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**F. No. 7/8/2021-DGTR
Government of India
Ministry of Commerce & Industry
Department of Commerce
(Directorate General of Trade Remedies)
4th Floor, Jeevan Tara Building, 5 Parliament Street, New Delhi – 110001**

Dated 19th May, 2021

**INITIATION NOTIFICATION
Case No. (SSR - 08/2021)**

Subject: Initiation of Sunset Review Investigation concerning imports of “Uncoated Copier Paper” originating in or exported from Indonesia and Singapore.

1. M/s JK Paper Limited (hereinafter referred to as the ‘applicant’ or ‘applicant company’) has filed an application before the Designated Authority (hereinafter referred to as the “Authority”) as domestic industry, in accordance with 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 Anti-Dumping Duty on Dumped Articles and for determination of injury) Rules, 1995 as amended from time to time (hereinafter referred to as the “Rules”) for Sunset Review Anti-dumping Investigation concerning imports of “Uncoated Copier Paper” (hereinafter referred to as “subject goods” or specifically as “product under consideration” or “PUC”), originating in or exported from Indonesia, Singapore, and Thailand
2. The Applicant has alleged likelihood of continuation or recurrence of dumping of subject goods, originating in or exported from the subject countries, and consequent likelihood of injury to the domestic industry, and have requested for Sunset Review Investigations and continuation of the Anti-dumping duty imposed.

A. Background

3. The original investigation concerning imports of the subject goods from Indonesia, Singapore, and Thailand was initiated vide Notification No. 6/32/2017-DGAD, dated 02.11.2017. Definitive Anti-dumping duties were recommended vide Notification No. 6/32/2017-DGAD, dated 30.10.2018 and the same were imposed vide Notification No. 56/2018-Customs (ADD), dated 04.12.2018.

B. Product Under Consideration

4. The product under consideration as in the original investigation is “Uncoated Copier Paper”. The product was defined as under in the original investigation–

“6. The Authority has noted submissions made by various interested parties with regard to scope of the product under consideration and like article offered by the DI. With respect to the product under consideration, the Authority notes:

a) The product under consideration for the purpose of present investigation is “uncoated paper in rectangular sheet of following sizes, with permissible limits (a) 210mm x 297 mm also known as A4 size; (b) 297mm x 420mm also known as A3 size; (c) 215mm x 345mm also known as FS or legal size.” The product under consideration practically implies cut to size “uncoated copier paper”.

b) The product under consideration is generally (but not exclusively) used as a photocopy or copy paper and therefore is popularly known as “copy paper”, “copier paper”, “photocopy paper”, “multipurpose paper”, “uncoated copier paper”, “A4 Size Paper”, “A3 Size Paper” or “FS Size Paper”. It is in the form of finished sheets; weighing in different gsm. It can be a white paper or a punched paper and in different smoothness of the surface. c) Regarding the PUC, the Authority examined the scope of possible circumvention of any anti-dumping duty, if imposed, by import of copier paper in rolls, reels and large sized sheet and cutting it to size in India. The DI as well as the exporters informed that this was not feasible as copier paper was traded in cut to size and packed sheets. The cost differential between copier paper sold in cut and sized packs and paper imported in rolls was very small, making any cutting and packing operation commercially unviable. Thus, specifically excluded from the scope of the product under consideration are uncoated paper of a kind used for writing, printing, photocopying/copying, other graphic purposes etc. in rolls, reels and large sized sheet (i.e., other than sizes specified above) forms. d) Product under consideration is classified under customs heading 4802. The customs classification is indicative only and in no way, it is binding upon the product scope.”

5. The present investigation being a Sunset Review Investigation, the scope of the product under consideration remains the same as defined in the original investigation.

C. Like article

6. The Applicant has submitted that there is no known difference in the subject goods produced by the applicant and those exported from the subject countries. Both products are comparable in terms of technical characteristics, end uses, technical and commercial substitutability and tariff classification. The Authority in the previous investigation held that the product being manufactured by the domestic industry is like article to the product being imported from the subject countries. The present application is for review of the extension of original duty and since the product under consideration is the same, it is *prima*

facie considered that the subject good produced by the Domestic Industry are "like article" to the subject good imported from the subject countries.

