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**F. No. 7/9/2021-DGTR
Government of India
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Trade Remedies
4th Floor, Jeevan Tara Building, 5 Parliament Street, New Delhi – 110001**

Dated 28th June, 2021

**INITIATION NOTIFICATION
Case No. (SSR - 09/2021)**

Subject: Initiation of Sunset Review Investigation concerning imports of “Jute Products” originating in or exported from Bangladesh and Nepal.

1. Indian Jute Mills Association [IJMA] (hereinafter referred to as the ‘applicant’ or ‘applicant association’) has filed an application before the Designated Authority (hereinafter referred to as the “Authority”) on behalf of the domestic industry, in accordance with the Customs Tariff Act, 1975 as amended from time to time (hereinafter referred to as the “Act”) and the 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 “Rules”) for Sunset Review Investigation concerning imports of “Jute Products” (hereinafter referred to as “subject goods” or specifically as “product under consideration” or “PUC”), originating in or exported from Bangladesh and Nepal (hereinafter referred to as the “subject countries”).
2. The Applicant has alleged likelihood of continuation or recurrence of dumping of subject goods, originating in or exported from the subject countries and consequent injury to the Domestic Industry and have requested for sunset review and continuation of the Anti-dumping duty.

A. Background

3. The original investigation concerning imports of the subject goods from Bangladesh and Nepal was initiated by the Authority vide Notification No. 14/19/2015-DGAD, dated 21.10.2015. Definitive Anti-dumping duties were recommended vide Notification No. 14/19/2015-DGAD, dated 20.10.2016 and was imposed vide Customs Notification No. 01/2017-Customs (ADD), dated 05.01.2017, and amended further by Customs Notification No. 11/2017-Customs (ADD), dated 03.04.2017. Subsequently, an anti-circumvention investigation was initiated vide Notification No. 7/3/2018-DGAD, dated 20.03.2018 concerning imports of ‘Jute Sacking Cloth’, (a penultimate stage of “Jute Sacking Bag”) from Bangladesh. The authority vide

Notification No. 7/3/2018-DGAD, dated 19.03.2019 recommended extension of the existing anti-dumping duty imposed on Sacking Bags vide the above notifications, and was imposed vide Customs Notification No.24/2019-Customs (ADD), dated 18.06.2019.

B. Produce Under Consideration

4. The product under consideration in the original investigation was considered as:

"26. The product under consideration in the present investigation is "Jute Products" comprising of Jute Yarn/twine (multiple folded/cabled and single), Hessian Fabrics and Jute Sacking bags as mentioned in the initiation notification No. 14/19/2015-DGAD dated 21.05.2015."

5. The Authority subsequently in an anti-circumvention investigation included "Jute sacking cloth" in the product scope as mentioned in Initiation Notification No. 7/3/2018-DGAD dated 20.03.2018 –
6. Accordingly, keeping in view the notification dated 21.05.2015 and 20.03.2018 the product scope in the present sunset review (SSR) investigation is considered as "Jute Yarn/twine (multiple folded/cabled and single), Hessian Fabrics, Jute Sacking cloth and Jute Sacking bags".
7. As, the present investigation is a Sunset Review investigation, the product under consideration remains the same as defined in the original investigation and as modified in the anti-circumvention investigation.

C. Like article

8. The applicant has claimed that the subject goods produced by the domestic industry are identical to the goods imported from subject countries. The applicant has further claimed that there is no difference in the technology and production process employed by the applicant companies and foreign producers. The goods supplied by the domestic industry are comparable to the goods imported from subject countries in terms of characteristics such as physical & technical characteristics, manufacturing process & technology, functions & uses, product specifications, pricing, distribution & marketing, and tariff classification of the goods. The two are technically and commercially substitutable and are used by consumers interchangeably. The subject goods produced by the applicant companies are being treated as 'Like Article' to the subject goods being imported from the subject countries.

