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**GOVERNMENT OF INDIA
MINISTRY OF COMMERCE & INDUSTRY
DEPARTMENT OF COMMERCE
(DIRECTORATE GENERAL OF ANTI-DUMPING & ALLIED DUTIES)
JEEVAN TARA BUILDING, 5, PARLIAMENT STREET
NEW DELHI-110001**

Date: 01.08.2016

NOTIFICATION

Preliminary Findings

Subject: Anti-dumping investigation concerning imports of “Hot-rolled flat products of alloy or non-alloy steel” originating in or exported from China PR, Japan, Korea RP, Russia, Brazil and Indonesia.

No.14/09/2016-DGAD: Having regard to 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 thereof, as amended from time to time (hereinafter referred to as the AD rules).

2. Whereas M/s Essar Steel India Limited, M/s Steel Authority of India Limited and M/s JSW Steel Limited (hereinafter referred to as the “applicants” or “domestic industry”) have jointly filed an application before the Designated Authority (hereinafter also referred to as the Authority) in accordance with the Act and the AD Rules, for initiation of anti-dumping investigation concerning imports of “Hot-rolled flat products of alloy or non-alloy steel” (hereinafter also referred to as the subject goods), originating in or exported from China PR, Japan, Korea RP, Russia, Brazil and Indonesia (hereinafter also referred to as the subject countries), alleging dumping and consequent injury and requested for levy of anti-dumping duty on the imports of the subject goods from the subject countries.
3. And whereas the Authority on the basis of sufficient evidence submitted by the applicant, issued a public notice vide Notification No.14/9/2016-DGAD dated 11.04.2016, published in the Gazette of India, Extraordinary, initiating the subject investigation in accordance with the sub Rule 5 of the AD Rules, to determine the existence, degree and effect of the 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.

A. PROCEDURE

4. The procedure described below has been followed:
 - a. The Authority notified the Embassies of subject countries in India about the receipt of application before proceeding to initiate the investigation in accordance with sub-Rule 5(5) of the AD Rules.

- b. The Authority sent a copy of initiation notification to the embassies of subject countries in India, known producers/ exporters from the subject countries and known importers/ users/ associations of the subject goods as per the addresses made available by the applicants and requested them to make their views known in writing within 40 days of the initiation notification in accordance with the Rule 6(2) of the AD Rules.
- c. The Authority forwarded a copy of the non-confidential version of application to Embassies of the subject countries in India, known producers/exporters from the subject countries and known importers of the subject goods, in accordance with the AD Rules. A copy of the application was also provided to other interested parties, wherever requested.
- d. The Embassies of subject countries in India were also requested to advise the producers/exporters from their countries to file their responses within the prescribed time limits.
- e. The Authority sent exporter's questionnaires to elicit relevant information to the following known exporters in the subject countries in accordance with Rule 6(4) of the AD Rules:

China PR

- 1. Rizhao
- 2. Betai Iron & steel
- 3. Baotou Iron and Steel Group
- 4. Jiangsu Shagang Group Company Limited
- 5. Tonghua Iron Steel Group Corporation
- 6. Angang Steel Company
- 7. Nanjing Iron and Steel
- 8. Tangshang Iron & Steel
- 9. Wuhan Iron and Steel
- 10. Tianjin Iron & Steel Group Co Ltd

Japan

- 1. Nippon Sumitomo
- 2. Kobe
- 3. JFE Steel Corporation

Korea RP

- 1. POSCO
- 2. Hyundai Steel Co Ltd
- 3. Dongkuk Steel Mill Col Ltd.

