, nor the responding Chinese companies have made any claim with regard to an appropriate market economy third country at this stage.

40. As per Paragraph 8 of Annexure I of the Anti-dumping Rules, the presumption of a non-market economy can be rebutted, if the exporter(s) from China PR provide information and sufficient evidence on the basis of the criteria specified in sub paragraph (3) of Paragraph 8 and establish the facts to the contrary. The responding exporters/producers of the subject goods from People's Republic of China are required to furnish necessary information/sufficient evidence as mentioned in sub-paragraph (3) of paragraph 8 in response to the Market Economy Treatment questionnaire to enable the Authority to consider the following criteria as to whether:

- a. the decisions of concerned firms in China PR regarding prices, costs and inputs, including raw materials, cost of technology and labour, output, sales and investment are made in response to market signals reflecting supply and demand and without significant State interference in this regard, and whether costs of major inputs substantially reflect market values;
- b. the production costs and financial situation of such firms are subject to significant distortions carried over from the former non-market economy, system, in particular in relation to depreciation of assets, other write-offs, barter trade and payment via compensation of debts;
- c. such firms are subject to bankruptcy and property laws which guarantee legal certainty and stability for the operation of the firms and
- d. the exchange rate conversions are carried out at the market rate.

41. The Authority notes that consequent upon issue of the initiation notification, the following Chinese entities filed market economy questionnaire response and sought to rebut the non-market economy presumption:

- a. M/s Foshan Chancheng Jinyi ceramics co. Ltd.
- b. Guangdong Haosen Ceramics Co., Ltd
- c. Guangdong Newpearl Ceramics Group Co Ltd.
- d. M/s Foshan Lihua Ceramics Co. Ltd.
- e. M/s Foshan Henry Trading Co. Ltd.

42. The Authority has taken cognizance of the information provided by the respondent Chinese companies who have filed MET response with which they sought to rebut the presumptions as mentioned in para 8 of Annexure 1 of the Anti-dumping Rules and Non Market Economy questionnaire sent to them regarding grant of market economy status to their company. However, the responding companies have failed to provide sufficient evidence to establish

their market economy claim. Pending examination of the issues regarding ownership and control, its impact on the cost and prices and business decisions of the company, transformation of ownership from time to time, evaluation of assets, land use rights, procurement of raw materials, relationship with State owned agencies, etc, the Authority is of the view that all these Chinese companies cannot be granted market economy status for the preliminary determination of its Normal Value. The Authority further notes that the responding companies have not provided sufficient details in their response in respect of their Holding/group companies and other relevant information to establish their market economy claim. In view of the above position, the Authority does not grant market economy treatment to the above stated respondent Chinese companies for the purpose of preliminary findings pending verification.

H. Determination of Normal Value

43. The Authority notes that none of the producers/exporters from China PR have been found to be operating under market economy condition for determination of normal value in China in terms of Para-6 of Annexure-1 to the Rules. Under the circumstances, the Authority is not in a position to apply Para 8 of Annexure 1 to the Rules to the above named Chinese companies and the Authority has to proceed in accordance with Para 7 of Annexure - I to the Rules.
44. The Authority notes that for determination of normal value based on third country cost and prices, the complete and exhaustive data on domestic sales or third country export sales, as well as cost of production and cooperation of such producers in third country is required. No such information with regard to prices and costs prevalent in these markets have been provided either by the applicant or by the responding exporters, nor any publicly available information could be accessed, nor the responding Chinese companies have made any claim with regard to an appropriate market economy third country at this stage. Pending further examination of the issues, for the purpose of preliminary determination, the Authority proceeds to construct the normal value based on any other reasonable basis.
45. The Authority proceeds to provisionally determine the Normal value for China PR on available facts basis in terms of second proviso of Para 7 of Annexure 1 to the Anti-dumping Rules. Accordingly, the ex-works Normal Value of the product under consideration has been determined based on constructed costs of production, duly adjusted to include selling, general & administrative costs and profits. The normal value so determined provisionally is US\$ ***/SQM.

I. EXPORT PRICE

46. The Authority notes that the following sampled Chinese producers/exporters have filed exporters questionnaire response in the present investigation:

- a. Guangdong Haosen Ceramics Co., Ltd (Producer) - Foshan Haosen Import and Export Co., Ltd, M/s Foshan Kihut Ceramic Co., Ltd, M/s Kun Lagy Ltd (Exporters).
- b. M/s Foshan Lihua Ceramics Co. Ltd. (Producer)- M/s Foshan Henry Trading Co. Ltd.(Exporter)
- c. M/s Foshan Chancheng Jinyi ceramics co. Ltd. (Producer)-M/s Foshan Worceter Trade Co. Ltd. (Exporter)
- d. Foshan Qiangbio Ceramics Co. Ltd. (Producer) - M/s Foshan Hongliao Trade co. Ltd. and M/s Sheenway Corporation Ltd. (Exporters).
- e. M/s Southern Building Materials & Sanitary Stone Technology Co. Ltd., M/s Jiangxi Fulingao Ceramics Co. Ltd. and M/s Guangdong Luxury Microcrystal Stone Technology Co (related Producers) - M/s New Zhong Yuan Ceramics Import & Export Co., Ltd .(Exporter)
- f. M/s Guangdong Gelaisi Ceramics Co., Ltd. and M/s Foshan Sanshui Huiwanjia Ceramics Co., Ltd (related Producers)- M/s Foshan Newpearl Trade Co., Ltd. (Exporter)

47. The Authority further notes that the following non-sampled parties have also submitted exporter's questionnaire response. The Authority does not consider the questionnaire responses filed by the non-sampled parties in the present investigation for the purpose of determination of individual margins.

- a. Foshan Gani Ceramic Tiles Co., Ltd
- b. Qingyuan Gani Ceramic Tiles Co., Ltd
- c. Foshan Clouds Imp& Exp co., Ltd
- d. Foshan Nan Hai Rongjia Import & Export Trading Co., Ltd.
- e. Gold Full House Building Material Co., Ltd
- f. Qingyuan Qingbiao Ceramics Co., Ltd
- g. Xin Xing Xian Zhisheng Ceramics Co., Ltd

Southern Building Materials & Sanitary Stone Technology Co. Ltd., Jiangxi Fulingao Ceramics Co. Ltd. and Guangdong Luxury Microcrystal Stone Technology Co Ltd (related Producers) - New Zhong Yuan Ceramics Import

& Export Co., Ltd(related Exporter)

48. As per the EQ responses, the three producers of subject goods, namely, Southern Building Materials & Sanitary Stone Technology Co. Ltd., Jiangxi Fulingao Ceramics Co. Ltd. and Guangdong Luxury Microcrystal Stone Technology Co Ltd and New Zhong Yuan Ceramics Import & Export Co., Ltd, the exporter, are related companies, all belonging to New Zhong Yuan Group, China PR. As per the EQ responses, all the related producers exported the subject goods to India during the POI through New Zhong Yuan Ceramics Import & Export Co., Ltd.
49. During the POI, Southern Building Materials & Sanitary Stone Technology Co. Ltd claimed to have exported ****SQM of subject goods for a gross value of RMB ****, Jiangxi Fulingao Ceramics Co. Ltd., claimed to have exported ****SQM for a gross value of ****RMB and Guangdong Luxury Microcrystal Stone Technology Co Ltd claimed to have exported ****SQM of subject goods for a gross value of RMB***, totalling SQM *****for the gross value of RMB*****.
50. While examining the data furnished in the EQ response filed by New Zhong Yuan Ceramics Import & Export Co., Ltd, the Authority noted that the said related exporter has also exported the subject goods produced by the following other producers for a total volume of SQM *****, which constitutes **% of the total exports of subject goods made by the respondent producers to India during the POI:
- a. Foshan Nanhai Jinyatao Ceramics Co Ltd
 - b. Guangdong Chunmei Ceramics Co Ltd
 - c. Foshan Hongbo Ceramics Co Ltd
 - d. Zhaoqing Gubaosi Ceramics Co Ltd
 - e. Foshan Nanhai Guangwei Chuangzhan Decoration Tile Co Ltd
 - f. Heyuan Beijiali Ceramics Co Ltd
 - g. Hunan Tianxin Technology Co Ltd
51. The Authority further notes that none of these Chinese producers has filed EQ response in the present investigation. Considering the fact that the above stated parties are related and since the value chain is not complete, the Authority, at the stage of the provisional findings, has not determined the individual dumping margin in respect of these companies.
52. Accordingly, the average export price at ex-factory level is provisionally determined on the basis of the best available information/data obtained from the

Director General, Valuation, Government of India, and is as shown in the Dumping Margin Table below.

