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**No.14/25/2012-DGAD  
Government of India  
Department of Commerce  
Ministry of Commerce & Industry  
(Directorate General of Anti-Dumping & Allied Duties)  
Udyog Bhawan, New Delhi**

Dated the 11th April, 2013

**INITIATION NOTIFICATION**

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

**No.14/25/2012-DGAD:** M/s Gold Plus Glass Industry Ltd., M/s HNG Float Glass Ltd. and M/s Saint-Gobain Glass India Ltd., have jointly filed an 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 initiation of anti-dumping investigation concerning imports of Clear Float Glass (hereinafter also referred to as the subject goods), originating in or exported from Pakistan, Saudi Arabia and United Arab Emirates (UAE) (hereinafter also referred to as the subject countries).

2. And whereas, the Authority prima facie finds that sufficient evidence of dumping of the subject goods, originating in or exported from the subject countries, 'injury' to the domestic industry and causal link between the alleged dumping and 'injury' exist to justify initiation of an anti-dumping investigation; the Authority hereby initiates an investigation into the alleged dumping, and consequent injury to the domestic industry in terms of Rule 5 of the Rules, to determine the existence, degree and effect of any alleged dumping and to recommend the amount of antidumping duty, which if levied, would be adequate to remove the 'injury' to the domestic industry.

**Domestic Industry & 'Standing'**

3. The Application has been filed by M/s Gold Plus Glass Industry Ltd., M/s HNG Float Glass Ltd. and M/s Saint-Gobain Glass India Ltd., on behalf of the domestic industry. Apart from the above domestic producers M/s Asahi India Glass Limited (AIS) and Gujarat Guardian Ltd. (GGL) also produce the subject goods. Since AIS is an importer from the subject countries and GGL has its related party in Saudi Arabia, the Authority proceeds to consider the applicant eligible as part of the domestic industry and does not consider AIS and GGL as part of the domestic industry. As per the evidence available on record, the production of M/s Gold Plus Glass Industry

Ltd., M/s HNG Float Glass Ltd. and M/s Saint-Gobain Glass India Ltd, accounts for a major proportion of the total domestic production of the like article and is more than 50% of Indian production of the like article. The Authority, therefore, determines that the applicant constitutes domestic industry within the meaning of Rule 2 (b) and the application satisfies the criteria of standing in terms of Rule 5 (3) of the Rules supra.

#### **Product under consideration**

4. The product under Consideration in the present application 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” or the “Product under Consideration”). The subject goods are used in interior construction in suspended ceiling and partition applications. The subject goods are classified under Chapter Heading 70 “Glass and glassware”. 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, 7019, 7013, 7015, 7016, 7018 and 7020 etc. The customs classification is indicative only and in no way, it is binding upon the product scope of the investigation.

#### **Like Article**

5. The applicant has claimed that the subject goods, which are being dumped into India, are identical to the goods produced by the domestic industry. There are no differences either in the technical specifications, quality, functions or end-uses of the dumped imports and the domestically produced subject goods and the product under consideration manufactured by the applicant. The two are technically and commercially substitutable and hence should be treated as ‘like article’ under the Rules. Therefore, for the purpose of the present investigation, the subject goods produced by the applicant in India are being treated as ‘Like Article’ to the subject goods being imported from the subject countries.

#### **Countries involved**

6. The countries involved in the present investigation are Pakistan, Saudi Arabia and United Arab Emirates.

#### **Normal Value**

7. The applicant has constructed the normal values in respect of these subject countries stating that neither they were able to get any documentary evidence or reliable information with regard to domestic prices of the subject goods in the subject countries nor the same are available in the public domain. The Authority has prima-facie considered the normal value of subject goods in subject countries on the basis of constructed values as made available by the applicant for the purpose of initiating this investigation.

### **Export Price**

8. The applicant has claimed export prices on the basis of data obtained from Infodrive India Pvt. Ltd, Kolkata. Price adjustments have been allowed on account of ocean freight, marine insurance, inland transportation, commission, port handling and port charges, etc. to arrive at the net export price. There is sufficient evidence of the export prices of the subject goods from the subject countries to justify initiation of an antidumping investigation.

### **Dumping Margin**

9. The normal value and the export price have been compared at ex-factory level, which shows prima facie significant dumping margin in respect of the subject countries. There is sufficient prima facie evidence that the normal value of the subject goods in the subject countries are significantly higher than the ex-factory export price, indicating, prima facie, that the subject goods are being dumped into the Indian market by the exporters from the subject countries. The dumping margins are estimated to be above de minimis.

### **Injury and Causal Link**

10. The applicant has furnished evidence regarding the 'injury' having taken place as a result of the alleged dumping in the form of increased volume of dumped imports, price undercutting, price underselling, price suppression and decline in profitability, return on capital employed, cash flow, market share, production, capacity utilization etc. of the domestic industry. There is sufficient prima facie evidence of 'injury' being suffered by the domestic industry caused by dumped imports from subject countries to justify initiation of an anti-dumping investigation.

### **Period of Investigation (POI)**

11. The Period of investigation, as proposed by the applicants, was from 1st October 2011 to 30th September 2012 (12 months). However, to make required analysis on the basis of more updated data, the Authority has determined the POI as 1st October 2011 to 31st December 2012 (15 months). For the purpose of analyzing injury, the data of previous three years, i.e. April 2009-March 2010, April 2010 – March 2011, April 2011 - March 2012 and the period of investigation will be considered.

### **Submission of information**

12. The known exporters in the subject countries and their Governments through their Embassies in India, importers/users in India known to be concerned and the domestic industry are being informed separately to enable them to file required information in the form and manner prescribed. Any other interested party may also make its submissions relevant to the investigation within the time-limit set out below and write to:

**The Designated Authority,  
Directorate General of Anti-Dumping & Allied Duties,  
Ministry of Commerce & Industry,  
Department of Commerce, Udyog Bhawan,  
New Delhi -110011.**

**Time limit**

13. Any information relating to this investigation should be sent in writing so as to reach the Authority at the above address not later than 40 days from the date of publication of this notification. If no information is received within the prescribed time limit or the information received is incomplete, the Authority may record their findings on the basis of the 'facts available' on record in accordance with the AD Rules.

**Submission of Information on Non-Confidential basis**

14. In terms of Rule 6(7) of the Anti-dumping Rules, the interested parties are required to submit non-confidential summary of any confidential information provided to the Authority and if in the opinion of the party providing such information, such information is not susceptible to summarization, a statement of reason thereof, is required to be provided. 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 Designated Authority may record findings on the basis of facts available and make such recommendations to the Central Government as deemed fit.

15. Notwithstanding anything contained in para above, 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 a generalised or summary form, it may disregard such information.

**Inspection of Public File**

16. In terms of Rule 6(7) any interested party may inspect the public file containing non-confidential versions of the evidence submitted by other interested parties.

**Non-cooperation**

17. 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 record its findings on the basis of the facts available to it and make such recommendations to the Central Governments as deemed fit.

**(J.S. Deepak)  
Designated Authority**