

To be published in Part-I Section I of the Gazette of India Extraordinary

F. No. 7/3/2019-DGTR
Government of India
Department of Commerce
Ministry of Commerce & Industry
(Directorate General of Trade Remedies)
4th Floor, Jeevan Tara Building, 5 Parliament Street, New Delhi – 110001

Dated 01st May 2019

INITIATION NOTIFICATION

(CASE NO: SSR-01/2019)

Subject: Initiation of Sunset review of Anti-Dumping investigation concerning imports of Clear Float Glass originating in or exported from Pakistan, Saudi Arabia and UAE.

F. No.7/3/2019-DGTR: M/s Saint-Gobain India Pvt . Ltd., M/s Sisecam Flat Glass India Ltd. and M/s Gold Plus Glass Industry Limited (hereinafter referred to as the applicants or petitioners) have filed a joint 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 Sunset Review of Anti-Dumping investigation concerning imports of “Clear Float glass” (hereinafter also referred to as the subject goods or product under consideration), originating in or exported from Pakistan, Saudi Arabia and United Arab Emirates (hereinafter also referred to as the subject countries).

2. Whereas, the petitioners have filed a duly substantiated 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 Pakistan, Saudi Arabia and United Arab Emirates and consequent injury to the domestic industry and have requested for review and continuation of the anti-dumping

duties imposed on the imports of the subject goods, originating in or exported from the subject countries.

A. BACKGROUND

3. Whereas, the original investigation concerning imports of the subject goods from Pakistan, Saudi Arabia and United Arab Emirates was initiated by the Authority vide Initiation Notification No. 14/25/2012 DGAD dated 11th April, 2013. The Authority, vide its final findings No.14/25/2012-DGAD dated 10th October, 2014, recommended imposition of anti-dumping duties against dumped imports of the subject goods from the subject countries. Duties were imposed by the Central Government vide Customs Notification No. 48/2014- Customs (ADD) dated 11.12.2014.

B. SUBJECT COUNTRIES

4. The subject countries in the present sunset review investigation are Pakistan, Saudi Arabia and United Arab Emirates

C. PRODUCT UNDER CONSIDERATION

5. The product under consideration for the purpose of present investigation is “Clear Float Glass of nominal thicknesses ranging from 4mm to 12mm (both inclusive)”, the nominal thickness being as per BIS14900:2000 (hereinafter referred to as the “subject goods”). The present investigation being a Sunset review, the scope of product under consideration is the same as that in the original investigation.
6. The subject products are classified under Chapter Heading 70 “Glass and glassware”. The classification at the 8-digit level is 70051090 even though the same are being imported under various sub-headings like 7003, 7004, 7005, 7007, 7008, 7009, 7019, 7013, 7015, 7016, 7018 and 7020 of the Customs Tariff Act, 1975. The Custom classification is indicative only and in no way it is no way binding upon the product scope.

D. LIKE ARTICLE

7. The petitioners have claimed that there is no known difference in the subject goods produced by the Indian industry and exported from subject countries. Subject goods produced by the petitioners and imported from the subject countries are comparable in terms of physical & technical characteristics, manufacturing process & technology, functions & uses, product specifications, pricing, distribution & marketing and tariff

classification of the goods. The two are technically and commercially substitutable. The consumers are using the two interchangeably.

8. The scope of the product under consideration has been kept the same as was considered by the Designated Authority at the time of previous final findings. Subject goods produced by the petitioner companies are being treated as 'like article' to that being imported from the subject countries for the purpose of the present review investigation.

E. DOMESTIC INDUSTRY

9. The petition has been filed by M/s Saint-Gobain India Pvt. Ltd., M/s Sisecam Flat Glass India Ltd. and M/s Gold Plus Glass Industry Limited jointly.
10. As per the available information, the petitioners have neither imported the subject goods from the subject countries nor are they related to any other producer/exporter of subject goods in the subject countries or any importer in India. Further, the petitioners account for a major proportion in Indian production of the subject goods. Therefore, the Authority has considered the petitioners as Domestic Industry within the meaning of the Rule 2(b) of the Rules and the application satisfies the criteria of standing in terms of Rule 5 of the Rules supra.

F. INITIATION OF SUNSET REVIEW

11. Whereas, in view of the duly substantiated application filed and in accordance with Section 9A(5) of the Act, read with Rule 23 of the Anti-Dumping 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, originating in or exported from the subject countries 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.

G. PERIOD OF INVESTIGATION

12. The period of investigation for the purpose of the present investigations is January 2018- December 2018. The injury investigation period shall cover the periods 2015-16, 2016-17, 2017-18 and the period of investigation. The data beyond POI may also be examined to determine the likelihood of dumping and injury.

H. PROCEDURE

13. The present sunset review covers all aspects of the final findings of the original investigation published vide Notification No.14/25/2012-DGAD dated 10th October, 2014
14. 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.

I. SUBMISSION OF INFORMATION

15. The known exporters in the subject countries, the Government of the subject countries through its embassy in India, the 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 Trade Remedies,
Ministry of Commerce & Industry,
Department of Commerce
4th Floor, Jeevan Tara Building,
Parliament Street, New Delhi -110001.**

16. 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. 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.

J. TIME LIMIT

17. 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 and offer their comments to the domestic industry's application regarding the need to continue or otherwise the Anti-Dumping measures within 40 days from the date of issue of letter by the authority intimating initiation of the investigation. 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 Anti-Dumping Rules.

K. SUBMISSION OF INFORMATION ON CONFIDENTIAL BASIS

18. In case confidentiality is claimed on any part of the questionnaire 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.
19. Information supplied **without any confidential marking** 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 of the confidential version (CV) and two (2) copies of the non-confidential version (NCV) must be submitted by all the interested parties.
20. 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.
21. 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, parties submitting the confidential information may indicate that such information is not susceptible to summarization; a statement of reasons why summarization is not possible must be provided to the satisfaction of the Authority.
22. 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.
23. 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.

L. INSPECTION OF PUBLIC FILE

24. In terms of Rule 6(7) of the Anti-Dumping Rules, 1995 any interested party may inspect the public file containing non-confidential versions of the evidence submitted by other interested parties.

M. NON-COOPERATION

25. 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 declare such interested party as non-cooperative and record its findings on the basis of the facts available to it and make such recommendations to the Central Government as deemed fit.

(Sunil Kumar)

Additional Secretary & Director General