Foshan Lihua Ceramics Co. Ltd. (Producer) and Foshan Henry Trading Co. Ltd.(Exporter)

53. As per the exporter's questionnaire response (EQR), Foshan Lihua Ceramics Co. Ltd (Producer) and Foshan Henry Trading Co Ltd (Exporter) are related Chinese companies. Both the companies are owned and controlled by Zhang family of China. As per the EQ responses, during the POI, Lihua domestically sold SQM **** of subject goods to Henry for a gross value of RMB****. Henry has claimed in its EQ response that during POI it has exported SQM ***** of subject goods TO India for a gross value of US\$ ****. As per the EQ response filed by Lihua, while the finished subject goods are shipped directly by Lihua to India, the commercial invoicing is done through its related exporter Henry. From the EQ response, the Authority notes that the transaction-wise linkage between the domestically sold subject goods and the exports of the said subject goods claimed to have been made by the related exporting company have not been established by the respondent companies vide the information furnished by them in their EQ responses. In view of this position, the Authority does not accept the EQ responses filed by the above stated related companies, at this juncture, for grant of individual margins for the purpose of preliminary findings. Accordingly, the average export price at ex-factory level is provisionally determined on the basis of the best available information/data obtained from the Director General, Valuation, Government of India, and is as shown in the Dumping Margin Table below.

Guangdong Haosen Ceramics Co. Ltd. (Haosen), Foshan Haosen Import and Export Co. Ltd. (Foshan Haosen), Foshan Kihut Ceramic Co. Ltd. (Kihut) , Kun Lagy Ltd., Hong Kong (Kun Lagy)

54. In the exporter questionnaire responses, Haosen claimed to be producer of subject goods, who have exported the subject goods to India through Foshan Haosen, Kun Lagy and Kihut. Haosen (producer) is related to Foshan Haosen (exporter) who has exported goods directly to India as well as through Kun Lagy. Kun Lagy, trading arm of Foshan Haosen, is related to Kihut. In the process, the Authority notes that all the above stated producer and exporters are related to each other. During POI, Haosen (producer) has domestically sold ***** sqm and *****sqm of subject goods to Foshan Haosen and Kihut, respectively. Although the aforesaid traders/exporters are engaged in exports to

India and other countries, none of the exporter/trader has demonstrated to have exported goods supplied by Haosen (producer) to India in their EQ responses. Consequently, in the absence of the linkages between domestic and export sales by the respondent producer and the respondent related exporters, the Authority is not in a position to determine and grant individual margins to these respondent parties. In view of the above position, the Authority does not determine individual export price and margins for Haosen, Foshan Haosen, Kun Lagy and Kihut at this juncture. Accordingly, the average export price at ex-factory level is provisionally determined on the basis of the best available information/data obtained from the Director General, Valuation, Government of India, and is as shown in the Dumping Margin Table below.

55. The Authority further notes that the EQ responses filed by the producer concerned could not establish the linkage between the domestic sales claimed to have been made and the exports of the said subject goods claimed to have been made by the related exporters to India during the POI. The transaction-wise linkage between the domestically sold subject goods, proceeds of which are shown in RMB, and the exports of the said subject goods claimed to have been made by the related exporting companies have not been established by the respondent companies vide the information furnished by them in their EQ responses. In view of this position, the Authority does not accept the EQ responses filed by the above stated related companies at this juncture for grant of individual margins for the purpose of preliminary findings. Accordingly, the average export price at ex-factory level is provisionally determined on the basis of the best available information/data obtained from the Director General, Valuation, Government of India, and is as shown in the Dumping Margin Table below.

Foshan Qiangbio Ceramics Co. Ltd., China PR (Producer) - M/s Foshan Hongliao Trade co. Ltd., China PR (exporter) and M/s Sheenway Corporation Ltd., Hong Kong (Exporter).

56. As per the EQ response, Foshan Qiangbio Ceramics Co. Ltd. is a producer of subject goods having one factory for finishing the biscuits procured from its related party - Qingyuan Qiangbiao Ceramics Co. Ltd. Further, as stated in the EQ response, Foshan Qiangbio Ceramics Co. Ltd is only a producer and domestic seller of the subject goods, but is not an exporter. It sells the subject goods to two unrelated Chinese trading companies for exports to India namely Foshan Hongligao Trade Co. Ltd. and Foshan Worcester Trade Co., Limited. Both the companies sell the subject goods to Sheenway Corporation Limited,

Hong Kong. In turn, Sheenway, Hong Kong sells the products to unrelated Indian customers. However, the goods are physically dispatched directly from the producer to the Indian customers.

57. The Authority notes that during the sampling process, Foshan Qiangbio Ceramics Co. Ltd, China PR, who filed sampling questionnaire response, did not declare that they are not a producer of the subject goods from the raw material stage, but only a finished of subject goods by procuring the intermediate semi finished biscuits from their related party. They also did not declare that they are merely a domestic seller and not exporter of subject goods to India during the POI. The Authority further notes that Qingyuan Qiangbiao Ceramics Co. Ltd, China PR, the related producer and supplier of biscuits is a non-sampled party in the present investigation, which has filed EQ response, but did not file sampling questionnaire response along with Foshan Qiangbio Ceramics Co. Ltd.
58. Further, the claimed exports of subject goods to India through Foshan Worceter Trade Co., Limited during the POI was neither brought before the Authority in the sampling questionnaire response filed by Foshan Qiangbio Ceramics Co. Ltd during the sampling process, nor reflected in the Appendix 1 data filed by Foshan Qiangbio Ceramics Co. Ltd in the present investigation. Further, the EQ response filed by Foshan Worceter Trade Co., Limited along with Foshan Chancheng Jinyi Ceramics Co. Ltd. (Producer) in the present investigation does not claim to have exported the subject goods produced by Foshan Qiangbio Ceramics Co. Ltd to India during the POI.
59. Moreover, in the EQ response filed by Foshan Qiangbio Ceramics Co. Ltd., information regarding domestic sales has been furnished, but they have not furnished any information establishing the linkage between the domestic sales made by them and the exports of the said subject goods to India through the above stated channels. In view of the above stated position, the Authority does not accept the EQ responses filed by Foshan Qiangbio Ceramics Co. Ltd., China PR (Producer) - M/s Foshan Hongliao Trade co. Ltd., China PR (exporter) and M/s Sheenway Corporation Ltd., Hong Kong (Exporter), at this juncture for determination of individual export price and individual margins for the purpose of preliminary findings. Accordingly, the average export price at ex-factory level is provisionally determined on the basis of the best available information/data obtained from the Director General, Valuation, Government of India, and is as shown in the Dumping Margin Table below.

Foshan Chancheng Jinyi Ceramics Co. Ltd. (Producer) and Foshan

Worceter Trade Co. Ltd. (Exporter)

60. As per the EQ response, Foshan Chancheng Jinyi Ceramics Co. Ltd, China PR is a producer of polished tiles procuring biscuits from Xin Xing Xian Zhisheng Ceramics Co., Ltd, related party. As stated in the EQ response, Jinyi exports the subject goods to India during the POI, through another related party namely Foshan Worceter Trade Co., Ltd. All these companies have filed EQ response in the present investigation.
61. The Authority notes that while filing sampling questionnaire, Foshan Chancheng Jinyi Ceramics Co. Ltd did not declare that it is not a producer of subject goods as such, but only a polisher of subject semi finished tile biscuits procured from one of its related parties namely Xin Xing Xian Zhisheng Ceramics Co., Ltd.
62. The Authority further notes that Foshan Chancheng Jinyi Ceramics Co. Ltd furnished information regarding domestic sales of the subject goods, but did not furnish any information establishing linkage between the claimed domestic sales and the claimed exports of the said subject goods to India through the above channel. In view of this position, the Authority does not accept the EQ responses filed by Foshan Chancheng Jinyi Ceramics Co. Ltd. (Producer) and Foshan Worceter Trade Co. Ltd. (Exporter) at this juncture for grant of individual margins for the purpose of preliminary findings. Accordingly, the average export price at ex-factory level is provisionally determined on the basis of the best available information/ data obtained from the Director General, Valuation, Government of India, and is as shown in the Dumping Margin Table below.

Guangdong Gelaisi Ceramics Co. Ltd (Gelaisi), Foshan Sanshui Huiwanjia Ceramics Co. Ltd (Huiwanjia), Foshan Newpearl Trade Co. Ltd (Newpearl)

63. As per the EQ responses, Guangdong Gelaisi Ceramics Co. Ltd (Gelaisi), Foshan Sanshui Huiwanjia Ceramics Co. Ltd (Huiwanjia), Foshan Newpearl Trade Co. Ltd (Newpearl) are related parties. In the exporter questionnaire response, Gelaisi and Huiwanjai claimed to be producers of subject goods, who have exported to India through Newpearl, the sole exporter. Gelaisi has claimed to have domestically sold ****sqm of subject goods to Newpearl for value ****RMB during POI. Huiwanjai has claimed to have domestically sold ****sqm of subject goods to Newpearl for value RMB ****during POI. Newpearl in its EQR has claimed to have exported SQM *****of subject goods for the gross value of US\$ ****. However, neither Gelaisi nor Huiwanjai have linked their domestic sales to Newpearl with the export of the said goods by Newpearl to

India during the POI. In view of the above position, in the absence of the linkages between domestic and export sales by the related producers and exporter, the Authority is not in a position at this juncture to determine individual export price and grant individual margins to Guangdong Gelaisi Ceramics Co. Ltd, Foshan Sanshui Huiwanjia Ceramics Co. Ltd, Foshan Newpearl Trade Co. Ltd. Accordingly, the average export price at ex-factory level is provisionally determined on the basis of the best available information/data obtained from the Director General, Valuation, Government of India, and is as shown in the Dumping Margin Table below.