Russia

- 1. Severstal

2. EVRAZ

Brazil

1. Arcelor Mittal

f. In response to the initiation notification, the following exporters/producers from the subject countries and traders have filed exporter's questionnaire:

I. Korea:

1. Hyundai Steel Company (Producer)
2. Samwoo Co. Ltd. (Producer)
3. Hyundai Corporation (Trader)
4. P & A corporation (Trader)
5. Main Steel Co. Ltd. (Trader)
6. EIN Corporation (Trader)
7. GS Global Corp. (Trader)
8. POSCO Asia Company Limited (Trader)
9. POSCO, Korea (Producer)
10. Daewoo International (*Name changed w.e.f. 14th March 2016 to POSCO Daewoo Corporation*) (Trader)
11. POSCO Processing & Services Co. Ltd. (Trader)
12. Samsung C&T Corporation (Trader)

II. Japan

13. Hanwa Co. Ltd. (Trader)
14. Mitsui & Co. Ltd. (Trader)
15. Marubeni Itochu Steel Inc. (Trader)
16. JFE Steel Corporation (Producer)
17. JFE Shoji Trade Corporation (Trader)
18. Honda Trading Corporation (Trader)
19. Ohmi Industries Ltd. (Trader)
20. Nippon Steel & Sumikin Bussan Corporation (Trader)
21. Shinsho Corporation (Trader)
22. Nisshin Steel Co. Ltd. (Producer)
23. Sumitomo Corporation (Trader)
24. Nippon Steel & Sumitomo Metal Corporation (Producer)
25. Kanematsu Corporation Ltd. (Trader)
26. Toyota Tshusho Corporation (Trader)

27. Metal One Corporation (Trader)
28. Uttam Galva International FZE (Trader)
29. Uttam Galva International Pte. Ltd. (Trader)
30. Nissan Trading Co. Ltd (Trader)
31. Kyusho Co. Ltd., Japan

III. China PR

32. Zhangjiagang Hongchang Steel Plate Co. Ltd. (Producer)
33. Zhangjiagang GTA Plate Co. Ltd. (Producer)
34. Shagang International (Singapore) PTE. Ltd. (Trader)
35. Xinsha International Pte. Ltd. (Trader)
36. Zhangjiagang Shajing Heavy Plate Co. Ltd. (Producer)
37. Jiangsu Shagang International Trade Co. Ltd (Trader)
38. Nanjing Iron and Steel Co. Ltd. (Producer)
39. Nanjing Iron and Steel Group International Trade Co. Ltd. (Trader)
40. Singapore Jinteng International Pte. Ltd. (Trader)
41. Angang Group Hong Kong Co. Ltd. (Trader)
42. Angang Steel Company Limited (Producer)
43. Wuyang New Heavy & Wide Steel Plate Co. Ltd. (Producer)
44. Wuyang Iron & Steel Co. Ltd. (Producer)
45. Hebei Iron & steel (Singapore) PET. Ltd. (Trader)
46. Hebei Iron & steel (Hong Kong) International Trade Co. Ltd (Trader)
47. Salzgitter Mannesmann International GmbH (Trader)
48. Ningbo Cimei Import & Export Co. Ltd. (Trader)
49. Lu Qin (Hong Kong) Co. Ltd. (Trader)
50. Burwill Resources Limited (Trader)
51. Future Materials Industry (Hong Kong) Co. Ltd. (Trader)
52. Steelco Pacific Trading Limited (Trader)

IV. Indonesia

53. PT Krakatau POSCO, Indonesia
- g. None of the producers/exporters from China PR has claimed Market Economy Treatment (MET) rebutting the non-market treatment in the present investigation.
- h. Questionnaires were sent to the following known importers/users of the subject goods in India calling for necessary information in accordance with Rule 6(4) of the AD Rules:

1. Alstom India Ltd.
 2. Arcelor Neel Tailored Blank Private Limited
 3. Bharat Heavy Electricals Limited
 4. Bhilai Engineering Corporation Ltd.,
 5. C.R.I. Pumps Private Limited,
 6. Caterpillar India Pvt. Ltd.,
 7. Denis Plast Limited
 8. Desmi Equipments Pvt. Ltd.
 9. Escorts Ltd.
 10. Exedy India Limited
 11. Fine Forge Limited.,
 12. Flakt (India) Limited
 13. Gamesa Wind Turbines P.Ltd
 14. Ganpati Enterprises
 15. Hindustan Shipyard Ltd.,
 16. Hindustan Construction Co. Ltd.,
 17. Idl Explosives Limited
 18. Ifb Automotive Private Limited
 19. JBM Industries Ltd.
 20. JCB India Limited
 21. Kalinga Fixtures Ltd.
 22. Kalpataru Power Transmission Ltd.
 23. Larsen & Toubro Limited
 24. Lloyds Steel Industries Ltd
 25. Maruti Suzuki India Limited
 26. POSCO Electrical Steel India Pvt. Ltd.,
 27. Ravi Steel Co.
 28. Superior Steel Industries
 29. Tranter India Private Limited
 30. TRF Limited
- i. The following importers/users of the subject goods have responded in the form of questionnaire responses or provided comments to the initiation of the investigation:
1. Hyundai Steel India Limited
 2. Automotive Steel Pipe India Private Limited

