

**ANTI DUMPING DUTY ON FLOAT GLASS ORIGINATING IN OR IMPORTED FROM SPECIFIED COUNTRIES:****[Notfn. No. 4/09-Cus., dt. 6.1.2009 as amended by 7/14]**

Whereas, the Designated Authority, vide its Notification No. 15/1/2007-DGAD, dated the 13 th December, 2007, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 13 th 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 (hereinafter referred to as the subject goods), 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 (in short 'China PR') and Indonesia (hereinafter referred to as the subject countries), and imported into India, imposed vide notification of the Government of India, Ministry of Finance (Department of Revenue), No. 165/2003-Customs, dated the 12 th November, 2003 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) vide G.S.R. No. 887(E) of the same date;

And whereas, the Central Government has extended the anti-dumping duty on the subject goods, originating in, or exported from, the subject countries vide notification of the Government of India, Ministry of Finance (Department of Revenue), No. 4/2008-Customs, dated the 4 th January, 2008, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) vide G.S.R. No.12(E) of the same date, up to and inclusive of the 6th January, 2009;

And whereas, in the matter of sunset review of anti-dumping on import of the subject goods, originating in, or exported from the subject countries, the Designated Authority vide its final findings No. 15/1/2007-DGAD, dated the 2 nd December, 2008, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 2 nd December, 2008 has come to the conclusion that-

- (i) The subject goods are entering the Indian market at dumped prices and dumping margins of the subject goods imported from China PR are substantial and above de-minimis;
- (ii) The subject goods are likely to enter the Indian market at dumped prices and the likely dumping margins in respect of imports from China PR and Indonesia is substantial and above de-minimis;
- (iii) The subject goods are likely to enter Indian market at dumped prices, should the present measures be withdrawn;
- (iv) Even though the domestic industry has improved its performance during the POI, the withdrawal of the existing anti-dumping measure on subject goods from subject countries is going to cause a substantial injury to the domestic industry. Further, should the present anti dumping duties be revoked, injury to the domestic industry is likely to intensify;  
and has recommended continued imposition of the anti-dumping duty on the subject goods originating in, or exported from, the subject countries in order to remove injury to the domestic industry;

Now, therefore, in exercise of the powers conferred by sub-sections (1) and (5) of section 9A of the Customs Tariff Act, 1975 (51 of 1975) read with rules 18 and 23 of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, 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 afore-

said findings of the Designated Authority, hereby imposes an anti-dumping duty on the imports into India of subject goods falling under Heading 7005 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975) at an amount, which is equal to,-

(a) US\$ 133 per metric tonne in case of imports of subject goods originating in, or exported from, China PR; and

(b) US\$ 81.21 per metric tonne in case of imports of subject goods from Indonesia, except that in respect of imports from PT Mulia Glass, Indonesia (exporter), the anti-dumping duty shall be levied at an amount which is equal to US\$ 71.16 per metric tonne.

2. The anti-dumping duty imposed under this notification shall be effective for a period of five years (unless revoked, superseded or amended earlier) from the date of publication of this notification in the Official Gazette and shall be paid in Indian currency.

3. Notwithstanding anything contained in paragraph 2 this notification shall remain in force up to and inclusive of the 5th day of January, 2015, unless revoked earlier.

Explanation. - For the purpose of this notification, rate of exchange applicable for the purposes of calculation of the anti-dumping duty under this notification shall be the exchange rate specified in the notification of the Government of India in the Ministry of Finance (Department of Revenue) issued from time to time, in exercise of powers conferred under sub-clause (i) of clause (a) of Explanation to section 14 of the Customs Act, 1962 (52 of 1962) and the relevant date for determination of the rate of exchange shall be the date of presentation of the "bill of entry" under section 46 of the said Customs Act.