Export Price for Non-cooperative Exporters from China PR

64. In respect of all other exporters from China PR who are treated to be non-cooperative, the Authority has determined their net export price as per facts available in terms of Rule 6(8) of the Rules. The net export price determined by the Authority for the non-cooperative exporters/producers of the product consideration in China PR has been determined on the basis of best available information. Accordingly, the average export price at ex-factory level is provisionally determined on the basis of the best available information/data obtained from the Director General, Valuation, Government of India, and is as shown in the Dumping Margin Table below.

J. DUMPING MARGIN

Sampled Exporters from China PR

65. Since none of the sampled producers/exporters neither filed complete response nor completed the value chain linkages, the Authority, therefore, at this juncture for the purpose preliminary finding, does not determine their individual dumping margin. The dumping margin in respect of the sampled producers/exporters is determined on the basis of the best available information/data obtained from the Director General, Valuation, Government of India. Considering the Normal value and Export prices as determined above, the dumping margin has been determined as follows for the sampled cooperative exporters from China PR:

Sl. No	Producer	Exporter	Normal Value - US\$/SQM	Net Export price - US\$/SQM	Dumping Margin - US\$/SQM	Dumping Margin - %	Dumping Margin Range - %
1.	(i) Southern Building Materials & Sanitary	New Zhong Yuan Ceramics Import &	***	***	***	***	60-70%

	Stone Technology Co. Ltd., (ii) Jiangxi Fulingao Ceramics Co. Ltd. (iii) Guangdong Luxary Microcrystal Stone Technology Co Ltd	Export Co., Ltd					
2.	Guangdong Haosen Ceramics Co., Ltd	Foshan Haosen Import and Export Co., Ltd, M/s Foshan Kihut Ceramic Co., Ltd, M/s Kun Lagy Ltd	***	***	***	***	60-70%
3.	M/s Foshan Lihua Ceramics Co. Ltd.	M/s Foshan Henry Trading Co. Ltd.	***	***	***	***	60-70%
4.	M/s Foshan Chancheng Jinyi ceramics co. Ltd.	M/s Foshan Worceter Trade Co. Ltd.	***	***	***	***	60-70%
5.	Foshan Qiangbio Ceramics Co. Ltd.	M/s Foshan Hongliao Trade co. Ltd. and M/s Sheenway Corporation Ltd.	***	***	***	***	60-70%
6.	M/s Guangdong Gelaisi Ceramics Co., Ltd. and M/s Foshan Sanshui Huiwanjia Ceramics Co., Ltd	M/s Foshan Newpearl Trade Co., Ltd.	***	***	***	***	60-70%

Non Sampled Exporters from China PR

66. The dumping margin for the following exporters who had made themselves known in response to the sampling questionnaire but were not sampled by the Authority, has been determined on the basis of the dumping margin determined for the above stated sampled exporters in China in terms of Rule 18(2) of the Rules. Thus the dumping margin in respect of the non-sampled exporters from China PR is as per the table below:

Sl. No	Name of the producer	Name of the Exporter	Weighted Average Dumping Margin - US\$/SQM	Weighted Average Dumping Margin - %	Weighted Average Dumping Margin Range - %
1	Foshan Helai Building Materials Co., Ltd and Foshan City Gaoming district hui Mei AO Building Material Co., Ltd.	Foshan Xinzhongwei Economic and Trade Co., Ltd, M/s Globlink Overseas (HK) Ltd.	***	***	60-70%
2	Foshan City TaoQuiang Building Material Co., Ltd.	Foshan Fortune Imp. And Exp. Trade Co., Ltd.			
3	Monalisa Group Co., Ltd.	Guangdong Monalisa Trading Co., Ltd.			
4	Foshan Gold Full House Building Material Co., Ltd.	Foshan Nanhai Rongjia IM & EX Co., Ltd, and Foshan Clouds Import & Exports Co., Ltd.			
5	Guangdong Yongsheng Ceramics Co., Ltd.	Foshan Ishine Trading Co., Ltd.			
6	Foshan Sunny Ceramic Co., Ltd.	Foshan Gold Medal Import and Export Trading Co., Ltd.			
7	Enping City Huachang Ceramic Co., Ltd.	Enping City Huachang Ceramic Co., Ltd.			
8	Foshan Oceanland Ceramics Co., Ltd.	Foshan Oceanland Ceramics Co., Ltd			
9	Guangdong Overland Ceramics Co., Ltd.	Guangdong Overland Ceramics Co., Ltd			
10	Guangdong Kito Ceramics Co., Ltd.	Guangdong Kito Ceramics Co., Ltd			
11	Foshan Sincere	Foshan Sincere			

	Building Material Co., Ltd.	Building Material Co., Ltd			
12	Guangdong Guanxing Ceramics Enterprise Co., Ltd.	Guangdong Guanxing Ceramics Enterprise Co., Ltd.			
13	Qingyuan Quya Ceramics Co., Ltd.	Qingyuan Quya Ceramics Co., Ltd			
14	Jingdezhen Kito Ceramic Co., Ltd.	Jingdezhen Kito Ceramic Co., Ltd			
15	Foshan Louis Valentino Ceramic Co., Ltd.	Foshan Louis Valentino Ceramic Co., Ltd			
16	Guangdong Xinfengjing Ceramics Co., Ltd.	Guangdong Xinfengjing Ceramics Co., Ltd			
17	Guangdong Tianbi Ceramics Co., Ltd.	Guangdong Tianbi Ceramics Co., Ltd			
18	Foshan HCC Building Material Co., Ltd.	Foshan HCC Building Material Co., Ltd			
19	Zhanjiang Zhonghong Ceramics Co., Ltd.	Foshan Beyond Import and Export Co., Ltd			
20	Heyuan Romantic Ceramics Co., Ltd.	Foshan Beyond Import and Export Co., Ltd			
21	Foshan Nanhai Yonghong Ceramic Co., Ltd.	Foshan Jun Enterprise Co., Ltd			
22	Foshan Dunhunang Building Material Co., Ltd.	Foshan Dunhunang Building Material Co., Ltd			
23	Foshan Sanshui Hongyuan Ceramics Enterprise Co., Ltd.	Foshan Sanshui Hongyuan Ceramics Enterprise Co., Ltd			

All other exporters from China PR

67. Dumping margin for all other non-cooperating exporters from China PR has been determined by the Authority on the basis of best available facts as given in the table below:

Particulars	Normal Value - US\$/SQM	Net Export price - US\$/SQM	Dumping Margin - US\$/SQM	Dumping Margin - %	Dumping Margin Range - %
All other Producers/ Exporters	***	***	***	***	60-70%

K. INJURY AND CAUSAL LINK

68. The submissions made by domestic industry with regard to injury and causal link are as follows:

- i. Volume of dumped imports from the subject country declined till 2013-14 and has thereafter increased significantly in the proposed POI. Imports have increased significantly in the period Oct 14-March 15 which is the period after imposition of anti dumping duty by Brazil on China.
- ii. Import prices have been significantly below the selling prices of the domestic industry, thus resulting in significant price undercutting.
- iii. The actual landed price of imports is much below the level of cost as well as selling price of the domestic industry. Thus, non imposition of duty is likely to lead to significant increase in low priced imports which would cause price suppression and depression in the domestic market
- iv. Domestic Industry enhanced capacity in the proposed injury period, responding to the rising demand of the product in the Country.
- v. Production of domestic industry increased with addition of capacities. However, production declined within the proposed POI with significant increase in imports.
- vi. Capacity utilization of the domestic industry increased over the period upto June 2014 and declined thereafter.
- vii. Inventories with the domestic industry increased very significantly over the injury period.

