

**F. No.15/18/2016-DGAD**  
**Government of India**  
**Ministry of Commerce & Industry**  
**Department of Commerce**  
**Directorate General of Anti-dumping and Allied Duties**

New Delhi, 23<sup>rd</sup> December, 2016

**Office Memorandum**

**Subject:** Second Sun Set Review (SSR) investigation for imports of Cellophane Transparent Film (CTF) originating in or exported from China PR filed by M/s Keshoram Rayons, Kolkata.

**Reference:** i) Application dated 29<sup>th</sup> Sept., 2016 read with subsequent applications dated 07<sup>th</sup> Oct., 2016 & 21<sup>st</sup> Nov., 2016 filed by the Petitioner.

ii) Submission dated 22<sup>nd</sup> December, 2016

Application(s) referred to above were filed by M/s KeshoramRayons, Kolkata (hereafter referred to as petitioner/applicant) for initiation of Sun Set Review (SSR) investigations (2nd SSR) and continuation of existing Anti Dumping Duties on import of Cellophane Transparent Film (CTF) (hereinafter referred to as subject goods or products under consideration (PUC) from China PR (hereinafter referred to as subject country).

2. The Application was examined based on the details given in the application as well as import data from DGCI&S in order to examine the volume of imports of PUC during the period of investigation (POI) and injury investigation period. The applicant and his Counsel was also given an opportunity of personal hearing on 15<sup>th</sup> December, 2016.

3. The imports of PUC are presently subject to Anti Dumping Duty (ADD) following investigation and Final Findings by the Designated Authority and duty imposition order of the Department of Revenue as per the following details.

Event	Date	Particulars
<b>Original Investigation:</b>		
Initiation (Notification No.14/7/2005-DGAD)	27 <sup>th</sup> Sep, 2005	CTF (CTF) originating in or exported from China
Investigation period POI	1 <sup>st</sup> April, 2004 to 31 <sup>st</sup> March 2005	
Preliminary findings	3 <sup>rd</sup> Feb 2006	Duty Amount, US\$ 1.90 per Kg

	Customs notification of interim duties (31/2006-CUS)	3 <sup>rd</sup> March 2006	Duty Amount, US\$ 1.90 per Kg
	Final findings	28 <sup>th</sup> July 2006	Duty Amount, US\$ 1.91 per Kg
	Customs notification of final findings (94/2006-CUS)	7 <sup>th</sup> September 2006	Duty Amount, US\$ 1.91 per Kg
<b>1<sup>st</sup> Sunset Review</b>			
	Initiation (Notification No.15/15/2010-DGAD)	1 <sup>st</sup> December 2010	CTF (TP Film) originating in or exported from China PR
	Investigation period POI	October 2009 – September 2010	
	Final Findings	30 <sup>th</sup> November 2011	Duty Amount, US\$ 1.95 per Kg
	Customs notification of final findings (5/2012-CUS)	13 <sup>th</sup> January 2012	Duty Amount US\$1.95 per Kg
<b>2<sup>nd</sup> Sunset Review (present Application)</b>			
	Period of Investigation	July 2015 – June 2016	--
	Injury Period	April 2013- March 2014, April 2014- March 2015, April 2015- March 2016 and POI	---

4. In the original Final Findings/1st SSR Final Findings and the subsequent Notification(s) by the Department of Revenue imposing the duty, the PUC was defined as, 'Cellophane Transparent Film' (also known as Transparent Paper or TP film). It is classified under Chapter 39, of the Customs Tariff Act in the category of Plastics and Articles thereof.

5. The Authority notes that since present review investigation is for the 2nd SSR for continuing imposition of Anti Dumping Duty, the PUC has to be taken as same, as in the first SSR/original application.

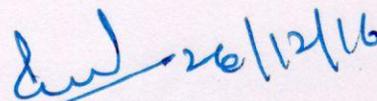
6. A perusal of the import data furnished by the applicant as per DGCI&S records show that there has been no imports of PUC during the injury investigation period and period of investigation (POI) of 2<sup>nd</sup> SSR. This goes to show that the ADD imposed as per 1st SSR orders of the Department of Revenue has been able to eliminate the injury to the domestic industry/applicant by way of stopping imports of PUC in question. Further, there appears to be no ground reasons to believe that cessation of ADD as per 1<sup>st</sup> SSR will lead to increased

imports and/or threat of injury in future. Hence, there does not appear to be any need for further continuation of ADD on PUC.

7. The present petition for 2nd SSR has been filed based on the import data from China Customs. However, perusal of the DGCI&S data shows that during the POI of 2<sup>nd</sup> SSR, there is no imports of PUC from China PR. The contention of the applicant that PUC has been imported under different ITCHS codes with wide range of different nomenclatures having 23 such nomenclature which has been filed vide their letter dated 22<sup>nd</sup> Nov. 2016, cannot be accepted as this is in total variance with PUC in original and 1st SSR.

8. Considering that as per DGCI&S data there is no import of PUC during the Injury Period & the POI for the 2nd SSR in the application, there is no justification for initiating 2nd SSR for continuation of ADDs imposed during 1st SSR, which will come to an end on 12<sup>th</sup> January, 2017.

9. In view of the above, the application for initiation of 2nd SSR referred to above is hereby, declined and further investigation in the case is closed. The applicant would be free to file a fresh application for initiating an Anti dumping investigation, if they so wish, with all relevant details/data in accordance with the existing Anti dumping Rules and Regulations and instructions in place.

  
(InderJit Singh)  
AS & DA

To M/s TPM Consultants,  
K-3/A, Saket , New Delhi-110017  
(Applicant)

Cc: M/s Kesoram Rayon,  
10 Camace Sttret, Industry House,  
11<sup>th</sup> Floor, Kolkata – 700017

Cc : Department of Revenue, TRU  
Cc: Interested Parties

Cc: Web site of DGAD