

F. No. 7/04/2025-DGTR
Government of India
Department of Commerce
Ministry of Commerce & Industry
(Directorate General of Trade Remedies)
IV Floor, Jeevan Tara Building, 5 Parliament Street, New Delhi – 110 001

Dated: 27th March, 2025

INITIATION NOTIFICATION

Case No. AD (SSR) - 02/2025

Subject: Initiation of sunset review investigation of anti-dumping duty concerning imports of “Clear Float Glass” originating in or exported from Malaysia - reg.

1. **F. No. 7/04/2025-DGTR** - M/s Asahi India Glass Ltd., M/s Gold Plus Glass Industry Ltd., M/s Gold Plus Float Glass Pvt. Ltd., and M/s Saint Gobain India Pvt. Ltd. (*hereinafter also referred to as “Applicants”, or “Petitioners”*) 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 sunset review investigation concerning imports of “Clear Float Glass” (*hereinafter also referred to as the “subject goods” or the “Product under Consideration”*), originating in or exported from Malaysia (*hereinafter also referred to as “subject country”*).
2. The applicants alleged the likelihood of continuation or recurrence of dumping of subject goods, originating in or exported from subject country and consequent injury to the domestic industry, and have requested for review and enhancement of the anti-dumping duty imposed on the subject goods, originating in or exported from subject country.

A. BACKGROUND OF PREVIOUS INVESTIGATION

3. The original anti-dumping investigation concerning imports of subject goods from subject country was initiated by the Designated Authority *vide* its Initiation Notification No. 6/15/2019 DGTR dated 23rd August 2019. Pursuant to detailed investigation, the Designated Authority recommended imposition of definitive anti-dumping duties on imports of subject goods from the subject country *vide* its final findings Notification No. 6/15/2019-DGAD dated 20th August, 2020. The recommendations of the Designated Authority were implemented *vide* Notification No. 30/2020-Customs (ADD) dated 11th November, 2020 for a period of five years. The current Anti-dumping duty is valid up to 10th November, 2025.

B. PRODUCT UNDER CONSIDERATION

4. The product under consideration (PUC) in the present investigation is “Clear Float Glass of nominal thicknesses ranging from 4 mm to 12 mm (*both inclusive*)”, the nominal thickness being as per BIS 14900:2000 (*hereinafter referred to as the “subject goods” or the “Product under Consideration”*)

5. Float glass is a sheet of glass made by floating molten glass on a bed of molten metal, typically tin. This method gives the sheet uniform thickness and very flat surfaces.
6. As the present application is for initiation of a sunset review investigation, the scope of the PUC remains same as defined in the original investigation which is as follows:
 3. *Float glass uses common glass-making raw materials, typically consisting of sand, soda ash (sodium carbonate), dolomite, limestone, salt cake (sodium sulfate) etc. Other materials may be used as colourants, refining agents or to adjust the physical and chemical properties of the glass. The raw materials are mixed in a batch mixing process, then fed together with suitable cullet (waste glass), in a controlled ratio, into a furnace where it is heated to approximately 1500°C. Common flat glass furnaces are 9 m wide, 45 m long, and contain more than 1200 tons of glass. Once molten, the temperature of the glass is stabilized to approximately 1200°C to ensure a homogeneous specific gravity.*
 4. *The PUC finds major uses in construction, refrigeration, mirror and automobile industries etc. The product is a superior quality of glass. Due to its inherent strength, high optical clarity, distortion free smooth surface etc., the applications of the product have been increasing for different purposes*
 5. *The PUC is classified under Chapter Heading 70 "Glass and glassware" and 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 of the Customs Tariff Act, 1975. The Customs classification is indicative only and in no way binding upon the scope of investigation.*
7. The applicants have not proposed any PCN at this stage. The parties to the present investigation may provide their comments, on the scope of the PUC and propose PCNs, if any, within 15 days from the date of initiation of this investigation.

