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**F.No.6/1/2020-DGTR  
Government of India  
Ministry of Commerce and Industry  
Department of Commerce  
Directorate General of Trade  
Jeevan Tara Building 4<sup>th</sup> Floor, 5 Parliament  
Street, New Delhi-110001**

**Date: 3<sup>rd</sup> August, 2021**

**TERMINATION NOTIFICATION**

**Subject: Termination of Anti-dumping investigation on the imports of “*Self-adhesive Polyvinyl Chloride Film*” originating in or exported from China PR.**

**A. Introduction**

1. Having regard to the Customs Tariff Act 1975 as amended from time to time (hereinafter referred as the Act) and the Customs Tariff (Identification, Assessment and Collection of Antidumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 thereof, as amended from time to time (hereinafter referred as the Anti- Dumping Rules); M/s Pioneer Polyleathers Limited (hereinafter referred to as the “applicant” or “domestic industry”) has filed an application before the Authority in accordance with the Customs Tariff Act, 1975 and the Anti-Dumping Rules for initiation of anti-dumping investigation concerning imports of the Self-Adhesive Polyvinyl Chloride Film (hereinafter also referred to as the product under consideration or the “subject goods”) from China PR (hereinafter also referred to as the “subject country”).
2. The Authority, on the basis of a duly substantiated application filed by the applicants in accordance with Section 9A of the Act read with Rule 5 of the Anti-Dumping Rules, initiated the anti-dumping investigation vide File No. F.No.6/1/2020-DGTR dated 7<sup>th</sup> February, 2020, published in the Gazette of India, to determine the existence, degree and effect of any alleged dumping of the subject goods and to recommend the amount of anti-dumping duty, which if levied, would

be adequate to remove the alleged injury to the domestic industry.

## **B. Procedure**

3. The procedure described below has been followed with regard to the investigation:

- a. The Authority notified the Embassy of subject country in India about the receipt of the present anti-dumping application before proceeding to initiate the investigation in accordance with Sub-Rule (5) of Rule 5 supra.
- b. The Authority issued a public notice on 7<sup>th</sup> February, 2020, published in the Gazette of India Extraordinary, initiating anti-dumping investigation concerning import of subject goods from subject country.
- c. The Authority sent a copy of the initiation notification dated 7<sup>th</sup> February, 2020, to the embassy of the subject country in India, the known producers and exporters from the subject country, known importers and other interested parties, as per the available information. The interested parties were requested to provide relevant information in the form and manner prescribed and make their submissions known in writing within the prescribed time-limit.
- d. The Authority also provided a copy of the non-confidential version of the application to the known producers/exporters and to the Embassy of the subject country in India in accordance with Rule 6(3) of the Anti-Dumping Rules.
- e. The Embassy of the subject country in India was also requested to advise the exporters/producers from their country to respond to the questionnaire within the prescribed time limit. A copy of the letter and questionnaire sent to the producers/exporters was also sent to it along with the names and addresses of the known producers/exporters from the subject country.
- f. Request was made to the Directorate General of Commercial Intelligence and Statistics (DGCI&S) to provide transaction-wise details of imports of subject goods for the past three years, including the period of investigation, which has been received by the Authority. The Authority has relied upon the DGCI&S data for determination of volume and value of imports of product concerned in India.
- g. In accordance with Rule 6(6) of the Rules, the Authority provided opportunity to all interested parties to present their views orally in a public hearing held on 10<sup>th</sup> December, 2020. The parties, which presented their views in the oral

hearing were requested to file written submissions of the views expressed orally, followed by rejoinders submissions. Authority examined the submissions by the interested parties and issued disclosure statement on 22<sup>nd</sup> January 2021.

- h. However, pursuant to a change in the incumbent Designated Authority, a second oral hearing was held on 23<sup>rd</sup> February 2021 and the parties which presented their views in the oral hearing were requested to file written submissions of the views expressed orally, followed by rejoinder submissions.
- i. Authority examined the submissions by the interested parties and issued the disclosure statement on 20<sup>th</sup> July 2021. Comments on this disclosure statement were filed by various interested parties including domestic industry.

### **C. Request Received from Domestic Industry**

- 4. The applicant through their letter dated 25<sup>th</sup> July, 2021 have requested that their application be treated as withdrawn. Their request states as under –

*“We understand that the fact of actual production by us is of paramount consideration and mere capability is not sufficient to seek protection under the law. As explained, we have since produced all those products for which exclusions have been sought by the interested parties and which have been excluded in the present disclosure statement. Since we have already produced all those product types, we would rather explore the feasibility of seeking ADD on complete scope of the product in order to address any possible avoidance of duties. We consider that unless the ADD is imposed on full scope of “self-adhesive vinyl”, any proposed measure is meaningless.*

*In view of the above, we request you to kindly treat our application as withdrawn. We are grateful to the DGTR for undertaking the present investigation”*

### **D. Examination by the Authority**

- 5. The Authority had undertaken this investigation based on the scope of petition filed by the domestic industry on subject goods produced by them, claiming material injury on account of dumped imports from the subject country. The request made by the domestic

industry, vide its letter dated 25<sup>th</sup> July 2021 has accordingly been examined. The Authority notes that Rule 14(a) of the Rules reads as under:

*“14. Termination of investigation. - The designated authority shall, by issue of a public notice, terminate an investigation immediately if—*

*(a) it receives a request in writing for doing so from or on behalf of the domestic industry affected, at whose instance the investigation was initiated’*

6. It is noted that Rule 14 provides for termination of investigations in certain situations which includes a situation where the application is withdrawn by the domestic industry being affected, at whose instance the investigation was initiated. Rule 14 (1)(a) of Rules provides that the Designated Authority shall, by issue of a public notice, terminate an investigation immediately if it receives such a request in writing from or on behalf of the affected domestic industry.
7. In the present investigation M/s Pioneer Polyleathers Limited is the applicant domestic producer, on whose instance the investigation was initiated. The Authority notes that the domestic industry desires to withdraw its application so as to enhance the scope of its application. It is noted that Rule 14(a) of the Anti-Dumping Rules does not grant any discretion to the Authority in the matter of termination of investigation, once the domestic industry files a written request for termination of the investigation.

#### **E. Conclusion**

8. In view of the aforesaid request made by the domestic industry, M/s Pioneer Polyleathers Limited, and under the provisions of Rule 14(a) of the Anti-Dumping Rules the Authority hereby terminates the investigation initiated on 7<sup>th</sup> February 2020 vide notification No.6/01/2020- DGTR against the imports of “*Self-adhesive Polyvinyl Chloride Film*” originating in or exported from China PR.



(Anant Swarup)

**Designated Authority**