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No 15/14/2014-DGAD  
Government of India  
Department of Commerce  
(Directorate General of Anti-Dumping & Allied Duties)  
Jeevan Tara Building, 4th Floor  
5, Parliament Street  
New Delhi- 110001

Dated the 28<sup>th</sup> July, 2014

**NOTIFICATION**

**Initiation**

**(Sunset Review)**

Subject: Initiation of Sunset Review Investigation of Anti-dumping duty on import of Polypropylene originating in or exported from Singapore

No 15/14/2014-DGAD Whereas having regard to the Customs Tariff Act, 1975 as amended in 1995 (hereinafter also referred to as Act) and the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 (hereinafter also referred to as Rules), the Designated Authority (herein after referred to as Authority) recommended imposition of Anti-dumping Duty on imports of Polypropylene (hereinafter referred to as subject goods) originating in or exported from Singapore (hereinafter referred to as Subject Country) vide Final Findings Notification No. 14/05/2009-DGAD dated 23.8.2010. On the basis of the said findings, the Central Government imposed definitive anti-dumping duties on the subject goods imported from subject countries vide Notification No. 119/2010-Customs dated 19.11.2010, as amended by custom notification no.130/2011 dated 30.12.2011 and Notification No. 32/2013-Customs, dated the 2.12.2013.

2. Whereas, M/s Reliance Industries Ltd., (hereinafter referred to as "domestic industry") has filed an application before the Authority in accordance with the Act and the Rules, alleging likelihood of continuation or recurrence of dumping of the subject goods, originating in or exported from Singapore and consequent injury and have requested for review, continuation and enhancement of the anti-dumping duties, imposed on the imports of the subject goods, originating in or exported from Singapore .

**Domestic Industry and Standing**

3. The application has been filed by M/s Reliance Industries Limited , major producer of the subject goods. There are three other companies producing the subject goods namely M/s Haldia Petrochemicals, M/s Indian Oil Corporation and M/s HPCL-Mittal Energy. As per the information available on record, the applicant accounts for a major proportion of the total domestic production and satisfy the requirement of standing to file the present sunset

review application. The applicant also constitutes the domestic industry within the meaning of the term in Rule 2(b) of the Rules.

#### Product under Consideration and Like Articles

4. The product under consideration in the present application, as defined in the original investigation, is “Polypropylene (i.e., homo-polymers of propylene and copolymers of propylene and ethylene) excluding EPP beads (Expanded Polypropylene). Ter- polymer is also not within the ambit and scope of the investigation. The subject goods are used for manufacture of woven sacks for cement, food-grains, sugar, fertilizer, bags for fruits & vegetables, TQ & BOPP films, containers etc. The product under consideration is classified under Chapter 39 of the Customs Tariff Act, 1975 and further under 39021000 and 39023000 as per Customs Classification. However, Customs classification is indicative only and is in no way binding on the scope of the present investigation. The scope of the product under consideration in the investigation shall remain the same as the scope of the product under consideration in the findings earlier notified.
5. Petitioner has claimed that the subject goods, which are being dumped into India, are identical to the goods produced by the domestic industry. There are no differences either in the technical specifications, functions or end-uses of the dumped imports and the domestically produced subject goods. Hence, the goods produced by the domestic industry are ‘Like Article’ to dumped goods from Singapore. There is no difference in the dumped goods and the product under consideration manufactured by the petitioner. The two are technically and commercially substitutable and hence should be treated as ‘like articles’ under the Anti Dumping. The subject goods produced by the petitioner is being treated as ‘like article’ to the subject goods being imported from the subject country for the purpose of the present review investigation.

#### Country Involved

6. The present petition is filed, in respect of the dumping of the product under consideration from Singapore (referred to as ‘Subject Country’).

#### Period of Investigation

7. The period of investigation (POI) for the purpose of present investigation is 1<sup>st</sup> April, 2013 to 31<sup>st</sup> March, 2014 (12 months). However, for the purpose of analyzing injury, the data of previous three years, i.e. April 2010 to March 2011, April 2011 to March 2012, April 2012 to March-2013 and the period of investigation (POI) has been considered.