D. Domestic Industry

7. The application has been filed by M/s JK Paper Limited. The applicant has neither imported the subject goods from the subject countries nor are related to any exporter or producer of subject goods in the subject countries or any importer of the Product under Consideration in India. The application has been supported by M/s West Coast Paper Mills Ltd. and M/s Tamil Nadu Newsprint and Papers Ltd., who have filed information in the prescribed format. Considering the information on record, the production of the applicant accounts for "a major proportion" in the Indian production of the like article and constitutes domestic industry within the meaning of the Rules.

E. Likelihood of Continuation or recurrence of Dumping

i. Normal Value for Indonesia and Thailand

8. The Applicant has claimed that there is no publicly available information showing the selling price of the product concerned in the domestic market of Indonesia and Thailand. The applicant has relied on selling price of the product at retail level and has constructed ex-factory export price after adjusting the same for taxes, freight and discounts. The claim is found appropriate for the purpose of initiation.
9. The applicant has alleged existence of particular market situation in Indonesia and has submitted that the costs are required to be adjusted for international price of major input. The applicant has submitted that Government of Indonesia, vide various policies and actions, has influenced and artificially lowered the prices of input materials (wood pulp). The claim of the applicant will be examined during the course of the investigation.

ii. Normal Value for Singapore

10. The Authority had noted in the original investigation that there is no producer of product under consideration in Singapore. The product under consideration manufactured in Indonesia is exported to India from Singapore. The Authority had not determined separate dumping margin for the exporters from Singapore. The Authority for the purpose of this investigation has considered normal value for Singapore at the same level as that for Indonesia.

iii. Export Price

11. The Authority has computed the export price from the subject countries as per customs data made available by the DGCI&S. Adjustments have been made for inland freight, port expenses, commission, and bank charges to arrive at ex-factory export price.
12. Applicant has alleged that export price as reported by DGCI&S is unreliable, as the prices are almost close to the benchmark duty imposed, and is much higher than the prices reported in Indonesian customs data. The claim will be examined further during the course of the investigation.

iv. Dumping Margin

13. Considering the normal value and export price determined as above, dumping margin has been determined. It is noted that dumping margin in respect of exports from Indonesia and Singapore is above de-minimis and significant. The product under consideration from these two countries continues to be exported at a price below normal value. The dumping margin in respect of exports from Thailand however is below de-minimis level.

F. Likelihood of continuation or recurrence of Injury

14. The Applicant has claimed that while the domestic industry has not suffered continued injury, it is likely to suffer injury in the event of cessation of antidumping duty. The Applicant has submitted that the factors such as decline in imports post imposition of duty, likely dumping margins should duties cease, declining demand of the product in Indonesia, significant production capacities in Indonesia, declining global demand of the subject goods, duties imposed by Australia (on Thailand and Indonesia), facts found by the Australian authorities with regard to the Indonesian Market, cost advantage with exporters in Indonesia, dumping margins in respect of third country exports suggest the possibility of continuation of dumping and recurrence of injury. There is prima facie evidence regarding likelihood of dumping from Indonesia and Singapore and consequent injury to the domestic industry in the event of cessation of antidumping duty.

G. Subject Countries

15. The subject countries in this investigation are Indonesia and Singapore.

H. Initiation of Sunset Review Investigation

16. On the basis of the duly substantiated application by the domestic industry, and having satisfied, on the basis of the prima facie evidence submitted by the applicant substantiating likelihood of continuation of dumping and injury to the domestic industry, in accordance with section 9A (5) of the Act, read with Rule 23(1B) of the Rules, the Authority hereby

initiates Sunset Review Investigation to review the need for continued imposition of the duties in force in respect of the subject goods, originating in or exported from the subject countries and to examine whether the expiry of existing anti-dumping duty is likely to lead to continuation or recurrence of dumping and consequent injury to the Domestic Industry.