- viii. Profitability of the domestic industry has increased over the injury period. However, since imposition of anti dumping duties on Brazil in July 2014, imports had started increasing significantly at dumped price. Ad stated earlier actual import price is much below the level of cost of sales and selling price of the domestic industry. Therefore there is clear imminent threat of decline in profitability of the domestic industry.
- ix. Quarterly performance of the domestic industry shows decline in sales, production and capacity utilisation.
- x. The dumping margin is not only more than de-minimus but also substantial.
- xi. It is not necessary that the data should show both price undercutting and suppression/depression. There is significant decline in prices in last two quarters of the POI. This is also the period where imports from China have increased. Thus, domestic industry was forced to reduce prices when imports from China increased.
- xii. Capacity, production, sales and capacity utilization of the domestic industry declined in the last two quarters of the POI. Thus, whereas performance of the domestic industry was improved in respect of these parameters up to the first semester of POI, the performance of the domestic industry declined/deteriorated in the second semester of the POI.
- xiii. The domestic industry has set up manufacturing facilities for sale of the PUC in Indian market. The domestic industry has sold the product in export market only when domestic industry is not able to sell the product in the domestic market.
- xiv. The petitioner has provided information with regard to its profitability in the domestic and export market which clearly establishes that the profit of the domestic industry is worse in export market.
- xv. The petitioner has not claimed injury in respect of employment and wages for the reason that these parameters are governed by other macro-economic parameters in the country and petitioner companies are not in a position to regulate employment and wages in view of prevailing labor laws in the country.

69. The submissions made by the interested parties with regard to injury and causal link are as follows:

- i. The applicants have claimed injury margin in the range of 5-25 per cent, which seems unreliable. Thus the injury margin computed is erroneous and should be examined by the Authority.
- ii. As a matter of law and practise, the injury is examined for a period of last four years including period of investigation (POI). Such examination reflects trends analysis of the performance of domestic industry as a whole and not the domestic industry alone. In present investigation also, the price and volume injury needs to be examined for domestic producers as a whole, for POI and last three years preceding period of investigation.
- iii. There is steep decline in import volume from subject country both in terms of total Indian production and domestic sales in India over last four years. Domestic producers in India constitute 92% of market share and the rest of the market share is on account of imports. The decline in imports and market share of imports cannot be a cause of injury.
- iv. The petition of the applicants also reflects that there is no price suppression or depression as the import price from China PR and cost of sales of domestic industry follows same trend analysis. There has been substantial increase in import price of subject goods during injury analysis period.
- v. As regards the price undercutting, the applicant has selected only few imports for determining landed value. Such selective transactions reflects incomplete picture resulting into screwed price effect analysis.
- vi. The injury parameters must be examined for domestic producers for like product and not merely for domestic industry. Even if the analysis is restricted only to domestic industry, none of the economic factor including production, sales, production capacity, and capacity utilisation reflects injury. On the contrary, there is decline in imports from China PR and improvement in economic and financial indices of domestic tile manufacturers.
- vii. The profits, cash flow and return on capital employed of domestic industry has increased many folds in injury analysis period. The performance of large number of domestic producers constituting domestic industry, has also improved exponentially. Wages and employment has also reflected improvement in line with performance of domestic industry.

Examination by the Authority

70. As regards the contention that Authority should conduct trends analysis of the performance of domestic producers as a whole and not the domestic industry alone, the Authority notes that in terms of the provisions laid down under the Anti-dumping Rules, the Authority is required to investigate and determine injury in respect of the domestic industry only. As regards the other submissions, the Authority notes that the injury analysis hereunder ipso facto addresses the issues.
71. Rule 11 of the AD Rules read with its Annexure-II provides that an injury determination shall involve examination of factors that may indicate injury to the domestic industry, "... taking into account all relevant facts, including the volume of dumped imports, their effect on prices in the domestic market for like articles and the consequent effect of such imports on domestic producers of such articles...." While considering the effect of the dumped imports on prices, it is considered necessary to examine whether there has been a significant price undercutting by the dumped imports as compared with the price of the like article in India, or whether the effect of such imports is otherwise to depress prices to a significant degree or prevent price increases, which otherwise would have occurred, to a significant degree.
72. Annexure-II of the AD Rules provides for an objective examination of both, (a) the volume of dumped imports and the effect of the dumped imports on prices, in the domestic market, for the like articles; and (b) the consequent impact of these imports on domestic producers of such articles. With regard to the volume effect of the dumped imports, the Authority is required to examine whether there has been a significant increase in dumped imports, either in absolute term or relative to production or consumption in India. With regard to the price effect of the dumped imports, the Authority is required to examine whether there has been a significant price undercutting by the dumped imports as compared to the price of the like product in India, or whether the effect of such imports is otherwise to depress the prices to a significant degree, or prevent price increases, which would have otherwise occurred to a significant degree.
73. As regards the impact of the dumped imports on the domestic industry. Para (iv) of Annexure-II of the AD Rules states as follows:

"The examination of the impact of the dumped imports on the domestic industry concerned shall include an evaluation of all relevant economic

factors and indices having a bearing on the state of the Industry, including natural and potential decline in sales, profits, output, market share, productivity, return on investments or utilization of capacity; factors affecting domestic prices, the magnitude of margin of dumping actual and potential negative effects on cash flow, inventories, employment wages growth, ability to raise capital investments.”

74. For the examination of the impact of imports on the domestic industry in India, the Authority has considered such indices having a bearing on the state of the industry as production, capacity utilization, sales quantum, stock, profitability, net sales realization, the magnitude and margin of dumping etc. in accordance with Annexure II(iv) of the Rules supra.

L. Volume Effect of the Dumped imports on the Domestic Industry

a) Demand and market share

75. For the purpose of assessment of the domestic consumption/demand of the subject goods, the sales volume of domestic industry and other Indian producers have been added to the imports of the product under consideration into India and the same has been summarized below:

Particulars	Unit	2011-12	2012-13	2013-14	2014-15
Total Indian Demand					
Sales of Domestic Industry	000'Sqmtr	39,494	51,129	51,967	55,875
Sales of Supporter Companies	000'Sqmtr	16,579	22,757	23,422	27,113
Sales of Other Indian industry	000'Sqmtr	32,175	73,352	75,830	86,811
Sales of Ineligible Other Indian industry	000'Sqmtr	28,010	47,636	57,578	70,469
Imports - Subject Countries	000'Sqmtr	27,640	17,234	10,872	20,540
Imports - Other Countries	000'Sqmtr	1,728	1,745	1,037	777
Demand	000'Sqmtr	145,626	213,854	220,705	261,585
Market Share in Demand					
Sales of Domestic Industry	%	27.12	23.91	23.55	21.36
Sales of Supporter Companies	%	11.38	10.64	10.61	10.36
Sales of Other Indian industry	%	22.09	34.30	34.36	33.19

Particulars	Unit	2011-12	2012-13	2013-14	2014-15
Sales of Ineligible Other Indian industry	%	19.23%	22.28%	26.09%	26.94%
China - Subject Country	%	18.98%	8.06%	4.93%	7.85%
Other Countries	%	1.19%	0.82%	0.47%	0.30%
Total Demand	%	100%	100%	100%	100%

Quarterly Analysis

Particulars	Unit	Apr'14-Jun'14	July'14-Sep'14	Oct'14-Dec'14	Jan'15-Mar'15
Total Indian Demand					
Sales of Domestic Industry	000'Sqmtr	***	***	***	***
Sales of Supporter Companies	000'Sqmtr	***	***	***	***
Sales of Other Indian industry	000'Sqmtr	***	***	***	***
Sales of Ineligible Other Indian industry	000'Sqmtr	***	***	***	***
Imports - Subject Countries	000'Sqmtr	3,173	4,633	5,809	6,925
Imports - Other Countries	000'Sqmtr	169	202	205	202
Demand	000'Sqmtr	65,172	64,091	67,607	64,715
Market Share in Demand					
Sales of Domestic Industry	%	***	***	***	***
Sales of Supporter Companies	%	***	***	***	***
Sales of Other Indian industry	%	***	***	***	***
Sales of Ineligible Other Indian industry	%	***	***	***	***
China - Subject Country	%	4.87%	7.23%	8.59%	10.70%
Other Countries	%	0.26%	0.32%	0.30%	0.31%
Total Demand	%	100.00%	100.00%	100.00%	100.00%

76. The Authority notes that the demand of the subject goods in the domestic market has increased throughout the injury period. In terms of quarterly analysis, the demand has increased up to third quarter and then declined. Sales of the domestic industry have increased during the POI as compared to the base year. In terms of quarterly analysis, sales of the domestic industry shows declining trend. As regards market share of the domestic industry in demand, it has declined during the POI. In terms of quarterly analysis, the market share of the domestic industry in demand also shows declining trend. On the contrary,

the imports from the subject country, during the injury period, declined up to 2013-14 and then increased during the POI. In terms of quarterly analysis, the imports of the subject country and its market share in Indian demand shows continuously increasing trend.

Import Volume and Market Share

77. With regard to the volume of the dumped imports, the Authority is required to consider whether there has been a significant increase in dumped imports, either in absolute terms or relative to production or consumption in India. For the purpose of injury analysis, the Authority has relied upon the import data procured from DGCI&S for determining volume of imports. For determining import price from China, the authority has relied upon the data obtained from DG, Valuation.