C. LIKE ARTICLE

8. Rule 2(d) with regard to like article provides as under: -

"like article" means an article which is identical or alike in all respects to the article under investigation for being dumped in India or in the absence of such article, another article which although not alike in all respects, has characteristics closely resembling those of the articles under investigation;

9. The applicants have submitted that subject goods which, are being dumped into India, are identical to the goods produced by the domestic industry. The applicants have further claimed that there are no differences either in the technical specifications, functions or end-uses of the dumped imports and the domestically produced subject goods. In addition, applicants also claimed that the two are technically and commercially substitutable and hence should be treated as 'like articles' under the Anti-Dumping Rules. Therefore, for the purpose of the present investigation, the subject goods produced by the applicants in India are being treated as 'like article' to the subject goods being imported from the subject country.

D. DOMESTIC INDUSTRY & STANDING

10. The application has been filed by M/s Asahi India Glass Ltd., M/s Gold Plus Glass Industry Ltd., M/s Gold Plus Float Glass Pvt. Ltd., and M/s Saint Gobain India Pvt. Ltd. The applicants have certified that they have not imported the product under consideration from the subject country. Further, they are not related to any importer of the subject goods in India.

11. The applicants have also submitted that apart from them, there are two other producers of the subject goods in India, namely M/s Sisecam Flat Glass India and M/s Gujarat Guardian Ltd. However, they have neither supported nor opposed the investigation. In view of the above and after examination, the Authority notes that the applicants constitute eligible domestic industry in terms of Rule 2(b), and the application satisfies the criteria of standing in terms of Rule 5(3), of the Rules *supra*.

E. SUBJECT COUNTRY

12. The subject country in the original investigation was Malaysia. The present investigation being a sunset review investigation, the subject country is same as the original investigation.

F. PERIOD OF INVESTIGATION

13. The period of investigation for the purpose of the present investigations is 1st October 2023 to 30th September 2024 (12 months). The injury investigation period shall cover the periods 2021-22, 2022-23, 2023-24 and the POI. However, the period after the investigation period may also be considered for the purpose of likelihood analysis.

G. BASIS OF LIKELIHOOD OF CONTINUATION OR RECURRENCE OF DUMPING

i. Normal Value

14. Under the provisions of Section 9A of the Customs Tariff Act, the normal value in relation to an article means the comparable price, in the ordinary course of trade, for the like article when destined for consumption in the exporting country or territory. This implies that the domestic selling price of the producers in the subject country may be considered as the normal value. Alternatively, when information regarding selling price of the domestic producers in the domestic market is not available, imports of the product into the country may be considered, as the same also represents selling price in the domestic market of the exporting country. However, applicants are not able to obtain the reliable information for imports into Malaysia, as there is no dedicated code for the subject goods.
15. Accordingly, the applicants have determined the normal value on the cost of production of the said article duly adjusted along with reasonable addition for administrative, selling, and general costs, and for profits.
16. The normal value methodology proposed by the applicants have been considered appropriate for the purpose of initiation.

ii. Export Price

17. The export price for subject goods from Malaysia has been computed based on the Directorate General of Commercial Intelligence and Statistics (DGCI&S) transaction wise import data. Price adjustments for Malaysia has been claimed on account of ocean freight, inland freight, ocean insurance, bank charges, commission/trader's profit and non-refundable VAT.

iii. Dumping Margin

18. Considering the normal value and export price determined as above, dumping margin determined is not only above *de-minimis* level but also significant. There is *prima facie* evidence that normal value of the subject goods in the subject country is significantly higher than the net export price, thereby indicating that the subject goods originating in

or exported from Malaysia have continued to be exported at dumped prices, in spite of anti-dumping duty in force.

H. LIKELIHOOD OF CONTINUATION OR RECURRENCE OF INJURY AND CASUAL LINK

19. The Authority notes that there is *prima facie* evidence of continuation of injury to the domestic industry on account of adverse price effect i.e., price undercutting, price depression, and price suppression leading to reduced profits, return on capital employed (ROCE) and cash flows. Further, the data provided by the applicants on the export orientation of producers/exporters in the subject country, surplus capacities and anti-dumping investigations carried out by other countries also *prima facie* indicates a likelihood of dumping and consequential injury on cessation of the anti-dumping duty.

