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**Government of India
Department of Commerce
Ministry of Commerce & Industry
(Directorate General of Anti Dumping & Allied Duties)
4th Floor, Jeevan Tara Building, Parliament Street**

Dated 02nd November 2017

INITIATION NOTIFICATION

Subject: Initiation of Anti-Dumping Duty investigation concerning imports of “Uncoated Copier Paper” originating in or exported from Indonesia, Thailand and Singapore

F.No.6/32/2017 - DGAD: M/s JK Paper Limited, JK Paper Limited, The West Coast Paper Mills Ltd., Tamil Nadu Newsprint and Papers Limited Ltd and Ballarpur Industries Limited (hereinafter referred to as ‘petitioners’ or ‘applicants’) have filed an application (also referred to as petition) along with relevant information 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 investigation concerning imports of ‘Uncoated Paper’ (hereinafter referred to as the subject goods) originating in or exported from Indonesia, Thailand and Singapore (hereinafter also referred to as the subject countries).

2. AND WHEREAS, the Authority finds that sufficient prima facie evidence of dumping of the subject goods originating in or exported from the subject countries, ‘injury’ to the domestic industry and causal link between the dumping and ‘injury’ exists to justify initiation of an anti-dumping investigation. The Authority hereby initiates an investigation into the alleged dumping, 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.

A. Product under consideration

3. The product under consideration for the purpose of present investigation is “uncoated paper in rectangular sheet of following sizes, with permissible limits (a) 210mm x 297 mm also known

as A4 size; (b) 297mmx 420mm also known as A3 size; (c) 215mm x 345mm also known as FS or legal size.” The product under consideration practically implies “uncoated copier paper”. The product under consideration is generally (but not exclusively) used as a photocopy or copy paper and therefore is popularly known as “copy paper”, “copier paper”, “photocopy paper”, “multipurpose paper”, “uncoated copier paper”, “A4 Size Paper”, “A3 Size Paper” or “FS Size Paper”. It is in the form of finished sheets; weighing in different gsm. It can be a white paper or a punched paper and in different smoothness of the surface. Specifically excluded from the scope of the product under consideration are uncoated paper of a kind used for writing, printing or other graphic purposes in reels or in large sized sheet (i.e., other than sizes specified above) forms.

4. Product under consideration is classified under customs heading 4802. The customs classification is indicative only and in no way it is binding upon the product` scope.

B. Like Article

5. The applicants have claimed that there is no known difference in product produced by the applicants and exported from the subject countries. Both products have comparable characteristics in terms of parameters such as physical & chemical characteristics, functions & uses, product specifications, pricing, distribution & marketing and tariff classification, etc. The two are technically and commercially substitutable and hence should be treated as 'like article' under the Rules. Therefore, for the purpose of the present investigation, the Authority treats the subject goods produced by the domestic industry in India as ‘Like Article’ to the subject goods being imported from the subject countries.

C. Domestic Industry & Standing

6. The application has been filed by JK Paper Limited, The West Coast Paper Mills Ltd., Tamil Nadu Newsprint and Papers Limited Ltd and Ballarpur Industries Limited. There are five other known producers of the product under consideration in the country, namely, Seshasayee Paper and Boards Limited, Trident Group, International Paper APPM Ltd., Orient Paper & Industries Ltd., and Century Pulp and Paper.
7. The production by the applicants constitutes ‘a major proportion’ of Indian production of the like product produced in India. Further, the applicants have claimed that they have neither imported the subject goods, nor are they related to any importer or exporter of the subject goods. The applicants, therefore constitutes “domestic industry” within the meaning of Rule 2 (b) and thus satisfies the criteria of standing in terms of Rule 5 (3) of the Rules supra.

D. Subject Countries

8. The countries involved in the present investigation are Indonesia, Thailand and Singapore (hereinafter referred to as ‘Subject Countries’).

E. Normal value

9. The applicants have submitted that efforts were made to get information/evidence of transaction price of subject goods in the domestic market of subject countries. However, applicants were not able to get such information. The applicants have therefore constructed normal value for all subject countries on the basis of cost of production in India duly adjusted.

F. Export Price

10. The export price has been claimed by the applicants as the weighted average import price from the subject countries based on the transaction-wise import data procured from DGCI&S. Price adjustments have been claimed on account of ocean freight, marine insurance, commission, inland freight expenses, port expenses, bank charges to arrive at the net export price.