78. The volume of imports of the subject goods from the subject country have been analyzed as under:

Particulars	Unit	2011-12	2012-13	2013-14	2014-15
Import Volume					
China - Subject Country	000'Sqmtr	27,640	17,234	10,872	20,540
Other Countries	000'Sqmtr	1,728	1,745	1,037	777
Total Imports	000'Sqmtr	29,368	18,980	11,909	21,318
Import Market Share					
China - Subject Country	%	94.12%	90.80%	91.29%	96.35%
Other Countries	%	5.88%	9.20%	8.71%	3.65%
Total Imports	%	100.00%	100.00%	100.00%	100.00%

Quarterly Analysis

Particulars	Unit	Apr'14-Jun'14	July'14-Sep'14	Oct'14-Dec'14	Jan'15-Mar'15
Import Volume					
China - Subject Country	000'Sqmtr	3,173	4,633	5,809	6,925
Other Countries	000'Sqmtr	169	202	205	202
Total Imports	000'Sqmtr	3,342	4,835	6,014	7,127
Import Market Share					
China - Subject Country	%	94.95%	95.82%	96.59%	97.17%
Other Countries	%	5.05%	4.18%	3.41%	2.83%
Total Imports	%	100.00%	100.00%	100.00%	100.00%

79. As regards market share of the domestic industry in demand, it has declined during the POI. In terms of quarterly analysis, the market share of the domestic industry in demand also shows declining trend. On the contrary, the imports from the subject country, during the injury period, declined up to 2013-14 and then increased during the POI. In terms of quarterly analysis, the imports of the subject country and its market share in Indian demand shows continuously increasing trend.

80. Petitioners have submitted that subject imports have increased significantly in the period Oct 14-March 15 which is the period after imposition of anti dumping duty by Brazil on China. The Authority has analysed Quarterly movement of exports from China to India and Brazil, as shown in the table below: Exports from China to Brazil has been considered as per China Customs data.

Country	Volume		Price	
	India	Brazil	India	Brazil
	MT	MT	US\$/Kg	US\$/Kg
2013- 14	2,25,872	8,81,536	0.33	0.26
2014- 15	3,87,711	3,05,598	0.24	0.26
Quarterly				
2013- 14	56,468	2,20,384	0.33	0.26
2014- 15 (Q1)	70,332	1,57,779	0.28	0.25
2014- 15 (Q2)	89,588	85,437	0.24	0.25
2014- 15 (Q3)	1,11,625	44,054	0.23	0.28
2014- 15 (Q4)	1,16,166	18,328	0.21	0.32

Source: China customs

81. The Authority notes that as per the above information, exports of the product under consideration from China to India increased after 2013-14. In terms of quarterly analysis, the imports of subject goods from China to India have consistently increased, whereas the Chinese exports to Brazil shows inverse trend. Exports from China to Brazil declined significantly and consistently in the POI consequent to Anti dumping duties imposed on imports of the product under consideration in Brazil. It is also noted that whereas import price into India were earlier higher than the import price into Brazil, the import price into India are now materially lower than the import price into Brazil.

Imports in relative terms

82. Imports in relation to production and consumption were as under:

Particulars	Unit	2011-12	2012-13	2013-14	2014-15
Subject Country Imports in relation to					
Total Imports	%	94.12%	90.80%	91.29%	96.35%
Total Indian Production	%	30.48%	11.53%	7.08%	11.29%
Total Indian Consumption	%	18.98%	8.06%	4.93%	7.85%

Quarterly Analysis

Particulars	Unit	Apr'14-Jun'14	July'14-Sep'14	Oct'14-Dec'14	Jan'15-Mar'15
Subject Country Imports in relation to					
Total Imports	%	94.95%	95.82%	96.59%	97.17%
Total Indian Production	%	***	***	***	***
Total Indian Consumption	%	4.87%	7.23%	8.59%	10.70%

83. It is noted that imports in relation to production and consumption declined till 2012-13 and increased thereafter. In terms of quarterly analysis, the imports from China shows consistently increasing trend.

M. Price effect of imports

84. With regard to the effect of the dumped imports on prices, the Designated Authority is required to consider whether there has been a significant price undercutting by the dumped imports as compared with the price of the like products in India, or whether the effect of such imports is otherwise to depress prices to a significant degree or prevent price increases, which otherwise would have occurred, to a significant degree. The impact of dumped imports on the prices of the domestic industry has been examined with reference to the price undercutting, price suppression and price depression, if any.

Price undercutting

85. In order to determine whether the imports are undercutting the prices of the domestic industry in the market, the Authority has compared landed price of imports as observed from the data obtained from DG, Valuation, with that of net sales realization of the domestic industry.

Particular	Unit	2014-15
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Landed Value	Rs./SQM	***
Selling price of Domestic Industry	Rs./SQM	***
Price undercutting	Rs./SQM	***
Price undercutting	%	***
Price undercutting	% Range	Negative

Price-underselling

86. For the purpose of price underselling determination the landed prices of imports from subject country has been compared with the Non-injurious price of the domestic industry. Table below shows the price underselling.

Particular	US\$	INR
	Per SQM	Per SQM
Non injurious price (NIP)	***	***
Landed Value of imports	***	***
Price Underselling	***	***
Price Underselling %	***	***
Price Underselling Range %	5-15	5-15

87. The above data shows that the imports from the subject country are entering the Indian market at prices below the non-injurious price of the domestic market indicating positive price underselling effect on the domestic prices.

Price suppression and depression

88. In order to determine whether the dumped imports are suppressing or depressing the domestic prices and whether the effect of such imports is to suppress prices to a significant degree or prevent price increases which otherwise would have occurred to a significant degree, the Authority considered the changes in the costs and prices over the injury period. Table below shows the factual position:

Particulars	Unit	2011-12	2012-13	2013-14	2014-15
Cost of sales	Rs/Sqmtr	***	***	***	***
Trend	Indexed	100	105	113	119
Selling price	Rs./SQM	***	***	***	***
Trend	Indexed	100	105	114	123
Landed Price	Rs./SQM	***	***	***	***
Trend	Indexed	100	119	123	109

89. It is seen that both, cost of sales and selling price have increased over the period. Thus, the imports are not suppressing or depressing the prices of the domestic industry.

N. Economic parameters of the domestic industry

90. Annexure II to the Anti-dumping Rules requires that the determination of injury shall involve an objective examination of the consequent impact of these imports on domestic producers of such products. With regard to consequent impact of these imports on domestic producers of such products, the Anti-dumping Rules further provide that the examination of the impact of the dumped imports on the domestic industry should include an objective and unbiased evaluation of all relevant economic factors and indices having a bearing on the state of the industry, including actual and potential decline in sales, profits, output, market share, productivity, return on investments or utilization of capacity; factors affecting domestic prices, the magnitude of the margin of dumping; actual and potential negative effects on cash flow, inventories, employment, wages, growth, ability to raise capital investments.

91. The various injury parameters relating to the domestic industry are discussed herein below:

i. Production, capacity and capacity utilization of the Domestic Industry

92. Production, domestic sales, capacity and capacity utilization of the domestic industry were as follows over the injury period:

Particulars	Unit	2011-12	2012-13	2013-14	2014-15
Capacity	000'Sqmtr	55,752	79,924	85,001	90,261
<i>Trend</i>	<i>Indexed</i>	<i>100</i>	<i>143</i>	<i>152</i>	<i>162</i>
Production	000'Sqmtr	41,933	53,379	54,322	68,022
<i>Trend</i>	<i>Indexed</i>	<i>100</i>	<i>127</i>	<i>130</i>	<i>162</i>
Capacity Utilisation	%	75.21%	66.79%	63.91%	75.36%
<i>Trend</i>	<i>Indexed</i>	<i>100</i>	<i>89</i>	<i>85</i>	<i>100</i>
Production excluding exports	000'Sqmtr	41,765	52,607	50,814	57,560
<i>Trend</i>	<i>Indexed</i>	<i>100</i>	<i>126</i>	<i>122</i>	<i>138</i>
Capacity utilisation excluding exports	000'Sqmtr	74.91	65.82	59.78	63.77
<i>Trend</i>	<i>Indexed</i>	<i>100</i>	<i>88</i>	<i>80</i>	<i>85</i>

Domestic Sales	000'Sqmtr	39,494	51,129	51,967	55,875
<i>Trend</i>	<i>Indexed</i>	<i>100</i>	<i>129</i>	<i>132</i>	<i>141</i>

Quarterly Analysis:

Particulars	Unit	Apr'14- Jun'14	July'14- Sep'14	Oct'14- Dec'14	Jan'15- Mar'15
Capacity	000'Sqmtr	***	***	***	***
<i>Trend</i>	<i>Indexed</i>	<i>100</i>	<i>100</i>	<i>101</i>	<i>106</i>
Production	000'Sqmtr	***	***	***	***
<i>Trend</i>	<i>Indexed</i>	<i>100</i>	<i>99</i>	<i>97</i>	<i>102</i>
Capacity Utilisation	%	***	***	***	***
<i>Trend</i>	<i>Indexed</i>	<i>100</i>	<i>99</i>	<i>96</i>	<i>96</i>
Production excluding exports	000'Sqmtr	***	***	***	***
<i>Trend</i>	<i>Indexed</i>	<i>100</i>	<i>93</i>	<i>89</i>	<i>84</i>
Capacity utilisation excluding exports	000'Sqmtr	***	***	***	***
<i>Trend</i>	<i>Indexed</i>	<i>100</i>	<i>93</i>	<i>88</i>	<i>80</i>
Domestic Sales	000'Sqmtr	***	***	***	***
<i>Trend</i>	<i>Indexed</i>	<i>100</i>	<i>96</i>	<i>100</i>	<i>93</i>

93. It is seen that :

- a. Capacity of the domestic industry has consistently increased over the injury period including POI keeping abreast with increasing demand. Similarly, production and sales have increased, although capacity utilisation of the domestic industry has declined up to 2013-14 and then increased during the POI.
- b. Since imports started intensifying since imposition of antidumping duty by Brazil on China, i.e., since July 2014, the Authority also analysed the performance of the domestic industry on quarterly basis. In terms of quarterly analysis, production, sales and capacity utilisation, excluding exports, have declined in the last quarter.

ii. Market share

94. The effects of the dumped imports on the market share of the domestic industry have been examined as below:

Particulars	Unit	2011-12	2012-13	2013-14	2014-15
Market Share in Demand					
Sales of Domestic Industry	%	27.12%	23.91%	23.55%	21.36%
Sales of Supporter Companies	%	11.38%	10.64%	10.61%	10.36%
Sales of Other Indian industry	%	22.09%	34.30%	34.36%	33.19%
Sales of Ineligible Other Indian industry	%	19.23%	22.28%	26.09%	26.94%
China - Subject Country	%	18.98%	8.06%	4.93%	7.85%
Other Countries	%	1.19%	0.82%	0.47%	0.30%
Total Demand	%	100%	100%	100%	100%

95. As regards market share of the domestic industry in demand, it has declined during the POI. In terms of quarterly analysis, the market share of the domestic industry in demand also shows declining trend. On the contrary, the imports from the subject country, during the injury period, declined up to 2013-14 and then increased during the POI. In terms of quarterly analysis, the imports of the subject country and its market share in Indian demand shows continuously increasing trend.

iii. **Profits, return on investment and cash flow**

96. The cost of sales, selling price, profit/loss, return on investment and cash flow of the domestic industry has been analysed as follows:

Particulars	Unit	2011-12	2012-13	2013-14	2014-15
Profit/loss	Rs/Sqmtr	***	***	***	***
<i>Trend</i>	<i>Indexed</i>	<i>100</i>	<i>140</i>	<i>205</i>	<i>404</i>
Profit/loss	Rs. Lacs	***	***	***	***
<i>Trend</i>	<i>Indexed</i>	<i>100</i>	<i>182</i>	<i>269</i>	<i>571</i>
Cash Profit	Rs. Lacs	***	***	***	***
<i>Trend</i>	<i>Indexed</i>	<i>100</i>	<i>153</i>	<i>166</i>	<i>203</i>
ROCE	%	***	***	***	***
<i>Trend</i>	<i>Indexed</i>	<i>100</i>	<i>149</i>	<i>142</i>	<i>171</i>

97. It is seen that the cost of production and selling price of the domestic industry increased in similar proportion. Consequently, profitability of the domestic

industry has improved over the injury period. Cash profit and ROI have followed similar trend. However, after imposition of anti-dumping duty by Brazil on the Chinese imports, the import price of China to India has sharply declined, thereby posing a threat to the otherwise profitable position of the domestic industry.

iv. Inventories

98. The data relating to inventory of the subject goods is shown in the following table:

Particulars	Unit	2011-12	2012-13	2013-14	2014-15
Closing Stock	000'sqmtr	***	***	***	***
<i>Trend</i>	<i>Indexed</i>	<i>100</i>	<i>131</i>	<i>106</i>	<i>143</i>

It is seen that the average stocks of the domestic industry have increased significantly during the POI.

v. Employment and Wages

99. The position with regard to employment and wages is as follows:

Particulars	Unit	2011-12	2012-13	2013-14	2014-15
No of Employees	Nos.	***	***	***	***
<i>Trend</i>	<i>Indexed</i>	<i>100</i>	<i>133</i>	<i>136</i>	<i>147</i>
Wages	Rs. Lacs	***	***	***	***
<i>Trend</i>	<i>Indexed</i>	<i>100</i>	<i>91</i>	<i>107</i>	<i>124</i>

It is seen that with enhancement of capacities, the number of employees with the domestic industry has increased. Accordingly wages paid have also shown an increase over the injury period.

vi. Productivity

100. Data relating to productivity shows as follows:

Particulars	Unit	2011-12	2012-13	2013-14	2014-15
Productivity					
Productivity per day	Sqmtr/Day	***	***	***	***
<i>Trend</i>	<i>Indexed</i>	<i>100</i>	<i>127</i>	<i>130</i>	<i>162</i>

Productivity per employee	Sqmtr/Nos	***	***	***	***
<i>Trend</i>	<i>Indexed</i>	<i>100</i>	<i>95</i>	<i>95</i>	<i>110</i>

It is seen that the productivity of the domestic industry has increased and have moved in the same direction as that of production.

vii. **Magnitude of Dumping**

101. Magnitude of dumping as an indicator of the extent to which the dumped imports can cause injury to the domestic industry shows that the dumping margin determined against the subject country is above de minimis.

viii. **Ability to raise capital investment**

102. The increase in capacity of the domestic industry, in tune with the increasing demand, shows that the dumping has not affected much the ability of the domestic industry to raise capital investment. However, considering the quarterly analysis of the import trends, the Authority notes that imports are increasing to cater to the increasing demand in the country posing threat to the existing domestic industry as well as the new players to raise new capital in the sector.

ix. **Factors affecting domestic prices**

103. Consideration of the import prices from subject country, change in the cost structure, competition in the domestic market, factors other than dumped imports that might be affecting the prices of the domestic industry in the domestic market show that the landed value of imported material from subject country is below the selling price and non injurious price of the domestic industry, causing price underselling in the Indian market. The declining trends in the prices from China, despite substantial and increasing demand in the country, may deprive the domestic industry its rightful share in the domestic market.

x. **Growth**

104. Growth of the domestic industry is adverse, in terms of production, sales, inventories, ROI etc.

Particulars	Unit	2011-12	2012-13	2013-14	2014-15
Growth					
In Production	%	-	27.30	1.77	25.22
In Domestic Sales	%	-	29.46	1.64	7.52
In Capacity Utilization	%	-	(11.20)	(4.31)	17.92
In Cost of Sales	%	-	4.66	7.96	5.67
In Selling Price	%	-	5.15	8.66	7.93

Other Parameters Examined By Authority

O. Threat of injury

105. Petitioners have claimed that imports have increased significantly from China in Oct.14-March'15. It has been submitted that Brazil imposed anti dumping duty on subject goods in July 2014 subsequent to which Chinese exports to Brazil declined whereas exports to India increased. Petitioners have claimed that the imports are threatening material injury to the domestic industry. The claim has been analysed by the Authority in detail, hereunder.

106. Antidumping Rules provide as follows with regard to threat of material injury–

Annexure II Para (vii): A determination of a threat of material injury shall be based on facts and not merely on allegation, conjecture or remote possibility. The change in circumstances which would create a situation in which the dumping would cause injury must be clearly foreseen and imminent. In making a determination regarding the existence of a threat of material injury, the designated authority shall consider, inter alia, such factors as:

- (a) significant rate of increase of dumped imports into India indicating the likelihood of substantially increased importation;
- (b) sufficient freely disposable, or an imminent, substantial increase in, capacity of the exporter indicating the likelihood of substantially increased dumped exports to Indian markets, taking into account the availability of other export markets to absorb any additional exports;
- (c) whether imports are entering at prices that will have a significant depressing or suppressing effect on domestic prices, and would likely increase demand for further imports; and
- (d) inventories of the article being investigated.

i. Movement of imports from China to Brazil and India

107. Domestic industry has submitted that anti dumping duties earlier imposed by the Govt. of India expired in July, 2013, but the domestic industry did not suffer significant injury till about July, 2014. However, imposition of anti dumping duty by Brazil has led to change in market situation. Brazil imposed stiff US\$ 5.73/ sq mtr anti dumping duty in July, 2014 causing spurt of imports from China once again posing threat of injury.