3. Highly Electrical Appliances India Pvt. Ltd.
4. Ferrum Extreme Engineering Pvt. Ltd
5. Rajasthan Prime Steel Processing Center Pvt. Ltd.
6. TT Steel Service India Pvt Ltd.
7. Hyundai Motors India Ltd.
8. Pyung Hwa India Pvt. Ltd.
9. Mobis India Limited
10. PHA India (P) Ltd.
11. Hwashin Automotive India Pvt. Ltd
12. TI Metal Forming
13. YSI Automotive Pvt Ltd
14. Sungwoo Hitech India Limited
15. Sungwoo Stamping Private Limited
16. Myuong Shin India Automotove Private Ltd.
17. Kwang Jin India Autosystems Pvt. Ltd.
18. Nippon Steel & Sumikin Pipe India Pvt. Ltd
19. Tega Industries Limited
20. POSCO Maharashtra
21. Toyota Kirloskar Motor Pvt Ltd.
22. Welspun Corp Limited
23. Maruti Suzuki India Limited
24. Thyssenkrupp Electrical Steel India Pvt Ltd.

j. Further, the following parties have filed submissions/comments on the initiation notification.

1. Mundhra Fine Blanc
2. Federation of Industries of India
3. Ministry of Economic Development of the Russia Federation
4. Nezone Tubes Limited
5. Nezone Strips Limited
6. Leomet Alloys Inc
7. PJSC NOVOLIPETSK Iron & Steel Corporation
8. Welspun Corp Limited
9. Kobelco Cranes India Private Limited
10. Kobelco Plate Processing India Private Limited

11. CORSMA
 12. Toyota Kirloskar Motor Private Limited
 13. The Japan Iron & Steel Federation
 14. Manaksia Steel Limited
 15. Renault Nissan Automotive India Private Limited
 16. POSCO
 17. Highly Electrical Appliances India Pvt. Ltd.
 18. Nanjing Iron & Steel Co. Ltd., Singapore Jinteng International Pte. Ltd. and
Nanjing Iron & Steel Group
 19. Hyundai Motor India Limited
 20. MAN Industries India Limited
 21. Manaksia Steels Limited
 22. Stelco Limited
 23. PAO Severstal, Russia
 24. Thyssenkrupp Electrical Steel India Private Limited
 25. Ferrum Extreme Engineering Pvt. Ltd.
 26. Tega Industries Limited
 27. Volkswagen India Private Limited
 28. ISGEC Hitachi Zosen Ltd.
 29. ISGEC Heavy Engineering Ltd
 30. Maruti Suzuki India Ltd.
- k. The Authority made available non-confidential version of the evidence presented by various interested parties in the form of a public file kept open for inspection by the interested parties. Submissions made by all interested parties have been taken into account in present findings.
- l. Information provided by the interested parties on confidential basis was examined with regard to sufficiency of the confidentiality claim. On being satisfied, the Authority has accepted the confidentiality claims wherever warranted and such information has been considered as confidential and not disclosed to other interested parties. Wherever possible, parties providing information on confidential basis were directed to provide sufficient non-confidential version of the information filed on confidential basis.
- m. Further information was sought from the applicant and other interested parties to the extent deemed necessary.
- n. Wherever an interested party has refused access to, or has otherwise not provided necessary information during the course of the present investigation, or has

significantly impeded the investigation, the Authority has considered such parties as non-cooperative and recorded the findings on the basis of the facts available.