#### Initiation of Sunset Review

8. In view of the duly substantiated application filed and in accordance with Section 9A(5) of the Act, read with Rule 23 of the Rules, the Authority hereby initiates a sunset review investigation to review the need for continued imposition and need for enhancement of anti dumping duties in force in respect of the subject goods, originating in or exported from the subject country and to examine whether the expiry of such duty is likely to lead to continuation or recurrence of dumping and injury to the domestic industry.

### Procedure

9. The present sunset review covers all aspects of the final findings of the original investigation vide final findings Notification No. 14/05/2009-DGAD dated 23.8.2010
10. The provisions of Rules 6, 7, 8, 9, 10, 11, 16, 17, 18, 19 and 20 of the Rules supra shall be mutatis mutandis applicable in this review.

### Submission of Information

11. The known exporters in the subject country, the government of the subject country through its embassy in India, the known importers and users in India known to be concerned with the product are being addressed separately to submit relevant information in the form and manner prescribed and to make their views known to the Authority at the following address:

**The Designated Authority  
Directorate General of Anti-Dumping & Allied Duties  
Department of Commerce,  
Jeevan Tara Building, 4<sup>th</sup> Floor  
5, Parliament Street  
New Delhi -110001**

12. Any other interested party may also make its submissions relevant to the investigation in the prescribed form and manner within the time limit set out below.

### Time Limit

13. Any information relating to the present review and any request for hearing should be sent in writing so as to reach the Authority at the address mentioned above not later than forty days (40 days) from the date of publication of this Notification. If no information is received within the prescribed time limit or the information received is incomplete, the Authority may record its findings on the basis of the facts available on record in accordance with the AD Rules.
14. All the interested parties are hereby advised to intimate their interest (including the nature of interest) in the instant matter and file their questionnaire's responses and offer their comments to the domestic industry's application regarding the need to continue or otherwise the AD measures within 40 days from the date of initiation of this review investigation.

### Submission of information on confidential basis

15. In case confidentiality is claimed on any part of the questionnaire's response/ submissions, the same must be submitted in two separate sets (a) marked as confidential (with title, index, number of pages, etc.) and (b) other set marked as non-confidential (with title, index, number of pages, etc.). All the information supplied must be clearly marked as either "confidential" or "non-confidential" at the top of each page.

16. Information supplied without any mark shall be treated as non-confidential and the Authority shall be at liberty to allow the other interested parties to inspect any such non-confidential information. Two (2) copies each of the confidential version and the non-confidential version along with soft copies must be submitted.
17. For information claimed as confidential, the supplier of the information is required to provide a good cause statement along with the supplied information as to why such information cannot be disclosed and/or why summarization of such information is not possible.
18. The non-confidential version is required to be a replica of the confidential version with the confidential information preferably indexed or blanked out / summarized depending upon the information on which confidentiality is claimed. The non-confidential summary must be in sufficient detail to permit a reasonable understanding of the substance of the information furnished on confidential basis. However, in exceptional circumstances, party submitting the confidential information may indicate that such information is not susceptible of summary; a statement of reasons why summarization is not possible, must be provided to the satisfaction of the Authority.
19. The Authority may accept or reject the request for confidentiality on examination of the nature of the information submitted. If the Authority is satisfied that the request for confidentiality is not warranted or the supplier of the information is either unwilling to make the information public or to authorize its disclosure in generalized or summary form, it may disregard such information.
20. Any submission made without a meaningful non-confidential version thereof or without a good cause statement on the confidentiality claim may not be taken on record by the Authority. The Authority on being satisfied and accepting the need for confidentiality of the information provided; shall not disclose it to any party without specific authorization of the party providing such information.

#### Inspection of public file

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

#### Non-cooperation

22. In case any interested party refuses access to and otherwise does not provide necessary information within a reasonable period, or significantly impedes the investigation, the Authority may record its findings on the basis of the facts available to it and make such recommendations to the Central Governments as deemed fit.

J K Dadoo  
Designated Authority