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No 14/7/2015-DGAD  
Government of India  
Department of Commerce  
(Directorate General of Anti-Dumping & Allied Duties)  
Jeevan Tara Building, 4th Floor, 5, Parliament Street, New Delhi- 110001

Dated the 23.12. 2015

**(Initiation Notification)**

**Subject: Initiation of anti-dumping duty investigation concerning imports of Clear Float Glass originating in or exported from Iran.**

No.14/7/2015-DGAD: M/s Gold Plus Glass Industry Ltd., M/s HNG Float Glass Ltd. and M/s Saint-Gobain India Pvt. Ltd (hereinafter referred to as the applicants or the petitioners), have collectively filed an application before the Designated Authority (hereinafter referred to as the Authority) in accordance with the Customs Tariff Act, 1975 as amended from time to time (hereinafter 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 referred to as the AD Rules) for initiation of anti-dumping duty investigation concerning imports of Clear Float Glass (hereinafter also referred to as the subject goods) originating in or exported from Iran (hereinafter also referred to as the subject country).

2. And whereas, the Authority finds prima facie that sufficient evidence of dumping of the subject goods originating in or exported from the subject country, '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 of the subject goods originating in or exported from the subject country, and consequent injury to the domestic industry in terms of the Rules 5 of the AD 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 and 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 India Pvt. Ltd., on behalf of the domestic industry. Apart from that Gujarat Guardian Ltd. (GGL) and Ashai India Glass Limited (AIS) are also producers of the subject goods. However, AIS had closed its Float Glass manufacturing facilities since May'2014 and, therefore, they are currently no longer part of Float Glass 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 India Pvt. 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.

4. The Authority, therefore, determines that the applicants constitute domestic industry within the meaning of the Rule 2 (b) and the application satisfies the criteria of standing in terms of Rule 5 (3) of the Rules supra.

#### **Product under consideration**

5. 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”).
6. Clear Float Glass is used in construction, refrigeration, mirror, solar energy 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. 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. It is also submitted that the custom classification is indicative only and in no way, it is binding upon the product scope of the investigation.

#### **Like Article**

7. 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 AD 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 Iran.

#### **Country involved**

8. The country involved in the present investigation is Iran.

#### **Normal Value**

9. The applicants have constructed the normal values in respect of Iran stating that neither they were able to get any documentary evidence or reliable information with regard to the domestic prices of the subject goods in the subject country nor the same is available in the public domain. The Authority has thus prima-facie considered the normal value of the subject goods in the subject country on the basis of constructed value as made available by the applicants for the purpose of the initiation.

#### **Export Price**

10. The applicants have 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, bank charges, credit cost,

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 country to justify initiation of an antidumping investigation.

### **Dumping Margin**

11. Normal value and export price have been compared at ex-factory level, which shows prima facie significant dumping margin in respect of the subject country. There is sufficient prima facie evidence that the normal value of the subject goods in the subject country is 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 country. The dumping margin is estimated to be above de minimis.

### **Injury and Causal Link**

12. The applicants have 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 profitability, return on capital employed, cash flow, market share, capacity utilization etc. of the domestic industry. There is sufficient evidence of injury being suffered by the domestic industry caused by dumped imports from the subject country to justify initiation of an antidumping investigation.

### **Period of Investigation**

13. The period of investigation (POI) for the purpose of present investigation is from January, 2014 to June, 2015. However, for the purpose of analyzing injury, the data of previous three years, i.e., April 2011 to March-2012, April 2012 to March 2013, April 2013 to March 2014, and the period of investigation (POI) will be considered.

### **Submission of information**

14. The known exporters in the subject country and their Government through their Embassy in India, 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. 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  
Government of India

4th Floor, Jeevan Tara Building, 5, Parliament Street, New Delhi-110001

15. 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**

16. 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 communication of initiation of this 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.
17. 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 within forty days (40 days) from the date of the publication of the initiation notification. The information must be submitted in hard copies as well as soft copies.

### **Submission of information on confidential basis**

18. 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.).
19. 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.
20. 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 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.
21. 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.

22. 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.
23. 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.
24. 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**

25. 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**

26. 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**