- o. The Non-injurious Price (hereinafter referred to as 'NIP') based on the cost of production and cost to make and sell the subject goods in India based on the information furnished by the domestic industry on the basis of Generally Accepted Accounting Principles (GAAP) and Annexure III to the Anti-Dumping Rules has been worked out so as to ascertain whether Anti-Dumping duty lower than the dumping margin would be sufficient to remove injury to the Domestic Industry.
- p. Considering the fact that the subject goods are being imported in various grades/sizes/dimensions, the applicants have also proposed Product Control Numbers (PCNs) in order to make a PCN to PCN comparison for computing the dumping margin and injury margin. However, for the purpose of preliminary findings, the authority has not adopted PCN to PCN comparison.
- q. Verification of the information provided by the applicant domestic industry was carried out by the Authority to the extent deemed necessary. Only such verified information with necessary rectification, wherever applicable, has been relied upon for the purpose of present preliminary findings.
- r. Investigation was carried out for the period starting from 1st July 2015 to 31st December 2015 (6 months) (hereinafter referred to as the 'period of investigation' or the 'POI'). The examination of trends, in the context of injury analysis covered the period from 2012-13, 2013-14, 2014-15, April 2015 to December 2015 and the POI.
- s. The petitioners had submitted the petition alleging dumping of the subject goods from the subject countries relying upon transaction wise imports data sourced from IBIS. However, request was made to the Directorate General of Commercial Intelligence and Statistics (DGCI&S) to provide transaction wise details of the imports of the subject goods for the past three years, including the period of investigation. The Authority has relied upon the DGCI&S data in the preliminary findings.
- t. Arguments raised and information provided by various interested parties during the course of the investigation, to the extent the same are supported with evidence and considered relevant to the present investigation, have been appropriately considered by the Authority in the preliminary findings.
- u. Exchange rate for conversion of US\$ to INR is considered for the POI as INR 65.93 as per customs data.
- v. In this notification *** represents information furnished by an interested party on confidential basis and so considered by the Authority under the Rules.

B. PRODUCT UNDER CONSIDERATION AND LIKE ARTICLE

5. The product under consideration ("PUC") in the present investigation is "Hot-rolled flat products of alloy or non-alloy steel in coils of a width upto 2100mm and thickness upto 25mm and Hot-rolled flat products of alloy or non-alloy steel not in coils (commonly known as sheets and plates) of a width upto 4950mm and thickness upto 150mm".

The PUC covers products which are not further worked than hot-rolled and are flat products of iron, alloy or non-alloy steel, in prime or non-prime condition having ‘as-rolled’ edge or ‘trimmed’ edge or ‘slit’ edge or “milled” edge or “sheared” edge or “laser-cut” edge or “gas-cut” edge or any other type of edges. These products may be pickled or non-pickled (with or without skin-pass or tempering), slit or non-slit, normalized or un-normalized, ultra-sonically tested or untested or oiled or non-oiled etc. These products may be “as-rolled” or “thermo-mechanically rolled” or “thermo-mechanically controlled rolled” or “controlled rolled” or “normalized rolled” or “normalized” or subject to any other similar process. These products may have patterns in relief / chequered patterns of different types derived directly during hot rolling. These products may have been subjected to various processing steps like pickling, oiling, rewinding, recoiling, temper rolling, heat treatment, etc. These products may be sand blasted or shot blasted or subjected to similar processes. The PUC covers Hot Rolled flat sheets and plates of alloy or non-alloy steel, whether or not rolled from universal plate mill including reversible plate mill or hot strip mill or tandem mill or steckel mill or any other similar process with various type of rolling configuration including 2-High, 3-High, 4-High, cluster mill or any similar hot rolling process. The PUC includes sheets and plates produced either directly from the hot rolling process or cut / sheared from hot rolled coils.

The following are not included in the scope of the product under consideration:

1. Hot-rolled flat products of stainless steel.
2. Hot-rolled flat products of steel which are electrolytically plated or coated with zinc.
3. Hot-rolled flat products of steel otherwise plated or coated with zinc.
4. Cladded steel.
6. The PUC is used in many applications and sectors such as automotive, oil and gas line pipes/exploration, cold-rolling, pipe and tube manufacturing, infrastructure and construction, general engineering & fabrication, earth-moving & mining equipment, storage tanks, low pressure heaters, capital goods including plant and process equipment for cement, fertilizer, refineries etc.
7. The PUC is classified under Custom Tariff Heading 7208, 7211, 7225 and 7226. The Customs classification is indicative only in no way binding on the scope of the present investigation.