D. Domestic Industry and Standing

9. The application has been filed by Indian Jute Mills Association (IJMA). M/s Bowreah Jute Mills Pvt. Ltd., M/s Caledonian Jute & Industries Ltd., M/s Cheviot Company Ltd., M/s Gloster Ltd., M/s Hoogly Infrastructure Pvt. Ltd., and M/s Ludlow Jute & Specialties Ltd. (referred to as "applicant companies" herein) have provided requisite information for the purpose of the present investigations.
10. The application has been supported by Alliance Mills (Lessees) Ltd., Bally Jute Company Ltd., Budge Budge Co. Ltd., Mahadeo Jute & Industries Ltd., RDB Textiles Ltd., Shaktigarh Textile and Industries Ltd., Jagatdal Jute & Industries Ltd., Kamarhatty Co. Ltd., The Naihati Jute Mills Co. Ltd., Reliance Jute Mills (International) Ltd., Aditya Translink Pvt. Ltd., Ambica Jute Mills, Anglo India Jute & Textile Industries Pvt. Ltd., Auckland International Ltd., The Angus Company Ltd., Barnagore Jute Factory Plc., Birla Corporation Ltd., Dalhousie Jute Company, Delta Limited, The Empire Jute Company Ltd., The Ganges Manufacturing Co., Ltd., The Hooghly Mills Company Ltd., Vijai Shree Pvt. Ltd., Calcutta Jute Manufacturing Co. Ltd., Shree Gouri Shankar Jute Mills Ltd., Kanknarrah Company Ltd., Northbrook Jute Company Ltd., RDB Textiles Ltd., Shaktigarh Textile and Industries Ltd., Sunbeam Vanijya Pvt. Ltd., Agarpara Jute Mills Ltd., Tepcon International (India) Ltd., and Trend Vyapaar Ltd.
11. The applicants have neither imported the subject goods from the subject countries nor are related to any exporter or producer of subject goods in the subject countries or any importer of the Product under Consideration in India. While M/s Cheviot Company Ltd. has imported Jute yarn from Bangladesh. However, the same is for their SEZ unit.
12. In view of the above and after due examination, the Authority notes that the Applicant companies constitutes eligible domestic industry in terms of Rule 2 (b), and the application satisfies the criteria of standing.

E. Likelihood of Continuation or recurrence of Dumping

i. Normal Value for Bangladesh

13. The Applicant has claimed normal value in Bangladesh on the basis of price offers for the product, separately for different types of the product. The applicant has identified the product type involved, the price offered, terms & conditions of sale, and the nature of the price offers made. The claim is prima facie found appropriate for the purpose of initiation.

ii. Normal Value for Nepal

14. The Applicant has claimed that efforts were made to get evidence of price of the product concerned in the domestic market of Nepal or an evidence of price from Nepal to third country which is not available in public domain. In the absence of any publicly available information, the applicant has claimed normal value in Nepal on the basis of cost of production in Nepal, considering facts available. The claim is found *prima facie* appropriate for the present purpose.

iii. Export Price

15. Export price has been computed as per the information available from the DGCI&S transaction wise data. Since these are CIF export price, adjustments have been made for freight, insurance, port expenses, bank charges, inland freight expenses, and commission, to arrive at ex-factory export price.

iv. Dumping Margin

16. Considering the normal value and export price determined as above, dumping margin has been determined. Which in case of Bangladesh is above *de minimis* but below *de minimis* in case of Nepal. The comparisons done presently on an average basis are not realistic due to various product code numbers involved in the product. India being a significant market for both Bangladesh and Nepal, the likelihood of dumping would also be undertaken on product code number basis during the investigation for the subject countries.

F. Likelihood of continuation or recurrence of Injury

17. The Applicant has claimed that while its performance has not further deteriorated and ADD in force has contained its injury, it remains vulnerable to an intensified injury in the event of cessation of antidumping duty. The claim of the applicant in case of Bangladesh is based on significant volume of imports despite imposition of duties, existence of a large number of producers of the product in Bangladesh, exports to India at present by a limited number of exporters (because of existing ADD), likelihood of exports by a number of other exporters who are not exporting at present due to existing duties, exports to India by minor alteration to the product after imposition of ADD, surplus capacities with producers in Bangladesh, abundance of raw jute in Bangladesh, potential increase in production in future despite stable demand, positive price undercutting in the event of cessation of ADD, efforts of Bangladesh Government to enhance exports, vulnerability of the Domestic Industry, price attractiveness of the Indian market, past history of persistent exports through use of export benefits rate modification system. In case of Nepal, the claim of the applicant is based on the fact that India is an extremely significant market, making Nepalese producers highly dependent on it. The imports from Nepal also depict, positive price undercutting. There is thus *prima facie*

evidence of likelihood of dumping from subject countries and consequent injury to the domestic industry in the event of cessation of antidumping duty.