I. Period of Investigation

17. The Authority proposes the period of investigation (POI) for the present investigation as January 2020 – December 2020 (12 Months). The injury investigation period will cover preceding three years April, 2017 – March, 2018, April, 2018 – March, 2019, April, 2019 – March, 2020 and the POI.

J. Procedure

18. The review investigation will cover all aspects of the final findings published vide Notification No. 6/32/2017-DGAD, dated 30.10.2018, recommending imposition of Anti-dumping duty on imports of 'Uncoated Copier Paper' from Indonesia, Thailand and Singapore.

19. 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.

K. Submission of information

20. In view of the special circumstances arising out of COVID-19 pandemic, all communication should be sent to the Designated Authority via email at email address adg12-dgtr@gov.in and dd14-dgtr@gov.in. It should be ensured that the narrative part of the submission is in searchable PDF/ MS Word format and data files are in MS Excel format.

21. The known exporters, Government through its Embassy in India, the importers and users in India known to be concerned with the subject goods and the domestic industry are being informed separately to enable them to file all the relevant information in the form and manner prescribed within the time limit set out below

22. Any other interested party may also make its submissions relevant to the investigation in the form and manner prescribed within the time-limit set out below on the email address mentioned in Para 19 above.

23. Any party making any confidential submission before the Authority is required to make a non-confidential version of the same available to the other parties.

L. Time-Limit

24. Any information relating to the present investigation should be sent in writing so as to reach the Authority at the email adg12-dgtr@gov.in, adv13-dgtr@gov.in, jd14-dgtr@gov.in and dd14-dgtr@gov.in within thirty days from the date of receipt of the notice as per Rule 6(4) of the Rules. It may, however, be noted that in terms of explanation of the said Rule, the notice calling for information and other documents shall be deemed to have been received within one week from the date on which it was sent by the Designated Authority or transmitted to the appropriate diplomatic representative of the exporting country. 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 Rules.
25. All the interested parties are hereby advised to intimate their interest (including the nature of interest) in the instant matter and file their questionnaire responses within the above time limit.

M. Submission of information on confidential basis

26. Any party making any confidential submission or providing information on confidential basis before the Authority, is required to simultaneously submit a non-confidential version of the same in terms of Rule 7(2) of the Rules and the Trade Notices issued in this regard. Failure to adhere to the above may lead to rejection of the response / submissions.
27. The parties making any submission (including Appendices/Annexures attached thereto), before the Authority including questionnaire response, are required to file Confidential and Non-Confidential versions separately.
28. The "confidential" or "non-confidential" submissions must be clearly marked as "confidential" or "non-confidential" at the top of each page. Any submission made without such marking shall be treated as non-confidential by the Authority, and the Authority shall be at liberty to allow the other interested parties to inspect such submissions.
29. The confidential version shall contain all information which is by nature confidential and/or other information which the supplier of such information claims as confidential. I.- or information which are claimed to be confidential by nature or the information on which confidentiality is claimed because of other reasons, the supplier of the information is required to provide a good cause statement along with the supplied information as to why such information cannot be disclosed.
30. The non-confidential version is required to be a replica of the confidential version with the confidential information preferably indexed or blanked out (in case indexation is not feasible) and summarized depending upon the information on which confidentiality is claimed' The non-confidential summary must be in sufficient detail to permit a reasonable understanding of the substance of the information furnished on confidential basis. However, in exceptional circumstances, the party submitting the confidential information

may indicate that such information is not susceptible to summary, and a statement of reasons why summarization is not possible must be provided to the satisfaction of the Authority.

31. The Authority may accept or reject the request for confidentiality on examination of the nature of the information submitted. If the Authority is satisfied the request for confidentiality is not warranted or if the supplier of the information is either unwilling to make the information public or to authorize its disclosure in generalized or summary form, it may disregard such information.
32. Any submission made without a meaningful non-confidential version thereof or without good cause statement on the confidentiality claim shall not be taken on record by the Authority.
33. 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.

N. Sharing of responses/ submissions amongst interested parties.

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

O. Non-cooperation

35. In case where an interested party refuses access to, or 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 Government as deemed fit.


(Anant Swarup)
Designated Authority

