

New Delhi, 22nd May, 2009

Notification No.51/2009-Customs

G.S.R. (E). - Whereas, in the matter of import of Float Glass of thickness 2 mm to 12 mm (both thickness inclusive) of clear as well as tinted variety (other than green glass) but not including processed glass meant for decorative, industrial or automotive purposes, falling under heading 7005 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), originating in or exported from the Peoples' Republic of China and Indonesia (hereinafter referred to as the subject countries), and imported into India, the designated authority *vide* its final findings No. 14/19/2002-DGAD, dated the 22nd August, 2003, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 22nd August, 2003, had recommended to impose final anti-dumping duty on all imports of Float Glass of thickness 2 mm to 12 mm (both thickness inclusive) of clear as well as tinted variety (other than green glass) but not including reflective glass, processed glass meant for decorative, industrial or automotive purposes (hereinafter referred to as the subject goods) originating in or exported from the subject countries so as to remove the injury to the domestic industry;

And whereas, on the basis of the aforesaid findings of the designated authority, the Central Government, in exercise of the powers conferred by sub-section (1) of section 9A of the said Customs Tariff Act read with rules 18 and 20 of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, imposed an anti-dumping duty on the subject goods *vide* notification of the Government of India, Ministry of Finance (Department of Revenue), No. 165/2003-Customs, dated the 12th November, 2003, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) *vide* G.S.R. No. 887(E), dated 12th November, 2003;

And whereas, the designated authority, *vide* its Notification No. 15/1/2007-DGAD, dated the 13th December, 2007, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 13th December, 2007 had initiated a sunset review in the matter of continuation of anti-dumping on imports of Float Glass of thickness 2 mm to 12 mm (both inclusive) of clear as well as tinted variety (other than green glass) but not including processed glass meant for decorative, industrial or automotive purposes, falling under heading 7005 of the First Schedule to the said Customs Tariff Act, originating in or exported from the subject countries and imported into India;

And whereas, the designated authority *vide* its final findings No. 15/1/2007-DGAD, dated the 2nd December, 2008, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 2nd December, 2008 had recommended continued imposition of the anti-dumping duty;

And whereas, in exercise of the powers conferred by sub-sections (1) and (5) of section 9A of said Customs Tariff Act read with rules 18 and 23 of the said Customs Tariff Rules, and in supersession of the notification of the Government of India in the Ministry of Finance (Department of Revenue) No.165/2003-Customs, dated the 12th November, 2003, except as respects things done or omitted to be done before such supersession, the Central Government, after considering the aforesaid findings of the designated authority, has imposed an anti-dumping duty on the imports into India of Float Glass of thickness 2 mm to 12 mm (both inclusive) of clear as well as tinted variety (other than green glass) but not including processed glass meant for decorative, industrial or automotive purposes, falling under Heading 7005 of the First Schedule to the said Customs Tariff Act, *vide* notification of the Government of India in the Ministry of Finance (Department of Revenue) No.4/2009-Customs, dated the 6th January, 2009, which was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) *vide* G.S.R. No.14(E) of the same date;

And whereas, in terms of rule 4 read with rule 23 of said Customs Tariff Rules, the designated authority is required to investigate as to the existence, degree and effect of any alleged dumping in relation to import of any article, to identify the article liable for anti-dumping duty, to recommend the amount of anti-dumping duty equal to the margin of dumping or less, which if levied, would remove the injury to the domestic industry and to review the need for continuance of anti-dumping duty on such article;

Now, therefore, in exercise of the powers conferred by sub-sections (1) and (5) of section 9A of said Customs Tariff Act read with rules 4, 18 and 23 of the said Customs Tariff Rules, the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Finance (Department of Revenue) No.4/2009-Customs, dated the 6th January, 2009, namely :-

In the said notification, in the opening paragraph, after the words, "as well as tinted variety (other than green glass) but not including", the words "reflective glass," shall be inserted.

[F.No.354/211/2002-TRU (Pt.-I)]

(Unmesh Sharad Wagh)
Under Secretary to the Government of India

Note.- The principal notification No.4/2009-Customs, dated 6th January, 2009, was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide G.S.R. No. 14(E), dated 6th January, 2009.