G. Initiation of Sunset Review Investigation

18. On the basis of the duly substantiated application by the domestic industry, and having satisfied, on the basis of the prima facie evidence submitted by the applicant substantiating likelihood of continuation of dumping and injury to the domestic industry, in accordance with section 9A (5) of the Act, read with Rule 23 of the Rules, the Authority hereby initiates sunset review investigation to review the need for continued imposition of the duties in force in respect of subject goods, originating in or exported from the subject countries and to determine whether expiry of existing anti-dumping duty is likely to lead to continuation or recurrence of dumping and consequent injury to the Domestic Industry.

H. Subject Countries

19. The subject countries in the present investigation are Bangladesh and Nepal.

I. Period of Investigation

20. The applicant has claimed April–December 2020 (9 Months) as period of investigation (POI). However, it is considered appropriate to fix April, 2020 – March, 2021 as the investigation period for the purpose of the proposed investigation. The injury investigation period will cover the three preceding years 2017 – 18, 2018 – 19, 2019 – 20 and the POI.

J. Procedure

21. The review investigation will cover all aspects of the final findings published vide Notification No. 14/19/2015-DGAD, dated 20.10.2016 and Notification No. 7/3/2018-DGAD, dated 19.03.2019 recommending imposition of Anti-dumping duty on imports of 'Jute Products' from Bangladesh and Nepal.

22. The provisions of Rules 6, 7, 8, 9, 10, 11, 16, 17, 18, 19, and 20 of the Rules supra shall be mutatis mutandis applicable in this review.

K. Submission of information

23. The Authority keeping in view the earlier investigation viz original, anti-circumvention and issues emanating in the various new shipper reviews solicits views of all interested parties on adopting product control numbers (PCN's) in this investigation for appropriate comparisons to evaluate incidence of dumping and consequential injury. The information should be filed to adg11-dgtr@gov.in, [dir13-](#)

dgtr@gov.in, vikasmathur.icoas@nic.in and dd11-dgtr@gov.in within 15 days from the date of publication of this notification in the Gazette.

24. The Authority may also resort to sampling of producers/exporters in the instant investigation.
25. In view of the special circumstances arising out of COVID-19 pandemic, all communication should be sent to the Designated Authority via email at email address adg11-dgtr@gov.in, dir13-dgtr@gov.in, vikasmathur.icoas@nic.in and dd11-dgtr@gov.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.
26. The known exporters, Governments of subject countries through their High Commission/Embassy in India, the 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 on the email address mentioned in Para 23 above.
27. 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.
28. Interested parties are further advised to keep a regular watch on the official website of the Designated Authority <https://www.dgtr.gov.in> for any updated information with respect to this investigation.

L. Time-Limit

29. After finalisation of the PCN's, the Authority would call for information relating to the present investigation which should be sent in writing so as to reach the Authority at the email addresses adg11-dgtr@gov.in, dir13-dgtr@gov.in, vikasmathur.icoas@nic.in and dd11-dgtr@gov.in within thirty days (30 days) from the date on which it was sent by the Designated Authority or transmitted to the appropriate diplomatic representative of the exporting country as per 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
30. 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 confidential basis

31. Any party making any confidential submission or providing information on confidential basis before the Authority, is required to simultaneously submit a non-confidential version of the same in terms of Rule 7(2) of the Rules and the Trade Notices issued in this regard. Failure to adhere to the above may lead to rejection of the response / submissions.
32. The parties making any submission (including Appendices/Annexures attached thereto), before the Authority including questionnaire response, are required to file Confidential and Non-Confidential versions separately.
33. 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.
34. 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 cannot be disclosed.
35. 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, the 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.
36. The Authority may accept or reject the request for confidentiality on examination of the nature of the information submitted. If the Authority is satisfied 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.
37. Any submission made without a meaningful non-confidential version thereof or without good cause statement on the confidentiality claim shall not be taken on record by the Authority.

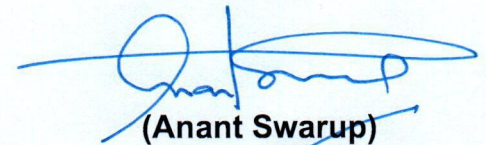
38. The Authority on being satisfied and accepting the need for confidentiality of the information provided, shall not disclose it to any party without specific authorization of the party providing such information.

N. Inspection of Public File

39. A list of interested parties will be uploaded on DGTR's website along with the request therein to all of them to share the non-confidential versions of their submissions with all interested parties via e-mail since the public file will not be accessible physically due to ongoing global pandemic.

O. Non-cooperation

40. 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.



Joint Secretary & Designated Authority