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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

Dated: 21st September, 2023

INITIATION NOTIFICATION
(Case no. AD 12/23)

Subject: Initiation of Anti-dumping Investigation concerning Imports of “Unframed Glass Mirror” originating in or exported from China PR.

A. Background

1. A representation has been received from “All India Mirror Manufacturers Association” (hereinafter referred to as "AIMMA"), representing manufacturers of “Unframed Glass Mirror” (hereinafter referred to as “subject goods” or “product under consideration”) before the Designated Authority (hereinafter referred to as “Authority”) stating that the industry in India is getting injured in view of increase in dumped imports of the subject goods from China PR (hereinafter referred to as the "subject country").
2. The Authority hereby takes cognizance of the information provided by the Indian Industry manufacturing unframed glass mirror as per sub-rule 4 of rule 5 of 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 also referred as the "Rules") AD rules.

B. Product under consideration

3. The product under consideration in the preset investigation is “unframed glass mirror”. The glass mirror has a protected back surface. They have reflective surfaces on one side and are painted on the opposite side. It is produced in plates and, depending on the location and operators, it is cut in smaller sizes by milling, bevelling, grooving and various printing methods to be made ready for end use.
4. The main raw materials used for the manufacturing of the domestic product are similar to the ones used for the subject goods from China, being float glass, aluminium, tungsten,

base coat paint and topcoat paint. This product is mainly used in architecture and furniture manufacturing. It is used as a decorative and functional material for the decoration of interiors in the construction business.

5. While the product may occur in different thicknesses, 90% of the products occur at 3mm. There is no difference in the manufacturing process and composition of different thicknesses of the product. The thickness is based on the uses of the product. The change in the product size does not materially alter the unit cost of production and selling price (on a weight basis).
6. The product is classified under Chapter 70 of the Customs Tariff Act under subheading 7009 and under the 8-digit code 7009 91 00. The customs classification is only indicative, and not binding on the scope of this investigation.
7. The interested parties are directed to make comments on the scope of the product under consideration and product code number (PCN) methodology within 30 days from the date of initiation of this investigation.

C. Like Article

8. Noting the claim of the AIMMA, the Authority *prima facie* holds that the goods produced by the domestic industry and the goods imported from the subject country are comparable and also technically and commercially substitutable. Goods produced by the Indian industry are *prima facie* being treated as “like article” to the product under consideration under the Rules for the purpose of the present investigation.

D. Basis of alleged dumping

9. Considering the practice of the Authority and as per Article 15(a)(i) of China’s Accession Protocol it is considered that the Chinese producers should show that consistent with the provisions of Article 15(a)(i), market economy conditions prevail in the industry producing the like product, with regard to the manufacture, production and sale of that product under consideration, Chinese prices or costs can be used for the industry under investigation. Since, information on (a) the price in a market economy third country; (b) constructed value in a market economy third country; (c) the price from such a third country to other countries, including India, is not available with the Authority at this stage, the normal value in the subject country has, therefore, been constructed based on the estimates of the cost of production by considering the price of the raw material. Due adjustments have been made to this price to include conversion costs, a reasonable profit margin and SGA based on best information available.
10. The AIMMA has determined the export price for the PUC for the subject country by considering the published DGCI&S data for the period of investigation. The same has been considered by the Authority. Price adjustments for ocean freight, marine insurance, port

expenses, bank charges, inland freight, commission etc. have been made to arrive at the ex-factory export price.

11. Accordingly, based on the normal value and export price as computed above, there is sufficient *prima facie* evidence that the normal value of the subject goods in the subject country is higher than the ex-factory export price, indicating, that the subject goods are being dumped into the Indian market by the exporters from the subject country. The dumping margins are estimated to be above *de minimis*.

E. Basis of alleged injury

12. Based on information available with the Authority, it is *prima facie* noted that the Indian industry is getting injured as a result of the alleged dumping in the form of an increased volume of dumped imports in absolute terms and in relative terms. The market share of imports has increased whereas that of the Indian industry has declined. Imports appear to undercut the price of the domestic industry thereby causing price depression in the domestic market. Further, information also indicates that despite increasing demand, production of the Indian industry has declined significantly, resulting in extremely low capacity utilisation levels. While complete information on the impact on economic parameters is not available with the Authority at this stage, it is nonetheless observed based on information received that the industry has also suffered an adverse impact on profitability.

F. Initiation of Anti-dumping Investigation

13. The Authority takes cognizance of information provided by the AIMMA and the DGCI&S import data as per Rule 5(4) of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on dumped articles and for determination of duty) Rules, 1995 (hereinafter referred to as Rules). Rule 5(4) states as under:

“Notwithstanding anything contained in sub-rule (1) the designated authority may initiate an investigation suo motu if it is satisfied from the information received from the [Commissioner of Customs] appointed under the Customs Act, 1962 (52 of 1962) or from any other source that sufficient evidence exists as to the existence of the circumstances referred to in clause (b) of sub-rule (3)”

14. Keeping in view rule 5(4) of the AD Rules, the Authority *suo motu* initiates the Anti-dumping duty Investigation on imports of “unframed glass mirror” from China PR.

G. Period of Investigation

15. The period of investigation (POI) for the present investigation is 1st April 2022 to 31st March 2023 (12 months) and the injury period will cover the periods 2019 – 2020, 2020 – 2021, 2021 – 2022 and the POI.

H. Subject Country

16. The subject country involved in the present investigation is China PR.

I. Procedure

17. Principles, as given in Rule 6 of the Rules, shall be followed for the present investigation.

J. Submission of Information

18. All communication should be sent to the Designated Authority via email at the email addresses jd16-dgtr@gov.in, dd15-dgtr@gov.in, adg16-dgtr@gov.in, and adv13-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.

19. The known producers/ exporters in the subject country, the 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.

20. 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 on the email addresses mentioned in Para 20 above.

21. Any party making any confidential submission before the Authority must make a non-confidential version of the same available to the other interested parties.

22. Interested parties are further advised to keep a regular watch on the official website of the Designated Authority <https://www.dgtr.gov.in/> for any updated information with respect to this investigation.

K. Time Limit

23. Any information relating to the present investigation should be sent to the Designated Authority via email at the email addresses jd16-dgtr@gov.in, dd15-dgtr@gov.in, adg16-dgtr@gov.in and adv13-dgtr@gov.in, within thirty (30) 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.

24. 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.

L. Submission of information on confidential basis

25. Any party making any confidential submission or providing information on a 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.
26. The parties making any submission (including appendices/annexures attached thereto), before the Authority including questionnaire response, are required to file a confidential and a non-confidential version separately.
27. 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.
28. 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 a 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. The other interested parties can offer their comments on the confidentiality claimed within 7 days of receiving the non-confidential version of the document.
29. 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 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.
30. Any submission made without a meaningful non-confidential version thereof or without a good cause statement on the confidentiality claim shall not be taken on record by the Authority.

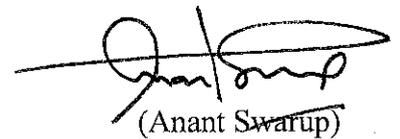
31. The Authority on being satisfied and accepting the need for confidentiality of the information provided, shall not disclose it to any party without specific authorization of the party providing such information.

M. Sharing of responses/submissions amongst interested parties

32. A list of interested parties will be uploaded on the DGTR website along with a 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.

N. Non-cooperation

33. 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