G. Dumping Margin

11. The comparison of normal values with the ex-factory export price has been carried out, which shows a significant dumping margin in respect of the subject goods exported by each of the subject countries.

H. Evidence of 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 in absolute terms and in relation to production & consumption, price undercutting, and consequent significant adverse impact on profitability, return on capital employed, cash flow, and deterioration in production, capacity utilization, sales and market share of the domestic industry and low level of profits, cash profits & return on investment. There is sufficient prima facie evidence of 'material injury' being suffered by the domestic industry caused by alleged dumped imports from the subject countries to justify initiation of an anti-dumping investigation.
13. The applicants have also claimed threat of material injury on the grounds that rate of increase in imports from the subject countries is significantly high, the subject producers have huge surplus capacities, price undercutting is significant and the Indian market is attractive which is likely to further increase in imports and cause suppressing or depressing effects in the domestic market.

I. Initiation of investigation

14. The authority finds sufficient prima facie evidence of dumping of subject goods, originating in or exported from the subject countries; injury to the domestic industry and causal link between

alleged dumping and injury, to justify initiation of anti-dumping investigation to determine the existence, degree and effect of alleged dumping and to recommend the amount of anti-dumping duty, which if levied, would be adequate to remove the 'injury' to the domestic industry. Accordingly, the authority hereby initiates an investigation into the alleged dumping and consequent injury to the domestic industry in terms of Para 5 of the Rules.

J. Period of investigation (POI)

15. The petitioners proposed period of investigation as April 2016-March 2017. However, the Authority has considered the period April 2016 – June 2017 (15 months) as the investigation period for the purpose of present investigations. The injury investigation period shall cover the periods April 2013- March 2014, April 2014-March 2015, April 2015-March 2016 and the period of investigation.

K. Submission of Information

16. The known exporters in the subject countries, the Government of the subject countries through their embassy in India, the importers and users in India known to be concerned with the product are being addressed separately to submit relevant information in the form and manner prescribed and to make their views known to the Authority at the following address:

The Designated Authority,
Directorate General of Anti-Dumping & Allied Duties,
Ministry of Commerce & Industry,
Department of Commerce
4th Floor, Jeevan Tara Building,
5 Parliament Street, New Delhi -110001.
Dgad.india@gov.in

17. Any other interested party may also make its submissions relevant to the investigation in the prescribed form and manner (downloadable from the website of the authority at www.dgtr.gov.in) within the time limit set out below.

L. Time limit

18. Any information relating to the present investigation and any request for hearing 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 publication of this Notification. 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 Anti-dumping Rules.

19. 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 regarding the need to impose the Antidumping measures within 40 days from the date of initiation of this investigation

M. Submission of Information on Confidential/Non-Confidential basis

20. In case confidentiality is claimed on any part of the questionnaire's response/submissions, the same must be submitted in two separate sets (a) marked as Confidential (with title, index, number of pages, etc.) and (b) other set marked as Non Confidential (with title, index, number of pages, etc.). All the information supplied must be clearly marked as either "confidential" or "non-confidential" at the top of each page.
21. Information supplied without any confidential marking shall be treated as non-confidential and the Authority shall be at liberty to allow the other interested parties to inspect any such non-confidential information. Two (2) copies of the confidential version and of the non-confidential version must be submitted by all the interested parties.
22. For information claimed as confidential; 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 and/or why summarization of such information is not possible.
23. The non-confidential version is required to be a replica of the confidential version with the confidential information preferably indexed or blanked out /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, parties submitting the confidential information may indicate that such information is not susceptible to summarization; a statement of reasons why summarization is not possible must be provided to the satisfaction of the Authority.
24. 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 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.
25. Any submission made without a meaningful non-confidential version thereof or without a good cause statement on the confidentiality claim may not be taken on record by the Authority. 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

26. In terms of rule 6(7) any interested party may inspect the public file containing non-confidential versions of the evidence submitted by other interested parties.

O. Non-cooperation

27. In case any interested party refuses access to and otherwise does not provide necessary information within a reasonable period, or significantly impedes the investigation, the Authority may declare such interested party as non-cooperative and record its findings on the basis of the facts available to it and make such recommendations to the Central Government as deemed fit.

(Sunil Kumar)
Additional Secretary & Designated Authority