108. The Authority has analyzed quarterly imports from the subject country to India and quarterly exports of China to Brazil as per China Customs data, as follows:

Country	Volume		Price	
	India	Brazil	India	Brazil
	MT	MT	US\$/Kg	US\$/Kg
2013- 14	2,25,872	8,81,536	0.33	0.26
2014- 15	3,87,711	3,05,598	0.24	0.26
Quarterly				
2013- 14	56,468	2,20,384	0.33	0.26
2014- 15 (Q1)	70,332	1,57,779	0.28	0.25
2014- 15 (Q2)	89,588	85,437	0.24	0.25
2014- 15 (Q3)	1,11,625	44,054	0.23	0.28
2014- 15 (Q4)	1,16,166	18,328	0.21	0.32

109. It is seen that imports into India increased significantly since Q2 of 2014-15, whereas exports from China to Brazil witnessed sharp decline in Q2 and have further declined thereafter.

ii. Significant rate of increase in imports

110. It is seen that imports from subject country increased significantly in short period of time with imposition of anti dumping duty on subject goods by Brazil. The imports have increased significantly and are now at a level higher than the past two years.

iii. Decline in import price

111. The Authority has analysed Quarterly movement of exports from China to India and Brazil, as shown in the table below: Exports from China to Brazil has been considered as per China Customs data.

Country	Volume	Price
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Country	Volume		Price	
	India	Brazil	India	Brazil
	MT	MT	US\$/Kg	US\$/Kg
2013- 14	2,25,872	8,81,536	0.33	0.26
2014- 15	3,87,711	3,05,598	0.24	0.26
Quarterly				
2013- 14	56,468	2,20,384	0.33	0.26
2014- 15 (Q1)	70,332	1,57,779	0.28	0.25
2014- 15 (Q2)	89,588	85,437	0.24	0.25
2014- 15 (Q3)	1,11,625	44,054	0.23	0.28
2014- 15 (Q4)	1,16,166	18,328	0.21	0.32

Source: China customs

112. The Authority notes that as per the above information, exports of the product under consideration from China to India increased after 2013-14. In terms of quarterly analysis, the imports of subject goods from China to India have consistently increased, whereas the Chinese exports to Brazil shows inverse trend. Exports from China to Brazil declined significantly and consistently in the POI consequent to Anti dumping duties imposed on imports of the product under consideration in Brazil. It is also noted that whereas import price into India were earlier higher than the import price into Brazil, the import price into India are now materially lower than the import price into Brazil.

iv. Excess Production Capacities in the subject country

113. Domestic industry has claimed that China has surplus production capacity and with imposition of anti dumping duties on China by various countries the export market of China has shrunk. Therefore to utilize its excess capacity Chinese producers are aggressively exporting goods to Indian market. As per evidence submitted by the petitioners, there are 1,452 ceramic enterprises with 3,621 production lines with total daily output of 45 million sq. mtr in China which is almost 55 times of the Indian demand.

v. Weak demand in China

114. Domestic industry have provided evidence that Chinese Tiles industry, at present, is faced with the problem of excessive oversupply of subject goods coupled with weak demand in the country. They have further contended that weak demand in China has forced the producers to aggressively look for markets with growing demand. This problem of excessive supply and low demand is causing injury to the

Chinese industries in terms of financial losses and plant closures. Petitioners have provided various news items in China supporting their claim. Thus, surplus capacity coupled with the fact of low demand is leading to increase in imports into India from the subject country.

vi. Price attractiveness of the Indian market

115. The Authority notes that landed value of imports, as established from the data submitted by Importers, are at a price which is lower than the selling price as well as cost of production of the Domestic Industry. The landed price is not sufficient to even recover costs. The producers from subject country find Indian market quite attractive in terms of prices. With export market for China getting shrunk and weak demand in the domestic market of China, it is likely that the subject country's imports shall further aggressively target and take over the entire Indian demand in a nearly foreseeable future.

vii. Increase in level of inventories

116. The Authority notes that the level of inventories with the domestic industry has increased significantly over the injury period, as can be seen from the table below:

Particulars	Unit	2011-12	2012-13	2013-14	2014-15
Closing Stock	000'sqmtr	***	***	***	***
<i>Trend</i>	<i>Indexed</i>	<i>100</i>	<i>131</i>	<i>106</i>	<i>143</i>

P. Conclusion on injury

117. After examining the volume and price effects of imports of subject goods from subject country and its impact on the domestic industry, the Authority concludes that the dumped imports of the subject goods from China declined till 2013-14 and then increased significantly thereafter in absolute terms as also in relation to production and consumption of the subject goods in India. Trend of quarterly imports shows increase in imports after imposition of anti dumping duties by Brazil. Similarly, market share of the subject country increased in the POI. This increase in imports and market share is after cessation of anti dumping duty on subject goods in India and antidumping duty imposed by Brazil on China in July 2014, indicating that imports since then got diverted to Indian market. While price undercutting is negative, price underselling effect is positive. As per quarterly analysis, the performance of the domestic industry in terms of production, sales

and capacity utilisation, excluding exports, have declined in the last quarter, causing injury to the domestic industry. Further, significant increase in rate of imports within the POI and declining import price in the last quarter of the POI, significant surplus capacities in China, declining market demand in China and declining third country markets to absorb Chinese production threatens to cause material injury to the domestic industry.

Q. Other Known Factors & Causal Link

118. Having examined the existence of material injury and threat of material injury, volume and price effects of dumped imports on the prices of the domestic industry, in terms of its price undercutting, underselling, other indicative parameters listed under the Indian Rules and Agreement on Anti-Dumping have been examined by the Authority to see whether any other factor, other than the dumped imports could have contributed to injury to the domestic industry.

a) Volume and prices of imports from third countries

119. It is seen that imports of product under consideration from other countries are either at negligible levels in terms of volume or are at much higher price during POI.

b) Contraction of demand and changes in the pattern of consumption.

120. Demand for the product under consideration has increased over the injury period. Thus decline in demand is not a possible cause of injury to the Domestic Industry.

c) Developments in technology:

121. Technology for production of the product concerned has not undergone any change. Thus, development in technology is not a factor causing injury to the domestic injury.

d) Trade restrictive practices of and competition between the foreign and domestic producers

122. There is no trade restrictive practice, which could have contributed to the injury to the Domestic Industry.

e) Export performance of the domestic industry

123. Exports of the domestic industry constitute a small share in their total sales. In any case, the injury information examined by the Authority with regard to sales volumes, profits, return on investments, cash flow, are for domestic operations and therefore possible decline in exports volumes or profits are not the cause of injury to the Domestic Industry.

f) Productivity of the Domestic Industry

124. It is noted that the productivity of the domestic industry in terms of production per employee as well as production per day has increased over the period. Thus decline in productivity is not a plausible cause of injury.

125. It is thus noted that listed known other factors do not show that the domestic industry could have suffered injury due to these other factors.

R. Factors showing causal link

126. The Authority examined whether the dumping of the product has caused injury to the domestic industry. The following parameters show that injury to the domestic industry has been caused by dumped imports and the imports further threaten to cause material injury:

- a) The imports of subject goods have increased significantly from the subject country in the POI.
- b) Under selling effect is positive.
- c) Quarterly analysis shows that performance of the domestic industry has deteriorated during the last quarter of the POI.

127. It is provisionally concluded that imports have caused material injury to domestic industry and further threatens to cause material injury to the domestic industry.

S. Magnitude of Injury Margin

128. The Authority has determined non-injurious price for the domestic industry on the basis of principles laid down in the Annexure III of the Anti-dumping Rules. The non-injurious price so determined has been compared with the landed value of imports from the subject country provisionally determined on the basis of the best available information/data obtained from the Director General, Valuation, Government of India, and is as shown in the Injury Margin Table below.

Sampled Respondent Cooperative Exporters from China PR

Sl. No.	Producer	Exporter	Non Injurious Price - US\$/SQM	Landed price - US\$/SQM	Injury Margin - US\$/SQM	Injury Margin - %	Injury Margin Range - %
1.	(i) Southern Building Materials & Sanitary Stone Technology Co. Ltd., (ii) Jiangxi Fulingao Ceramics Co. Ltd. (iii) Guangdong Luxary Microcrystal Stone Technology Co Ltd	New Zhong Yuan Ceramics Import & Export Co., Ltd	***	***	***	***	20-30%
2.	Guangdong Haosen Ceramics Co., Ltd	Foshan Haosen Import and Export Co., Ltd, M/s Foshan Kihut Ceramic Co., Ltd, M/s Kun Lagy Ltd	***	***	***	***	20-30%
3.	M/s Foshan Lihua Ceramics Co. Ltd.	M/s Foshan Henry Trading Co. Ltd.	***	***	***	***	20-30%
4.	M/s Foshan Chancheng Jinyi ceramics co. Ltd.	M/s Foshan Worceter Trade Co. Ltd.	***	***	***	***	20-30%
5.	Foshan Qiangbio Ceramics Co. Ltd.	M/s Foshan Hongliao Trade co. Ltd. and M/s Sheenway Corporation Ltd.	***	***	***	***	20-30%
6.	M/s Guangdong Gelaisi Ceramics Co., Ltd. and M/s Foshan Sanshui Huiwanjia Ceramics Co., Ltd	M/s Foshan Newpearl Trade Co., Ltd.	***	***	***	***	20-30%

Non Sampled Exporters from China

129. The injury margin for the following exporters who had made themselves known in response to the sampling questionnaire but not sampled by the Authority, has been provisionally determined on the basis of the best available information/data obtained from the Director General, Valuation, Government of India, and is as shown in the Injury Margin Table below.