Submissions made by Exporters, Importers, Users and other interested parties

8. Submissions made by exporters, importers, users and other interested parties with regard to issues related to PUC and considered relevant by the Authority are as follows:
 - a. The WTO dispute settlement (particularly in the case DS 135- European Communities- Measures affecting asbestos) determines that in every particular case the competent authorities should undertake a comprehensive analysis based on certain criteria such as product properties, end-users, consumer tastes and habits, nature and quality of the products, tariff classification in the Harmonized System. The PUC covers both narrow thickness sheets with a thickness less than 3 mm and wide thickness sheets with thickness more than 10 mm. The difference in plate thickness is crucial because it affects the end-use of the product and the consumer’s

preference as well. Besides, the scope of investigation is expanded on hot-rolled products in coils and hot-rolled products not in coils.

- b. The goods falling under headings 7208, 7211, 7225 and 7226 are different regarding their end uses. Narrow and wide flat rolled products are different in regard to their end use, and they cannot be treated as substitutable or interchangeable.
- c. Most of the HR Coils are further rolled and processed to produce items such as cold rolled sheets/coils, coated sheets and coils, pipes etc. HR Coils are the most important intermediate products for various reasons. So, sheets and plates and HR Coils are different products in regard to the end-uses, and they cannot be treated as substitutable.
- d. The Petitioners have clubbed heterogeneous products together, making it impossible to conduct investigation in a rationale and fair manner. A new category of “HR not in coils” has been invented to support claim of dumping whereas there is no mention of this category in the domestic and global industry. Further, the qualities of steel excluded from Quality Control Order should also be excluded from the purview of this investigation.
- e. The scope of the PUC is very broad and not clear and is completely contrary to the requirement of having only like articles covered within the scope of the PUC. The products classified under subheading 7225 are materially different from products classified under subheading 7208 and cannot be put together in one basket to determine a single PUC.
- f. The Petitioners have treated the overall PUC as de-facto two separate products for its injury analysis without due analysis of the overall PUC. Such separate analysis is justified by their completely different cost and sales structures and, therefore, injury determination. Therefore, it stems from the aforementioned that the PUC is over broadly defined. Moreover, the PUC in the present investigation was subject to two separate safeguard investigations in India. The same approach should have been applicable to the present anti-dumping proceedings.
- g. Tata Steel Limited is unable to supply HR Coils in thickness 1.20 mm to 1.60 mm in the eastern regions.
- h. It is difficult to depend on Indian vendors due to unstable and inconsistent quality and supply. Minimum Order Quantity (MOQ) of qualified vendor in India is very high whereas Japanese and Korean suppliers do not ask for such volumes as MOQ. The DGAD should not levy anti-dumping duty for plates which are used for construction machinery and complying to IS Standard IS 2062:2011 E250C, E350C E450BR.
- i. Certain steel products which are not obtained in India ought to be excluded from the scope of the investigation. Such steel is consumed in various industries such as automotive, electrical and electronic sectors etc. Moreover certain grades which are excluded from the safeguard investigation should also be excluded from the scope of the current investigation.

