

**TO BE PUBLISHED IN THE GAZETTE OF INDIA – EXTRAORDINARY-PART-I,  
SECTION-1**

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

1<sup>st</sup> December 2010

**Initiation Notification  
(Sunset Review)**

**Subject: Sunset Review of anti-dumping duty imposed concerning imports of ‘Cellophane Transparent Film’ (CTF) originating in or exported from China PR.**

**No.15/15/2010--DGAD** Whereas having regard to the Customs Tariff Act, 1975 as amended from time to time (hereinafter referred to as the Act) and the Customs Tariff (Identification, Assessment and Collection of Antidumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, as amended from time to time (herein after referred to as the AD Rules), the definitive anti-dumping duty was originally imposed vide notification No.94/2006 dated 7<sup>th</sup> September 2006 on import of Cellophane Transparent Film (also known as Transparent Paper) (hereinafter referred to as the subject goods) originating in or exported from China PR (hereinafter referred to as the subject country).

**2. Product under consideration**

The product under consideration in the original case was ‘Cellophane Transparent Film’ (also known as Transparent Paper or TP film), originating in or exported from People's Republic of China. The product under consideration for the purposes of this review remains the same as was in the original investigation. Transparent Film is a re-generated cellulose film of glass clear transparency and sparkle. It is flexible, yet tough and withstands all the beatings in an automatic packaging operation and shows outstanding machine ability as well as dimensional stability. It is made of wood pulp; hence it is non-toxic and biodegradable. TP films can be coloured or white. Transparent Film is available in sheet and Roll forms. It is an ideal packaging material. There are various types of TP Films, having many Grades. All grades are within the scope of product under consideration.

The subject goods are classified under Chapter 39, sub-heading 392071 of the Customs Tariff Act in the category of Plastics and Articles thereof. However, Customs classifications are indicative only and in no way binding on the scope of the present investigation.

**3. Initiation:**

In view of the order of the Hon’ble Delhi High court in the matter of *Indian Metal and Ferro Alloys Ltd V/s Designated Authority*, Writ Petition (Civil) No. 16893 of 2006 and in accordance with Section 9 A (5) of the Act, read with Rule 23 of the AD Rules, the Authority hereby initiates a sunset review investigation to review the need for continued imposition of the duties in force in respect of the subject goods and to examine whether the cessation of such duty is likely to lead to continuation or recurrence of dumping and injury.

#### **4. Countries/territory involved:**

The country involved in this investigation is China PR.

#### **5. Period of Investigation:**

The Period of Investigation (POI) for the purpose of the present review is 1<sup>st</sup> October 2009 to 30<sup>th</sup> September 2010 (12 months). However, injury analysis shall cover the years 2007-08, 2008-09, 2009-10 & POI. The data beyond POI may also be examined to determine likelihood of dumping and injury.

#### **6. Procedure:**

Having decided to review the final findings issued vide Notification No.14/7/2005-DGAD dated 28<sup>th</sup> July 2006 and final duty imposed vide Customs Notification No. No.94/2006 dated 7<sup>th</sup> September 2006, the Authority hereby initiates investigation to review the need for continued imposition of the duties in force and to examine whether cessation of the anti-dumping duty is likely to lead to continuation or recurrence of 'Dumping' and 'injury' on imports of the subject goods originating in or exported from the subject country in accordance with the Act and the AD Rules. The review covers all aspects of Notification No. 14/7/2005-DGAD dated 28<sup>th</sup> July 2006 (final findings of the original investigation).

#### **7. Submission of Information:**

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

**Government of India  
Ministry of Commerce and Industry  
Directorate General of Anti-Dumping and Allied Duties  
Department of Commerce  
Room No.243, Udyog Bhawan,  
New Delhi-110107.**

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

#### **8. Time Limit:**

Any information relating to the present review and any request for hearing should be sent in writing so as to reach the Authority at the address mentioned above not later than forty days (40 Days) from the date of publication of this Notification. If no information is received within the prescribed time limit or the information received is incomplete, the Designated Authority may record its findings on the basis of the 'facts available' on record in accordance with the AD Rules.

The domestic producers of the subject goods are being issued a questionnaire to respond within 40 days substantiating the need for continued imposition of the AD measures.

All the interested parties are hereby advised to intimate their interest (including the nature of interest) in the instant matter within 40 days from the date of initiation of this investigation. All such interested parties, that intimate so, would be requested to offer their comments to the domestic producers' response(s) within 40 days from the date of issuance of the letter to them regarding the need to continue or otherwise the AD measures.

**9. Submission of information on Non-confidential basis:**

All interested parties shall provide a confidential and non-confidential summary in terms of Rule 7 (2), for the confidential information provided as per Rule 7 (1) of the AD Rules. The non-confidential version or non-confidential summary of the confidential information should be in sufficient detail to provide a meaningful understanding of the information to the other interested parties. If in the opinion of the party providing such information, such information is not susceptible to summary; a statement of reasons thereof is required to be provided.

Notwithstanding anything contained in para above, 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 authorise its disclosure in a generalised or summary form, it may disregard such information.

**10. Inspection of public file:**

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

**11. Non-cooperation**

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.

(P.K. Chaudhery)  
Designated Authority