Sl. No	Name of the producer	Name of the Exporter	Injury Margin - US\$/ SQM	Injury Margin - %	Injury Margin Range %
1	Foshan Helai Building Materials Co., Ltd and Foshan City Gaoming district hui Mei AO Building Material Co., Ltd.	Foshan Xinzhongwei Economic and Trade Co., Ltd, M/s Globlink Overseas (HK) Ltd.	***	***	20-30%
2	Foshan City TaoQuiang Building Material Co., Ltd.	Foshan Fortune Imp. And Exp. Trade Co., Ltd.			
3	Monalisa Group Co., Ltd.	Guangdong Monalisa Trading Co., Ltd.			
4	Foshan Gold Full House Building Material Co., Ltd.	Foshan Nanhai Rongjia IM & EX Co., Ltd, and Foshan Clouds Import & Exports Co., Ltd.			
5	Guangdong Yongsheng Ceramics Co., Ltd.	Foshan Ishine Trading Co., Ltd.			
6	Foshan Sunny Ceramic Co., Ltd.	Foshan Gold Medal Import and Export			

Sl. No	Name of the producer	Name of the Exporter	Injury Margin - US\$/ SQM	Injury Margin - %	Injury Margin Range %
		Trading Co., Ltd.			
7	Enping City Huachang Ceramic Co., Ltd.	Enping City Huachang Ceramic Co., Ltd.			
8	Foshan Oceanland Ceramics Co., Ltd	Foshan Oceanland Ceramics Co., Ltd			
9	Guangdong Overland Ceramics Co., Ltd	Guangdong Overland Ceramics Co., Ltd			
10	Guangdong Kito Ceramics Co., Ltd	Guangdong Kito Ceramics Co., Ltd			
11	Foshan Sincere Building Material Co., Ltd	Foshan Sincere Building Material Co., Ltd			
12	Guangdong Guanxing Ceramics Enterprise Co., Ltd	Guangdong Guanxing Ceramics Enterprise Co., Ltd			
13	Qingyuan Quya Ceramics Co., Ltd	Qingyuan Quya Ceramics Co., Ltd			
14	Jingdezhen Kito Ceramic Co., Ltd	Jingdezhen Kito Ceramic Co., Ltd			
15	Foshan Louis Valentino Ceramic Co., Ltd	Foshan Louis Valentino Ceramic Co., Ltd			
16	Guangdong Xinfengjing Ceramics Co., Ltd	Guangdong Xinfengjing Ceramics Co., Ltd			

Sl. No	Name of the producer	Name of the Exporter	Injury Margin - US\$/ SQM	Injury Margin - %	Injury Margin Range %
17	Guangdong Tianbi Ceramics Co., Ltd	Guangdong Tianbi Ceramics Co., Ltd			
18	Foshan HCC Building Material Co., Ltd	Foshan HCC Building Material Co., Ltd			
19	Zhanjiang Zhonghong Ceramics Co., Ltd	Foshan Beyond Import and Export Co., Ltd			
20	Heyuan Romantic Ceramics Co., Ltd	Foshan Beyond Import and Export Co., Ltd			
21	Foshan Nanhai Yonghong Ceramic Co., Ltd	Foshan Jun Enterprise Co., Ltd			
22	Foshan Dunhunang Building Material Co., Ltd	Foshan Dunhunang Building Material Co., Ltd			
23	Foshan Sanshui Hongyuan Ceramics Enterprise Co., Ltd	Foshan Sanshui Hongyuan Ceramics Enterprise Co., Ltd			

All other exporters from China PR

130. Injury margin for all other non-cooperating exporters from China PR has been provisionally determined on the basis of the best available information/data obtained from the Director General, Valuation, Government of India, and is as shown in the Injury

Margin Table below.

Particulars	Non Injurious Price - US\$/SQM	Landed price - US\$/SQM	Injury Margin - US\$/SQM	Injury Margin - %	Injury Margin Range - %
All other Producers/ Exporters	***	***	***	***	20-30%

T. Conclusion

131. After examining the submissions made by the interested parties and issues raised therein; and considering the facts available on record, the Authority concludes that:

- a. The product under consideration has been exported to India from China below its normal value, thus resulting in dumping. Trend of quarterly imports shows increase in imports after imposition of anti dumping duties by Brazil. Similarly, market share of the subject country increased in the POI. This increase in imports and market share is after cessation of anti dumping duty on subject goods in India and antidumping duty imposed by Brazil on China in July 2014, indicating that imports since then got diverted to Indian market.
- b. The domestic industry has suffered injury due to dumping of the product under consideration from China. While price undercutting is negative, price underselling effect is positive. As per quarterly analysis, the performance of the domestic industry in terms of production, sales and capacity utilisation, excluding exports, have declined in the last quarter, causing injury to the domestic industry. Further, significant increase in rate of imports within the POI and declining import price in the last quarter of the POI, significant surplus capacities in China, declining market demand in China and declining third country markets to absorb Chinese production threatens to cause material injury to the domestic industry.
- c. The injury has been caused by the dumped imports from China.
- d. Therefore, the Authority is of the view that imposition of provisional duty is required to offset dumping and injury, pending completion of the investigation.

U. Indian industry's interest & other issues

132. The Authority recognizes that the imposition of anti-dumping duties might affect the price levels of the product in India. However, fair competition in the Indian market will not be reduced by the imposition of anti-dumping measures. On the contrary, imposition of anti-dumping measures would remove the unfair advantages gained by dumping practices, prevent the decline of the domestic industry and help maintain availability of wider choice to the consumers of the subject goods. The purpose of anti-dumping duties, in general, is to eliminate injury caused to the Domestic Industry by the unfair trade practices of dumping so as to re-establish a situation of open and fair competition in the Indian market, which is in the general interest of the country. Imposition of anti dumping duties, therefore, would not affect the availability of the product to the consumers. The Authority notes that the imposition of the anti-dumping measures would not restrict imports from the subject country in any way, and therefore, would not affect the availability of the product to the consumers. The consumers could still maintain two or even more sources of supply.

V. RECOMMENDATIONS

133. The Authority notes that the investigation was initiated and notified to all interested parties and adequate opportunity was given to the exporters, importers and other interested parties to provide positive information on the aspect of dumping, injury and causal links. Having initiated and conducted a preliminary investigation into dumping, injury and causal links in terms of the provisions laid down under the Anti-dumping Rules and having provisionally established positive dumping margin as well as material injury to the domestic industry caused by such dumped imports, the Authority is of the view that imposition of provisional duty is required to offset dumping and injury, pending completion of the investigation. Therefore, Authority considers it necessary and recommends imposition of provisional anti-dumping duty on imports of subject goods from China in the form and manner described hereunder.
134. Having regard to the lesser duty rule followed by the Authority, the Authority recommends imposition of provisional anti-dumping duty equal to the lesser of margin of dumping and the margin of injury, so as to remove the injury to the domestic industry. Accordingly, provisional antidumping duty equal to the amount mentioned in Col 8 of the table below is recommended to be imposed from the date of notification by the Central Government, in the event of acceptance of these recommendations by the Central Government, on all imports of subject goods originating in or exported from China PR.

Duty Table

Sl. No.	Heading/ Subheading*	Description of goods	Country of origin	Country of export	Producer	Exporter	Duty amount	Unit	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1.	69.07, 69.08, 69.14	Glazed/Unglazed Porcelain/Vitrified tiles in polished or unpolished finish with less than 3% water absorption	China PR	China PR	Any	Any	1.37	SQM	US\$
2.	do	do	China PR	Any country other than those subject to anti-dumping duty	Any	Any	1.37	SQM	US\$
3.	do	do	Any country other than those subject to anti-dumping duty	China PR	Any	Any	1.37	SQM	US\$

* The subject goods are being imported under tariff headings No. 69.07, 69.08, 69.14. However, the customs classification is indicative only and in no way binding on the scope of this investigation.

W. FURTHER PROCEDURE

135. The following procedure would be followed subsequent to notifying the preliminary findings:-

- i. The Authority invites comments on these provisional findings from all interested parties and the same, considered relevant by the Authority, would be considered in the final findings;
- ii. Exporters, importers, the applicant and other interested parties known to be concerned are requested to make known their views within forty days from the date of publication of these findings.
- iii. The Authority would conduct further verification to the extent deemed necessary.

- iv. The Authority would disclose essential facts as per the Anti-dumping Rules before announcing final findings.

A K Bhalla
Additional Secretary & Designated Authority