I. INITIATION OF SUNSET REVIEW INVESTIGATION

20. On the basis of the duly substantiated application by or on behalf of the domestic industry, and having satisfied itself, on the basis of the *prima facie* evidence submitted by the domestic industry, substantiating likelihood of continuation/recurrence of dumping of product under consideration originating in or exported from the subject country and injury to the domestic industry, and in accordance with Section 9A(5) of the Act read with Rule 23 (IB) of the Rules, the Authority, hereby, initiates a sunset review investigation to review the need for continued imposition of duties in force in respect of the subject goods, originating in or exported from the subject country, 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.

J. PROCEDURE

21. The review will cover all aspects of Final Finding Notification No. 6/15/2019-DGAD dated 20.08.2020 recommending imposition of anti-dumping duty on import of subject goods originating in or exported from subject country.
22. 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.

K. SUBMISSION OF INFORMATION

23. All communication should be sent to the Designated Authority *via* email at the email address <dir13-dgtr@gov.in>, <ad12-dgtr@gov.in> with a copy to <dir15-dgtr@gov.in> and <consultant-dgtr@nic.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.
24. The known producers/exporters in the subject country, the government of the subject country 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 within the time-limit set out below. All such information must be filed in the form and manner as prescribed by this initiation notification, the Rules, and the applicable trade notices issued by the Authority.
25. 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.
26. Any party making any confidential submission before the Authority is required to make a non-confidential version of the same available to the other interested parties.

27. Interested parties are further directed to regularly visit the official website of the Directorate General of Trade Remedies (<https://www.dgtr.gov.in/>) to stay updated and apprised with the information as well as further processes related to the investigation.

L. TIME LIMIT

28. Any information relating to the present investigation should be sent to the Designated Authority *via* email at the email addresses <dir13-dgtr@gov.in>, <ad12-dgtr@gov.in> with a copy to <dir15-dgtr@gov.in> and <consultant-dgtr@nic.in>. within 30 days from the date of the receipt of the notice as per the Rule 6(4) of the Rules. 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.
29. 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.

M. SUBMISSION OF INFORMATION ON NON-CONFIDENTIAL BASIS

30. Where any party makes any confidential submissions or provides information on a confidential basis before the Authority, such party is required to simultaneously submit a non-confidential version of such information in terms of Rule 7(2) of the Rules and in accordance with the relevant trade notices issued by the Authority in this regard. Failure to adhere to the same may lead to rejection of the response / submissions.
31. Such submissions must be clearly marked as “confidential” or “non-confidential” at the top of each page. Any submission that has been made to the Authority without such markings shall be treated as “non-confidential” information by the Authority, and the Authority shall be at liberty to allow other interested parties to inspect such submissions.
32. The confidential version shall contain all information which is, by nature, confidential, and/or other information, which the supplier of such information claims as confidential. For the information which is 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 cannot be disclosed.
33. The non-confidential version of the information filed by the interested parties should be a replica of the confidential version with the confidential information preferably indexed or blanked out (*where indexation is not possible*) and such information must be appropriately summarized depending upon the information on which confidentiality is claimed.
34. 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 as to why such summarization is not possible, must be provided to the satisfaction of the Authority.
35. The interested parties can offer their comments on the issues of confidentiality claimed by the interested parties within 7 days from the date of circulation of the non-confidential version of the submission.

36. Any submission made without a meaningful non-confidential version thereof or a sufficient and adequate cause statement in terms of Rule 7 of the Rules, and appropriate trade notices issued by the Authority, on the confidentiality claim shall not be taken on record by the Authority.
37. 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.
38. The Authority on being satisfied and accepting the need for confidentiality of the information provided, shall not disclose it to any party without specific authorisation of the party providing such information.

N. INSPECTION OF PUBLIC FILE

39. A list of registered interested parties will be uploaded on the DGTR's website along with the request therein to all of them to email the non-confidential version of their submissions to all other interested parties. Failure to circulate non-confidential version of submissions might lead to consideration of an interested part as non-cooperative.

O. NON-COOPERATION

40. In case any interested party refuses access to and otherwise does not provide necessary information within a reasonable period or within the time stipulated by the Authority in this initiation notification, or significantly impedes the investigation, the Authority may declare such interested party as non-cooperative and record its findings based on the facts available and make such recommendations to the Central Government as it deems fit.


(Darpan Jain)
Designated Authority