

**MINISTRY OF COMMERCE AND INDUSTRY**

**(Department of Commerce)**

(DIRECTORATE GENERAL OF ANTI-DUMPING AND ALLIED DUTIES)

**INITIATION NOTIFICATION**

Dated- 23rd September, 2015

**(NEW SHIPPER REVIEW)**

**Subject:—Initiation of New Shipper Review of anti-dumping duty imposed on the imports of Clear Float Glass originating in or exported from Pakistan, Saudi Arabia and UAE requested by M/s. Tariq Glass Industries Ltd., Pakistan (exporter) under Rule 22 of the Anti Dumping Rules-reg.**

**No. 15/16/2015-DGAD:—**M/s. Tariq Glass Industries Ltd., Pakistan (“Applicant Exporter”) has filed an application in accordance with the Customs Tariff Act, 1975 as amended and Customs Tariff (Identification, Assessment and Collection of Anti-Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 (herein after referred as “Anti-Dumping Rules”) before the Designated Authority requesting for a review of the anti-dumping duty levied on the exports of Clear Float Glass of nominal thicknesses ranging from 4mm to 12mm (both inclusive), the nominal thickness being as per BIS 14900: 2000 (hereinafter referred to as subject goods or the product under consideration {PUC}) originating in or exported from Pakistan, Saudi Arabia and UAE (hereinafter referred to as the subject countries).

2. The Designated Authority vide final findings notification no. 14/25/2012-DGAD dated 10th October, 2014 recommended imposition of anti-dumping duty on the subject goods for all exporters/producers from Pakistan, Saudi Arabia and UAE at the rates prescribed in the said findings.

3. The Central Government has notified the anti-dumping duty on subject goods originating in or exported from the subject countries vide Customs Notification No. 48/2014- Customs (ADD) dated 11<sup>th</sup> December, 2014, falling under Chapter 70 of Customs Tariff Act.

**Product Under Consideration**

4. The present investigation relates to exports of Clear Float Glass of nominal thicknesses ranging from 4mm to 12mm (both inclusive), the nominal thickness being as per BIS 14900: 2000. The classification at the 8-digit level is 70051090 even though the same are being classified and imported under various sub-headings like 7003, 7004, 7005, 7009, 7013, 7015, 7016, 7018, 7019 and 7020. The customs classification is indicative only and in no way, it is binding upon the scope of the product under consideration under the investigation.

**Exporter Involved:**

5. M/s. Tariq Glass Industries Ltd., Pakistan.

**Initiation of New Shipper Review in respect of New Exporter:**

6. The Customs Tariff (Amendment) Act, 1995 and the Rules made there under require the Authority to review for the purpose of determining individual margin of dumping for any exporter or producer in the exporting country in question who has not exported the subject goods to India during the period of investigation of the earlier case of anti-dumping investigation concerning imports of Clear Float Glass of nominal thicknesses ranging from 4mm to 12mm (both inclusive), the nominal thickness being as per BIS 14900: 2000, and the applicant is not related to any of the exporters and producers in the exporting countries who are subjected to anti-dumping duty.

7. The Authority having been prima facie satisfied that the Applicant Exporter meets with the conditions as prescribed under Rule 22 of Anti-Dumping Rules, decides to review the anti-dumping duty imposed by the Central Government in pursuance of the recommendations made by the Authority vide Final Findings Notification No. 14/25/2012-DGAD dated 10th October 2014 and having regard to Customs Notification No. 48/2014- Customs (ADD) dated 11th December 2014 as requested by M/s. Tariq Glass Industries Ltd., Pakistan

8. Having decided to initiate New Shipper Review of the final findings notified vide Notification No. 14/25/2012-DGAD dated 10th October, 2014 with regard to import of Clear Float Glass of nominal

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thicknesses ranging from 4mm to 12mm (both inclusive), the Authority hereby initiates New Shipper Review investigation to determine separate dumping margin in respect of Clear Float Glass of nominal thicknesses ranging from 4mm to 12mm (both inclusive) in accordance with the Rules Supra.

9. The Authority recommends provisional assessment on all exports of Clear Float Glass of nominal thicknesses ranging from 4mm to 12mm (both inclusive), the nominal thickness being as per BIS 14900: 2000, made by M/s. Tariq Glass Industries Ltd., Pakistan, of the subject goods to India, till this review is completed, in accordance with the Rule 22 of the Anti Dumping Rules and having regard to the Customs Notification No. 48/2014- Customs (ADD) dated 11th December 2014.

**Period of Investigation:**

10. The period of investigation for the purpose of the present review is 1st July, 2015 to 31st March, 2016.

**Submission of information**

11. The Government of the subject country through its Embassy in India 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. 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. The information/submissions may be submitted to:

The Designated Authority,  
Directorate General of Anti-Dumping & Allied Duties,  
Ministry of Commerce & Industry,  
Department of Commerce  
4th Floor, Jeevan Tara Building  
5, Parliament Street, New Delhi – 110001

12. 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.

**\Time Limit**

13. Any information relating to the present investigation 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 the completion of the Period of 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 AD Rules.

**Submission of information on confidential basis**

14. The parties making any submission (including Appendices/Annexure attached thereto), before the authority including questionnaire response, are required to file the same in two separate sets, in case "confidentiality" is claimed on any part thereof:-

(a) one set marked as Confidential (with title, number of pages, index, etc.), and

(b) the other set marked as Non-Confidential (with title, number of pages, index, etc.).

15. 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. Soft copies of both the versions will also be required to be submitted, along with the hard copies, in five (5) sets of each.

16. The confidential version shall contain all information which are by nature confidential and/or other information which the supplier of such information claims as confidential. For 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 can not be disclosed.

17. 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, 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.

18. 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.

19. 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.

20. 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.

#### **Inspection of Public File**

21. In terms of Rule 6(7) of the AD Rules, any interested party may inspect the public file containing non-confidential version of the evidence submitted by other interested parties.

#### **Non-cooperation**

22. 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.

A. K. BHALLA,  
Designated Authority