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F.No.7/10/2019-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 the 17th July, 2019

INITIATION NOTIFICATION

Case No. SSR- 04/2019

Subject: Initiation of Sunset review of Anti-Dumping investigation concerning imports of Sheet Glass originating in or exported from China PR.

F.No.7/10/2019-DGTR: Having regard to the Customs Tariff Act, 1975 as amended in 1995 and thereafter (hereinafter also referred as the Act) and the Customs Tariff (Identification, Assessment and Collection of Antidumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, as amended from time to time (hereinafter also referred as the Rules), the Designated Authority (hereinafter referred to as Authority) recommended imposition of Anti-Dumping Duty on imports of "Sheet Glass", (hereinafter also referred to as subject goods) originating in or exported from China PR (hereinafter referred to as subject country). The Authority vide its final findings No.14/22/2013-DGAD dated 19.12.2014 recommended imposition of anti-dumping duties against dumped imports of the subject goods from the subject country. Duties were imposed by the Central Government vide Customs Notification No. 07/2015- Customs (ADD) dated 13.03.2015.

2. And whereas, a petition has been filed by M/s Emerge Glass India Pvt. Ltd. (hereinafter referred to as 'petitioners') in accordance with the Act and the Rules, seeking initiation of sunset review of the Anti-dumping duty in force on import of subject goods for extending the duties for a further period of five years, alleging likelihood of continuation or recurrence of dumping and injury of the subject goods originating in or exported from subject country.

A. Product under Consideration

3. The product under consideration for the purpose of present investigation is "Sheet Glass" the "subject goods" or the "Product under Consideration").

4. Sheet Glass is produced by using horizontally lehr. The glass is taken directly from the free surface of the melt and the edges of the sheet are stabilized by driving the glass upward using rotating bodies. Once the molten glass passes from the glass furnace to a vertical drawing machine to a height of about 1000 MM from where the formed glass is converted in to glass sheet by horizontal flow. Once the sheet has been formed it is bent over a polished metal roll and is carried away horizontally into a lehr. Sheet glass production process is completely different from that of Float glass where a sheet of glass is made by floating molten glass on a bed of molten metal, typically tin. This method gives the sheet uniform thickness and extremely flat surfaces.
5. The present petition being for sunset review investigation, as per the settled jurisprudence and the past practices of the Authority, the Product under Consideration remains the same as defined in the original notification.
6. The subject products are classified under Chapter Heading 70 "Glass and glassware". The subject goods are being imported under various sub-headings like 7003 12, 7003 19, 7003 30, 7004 20, 7004 90, 7005 10, 7005 21, 7005 29, 7005 30, 7009 10, 7009 91, 7011 90 etc. of the Customs Tariff Act, 1975. In any case, the customs classification is for indicative purposes only and the description of goods shall prevail for the imposition and collection of duties.

B. Domestic Industry & Standing

7. The request for the sunset review has been filed by M/s Emerge Glass India Pvt. Ltd. who accounts for almost 77% share in the total domestic production. There is one more producer of the subject goods in India namely M/s. Bharat Glass Tubes Limited (BGTL) having around 23% share in the total domestic production which has duly supported the petition.
8. The Authority notes that the petitioners hold 77% share in total domestic production and the petitioner along with the supporter accounts for 100% share in the total domestic production in the country. Therefore, the petitioners can be termed as eligible Domestic Industry in terms of the Rule 2(b). Further, the petitioner also passes the test of standing under Rule 5(b).

C. Country Involved

9. The present petition being a sunset review investigation, the scope of the subject countries is confined to the subject country in the original investigation. Therefore, the present petition is against the goods originating in or exported from China PR.

D. Procedure

10. The review will cover all aspects of Final Finding Notification No.14/22/2013-DGAD dated 19.12.2014 recommending imposition of anti-dumping duty on import of subject goods originating in or exported from subject country.
11. The provisions of Rules 6,7,8,9,10,11,16,17,18,19 and 20 of the Rule shall be mutatis mutandis applicable in this review.

E. Period of Investigation (POI)

12. The period of investigation for the purpose of the present investigations is April 2018-March 2019. The injury investigation period shall cover the periods 2015-16, 2016-17, 2017-18 and the period of investigation. The period after the investigation period may also be considered for the purpose of likelihood analysis.

F. Submission of information

13. The known exporters in the subject countries, the Government of the subject countries through their 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,
5 Parliament Street, New Delhi -110001.

G. Submission of Information

14. Any information relating to the present investigation and any request for hearing 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 publication of this Notification. 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.
15. 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

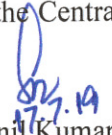
otherwise the Antidumping measures within 40 days from the date of initiation of this investigation.

H. Submission of Information on Non-Confidential basis

16. In case confidentiality is claimed on any part of the questionnaire's 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.
17. Information supplied without any confidential marking shall be treated as nonconfidential 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 and two (02) copies of the non-confidential version must be submitted by all the interested parties.
18. 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.
19. 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.
20. 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.
21. 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.

I. Inspection of Public File

22. 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
23. 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