- j. Anti-dumping duty should not be imposed on abrasion resistant alloy steel plates (Brinell hardness grade 400, 450 and 500) and high strength alloy steel plates (Yield Strength 690Mpa and above) from JFE Japan and SSAB Sweden. Domestic mills have not been able to manufacture the high strength steel plates. There are serious problems in such materials provided by domestic industry. JFE and SSAB material is very costly in comparison to Indian material. Further increasing the cost by imposing duties will make the products unviable. No mill in India is capable of producing such quality steel plates in coming years.
- k. N22CB, a special grade of Hot Rolled alloy steel from Japan is required to manufacture safety critical door latch parts in cars. No manufacturer in India and none of the petitioner companies is manufacturing a grade which has similar chemical, mechanical and metallurgical properties. The buying price of this steel is above USD 1500 per MT. N22CB grade should not be brought under the said anti-dumping investigation. Moreover, N22CB grade cannot be fully described under any of the Indian steel standards and importers have also obtained an NOC from the Bureau of Indian Standards to allow import of this grade without obtaining BIS certification.
- l. The Authority should exempt imports of automobile steels from anti-dumping purview as only 12% of the total steel consumption is for automobile industry and cheap imports are targeted towards the industrial sector. Moreover, steels imported for automotive application which is higher than the Minimum Import Price (MIP) should be kept out of the anti-dumping purview. The Petitioners lack quality for specialised downstream consumers such as automobile sector, consumer durable industry etc., for which evidence has been placed on record. User industry thus prefers imported PUC which are of better quality.
- m. “High Tensile Special Purpose Grade Steel” is imported from Korea for captive use by auto manufacturer in India. The import prices of such steel are higher than the “Normal Price” indicated in the Petition and are not causing any injury to the DI. It is requested to fix a reference price for both Hot Rolled and Cold Rolled investigations. It is also requested to exempt pickled and oiled hot rolled steel coils falling under HS Code 720825, 720826 and 720827 from anti-dumping duty.
- n. The steel grades imported from overseas suppliers are as per Japanese Industrial Grades and include grades such as SK4, SK5, SKS81. These grades are not being produced by the DI and are not “like products”. Therefore, these grades should be excluded from the scope of the PUC. Moreover, these grades are also not covered under the scope of mandatory BIS certification. The grades of steel which Stelco processes are 55C6, 60C6, 65C6, 70C6 (SAE 1074, SAE 1075), 80C6 (SAE 1080), SAE 1095, 50CrV4, SUP 10, SGS81. Stelco, therefore, requests DGAD to offer clarification that the said grades of steel which are used for cold rolling/ hardening & tempering do not fall under the purview of this investigation.
- o. Hot Rolled Silicon Electrical Non Oriented Steel (HRNO) is imported for manufacture of CRNO, falling under chapter heading 7225 1910, from Europe and China. The Indian producers with limited capacity and capability have their own cold rolling facilities and hence are not selling HRNO in market. Thus, the product is not available in India commercially. It is requested to consider exclusion of HRNO under chapter heading 7225 1910 from the present investigation.

- p. Compressors for air conditioners for cars require steel which must pass JIS standards. The auto car companies require special kind of steel, i.e., Hot Rolled Oil & Pickled coils (SPHC Steel or HRPO Steel). The Hot Rolled Oil & Pickled Coils from domestic suppliers fail to pass the pressure test. Such steel cannot be used to manufacture compressors. This has also been communicated to the suppliers, i.e., JSW and Essar. A non SPHC steel manufactured by local suppliers under IS1062 and IS1079 cannot be used in place of SPHC steel being imported. The import of these grades could not have caused injury to petitioning domestic industry.
- q. Due to absence of reliable and qualified domestic suppliers of API grade steel, the user industry has no choice but to import the same. None of the grades supplied by the DI during the POI is equivalent to the grades proposed for exclusion. It is, therefore, requested to exclude API grade from the product scope. Moreover API grade has also been excluded from the safeguard investigation as well as MIP notification issued by the Government of India. Thus, as recent as 2016, the DI did not find that imports of API grade were causing injury to the domestic industry.
- r. Auto grade steel, ultra low carbon, ultra low carbon high strength steel, advance high strength steel, IF/IFHS grades, plates used for construction machinery and complying with IS 2062:2011 E250C, IS 2062:2011 E350C and IS 2062:2011 E450BR should be exempted from anti-dumping duty, as the domestic industry is unable to meet the user requirements in India. SPHC grade, grades procured from NSSMC, JFE and Metal One Corporation should be exempted from anti-dumping duty, as the same are not manufactured in India. HRPO under CTSH 720825, 720826, 720827, 722530 and 722550 are not available in India and imports falling under them should be excluded from the product scope. Abrasion resistant steel and high tensile alloy steel plates should be exempted from anti-dumping duty. JFE EVERHARD series, HITEN series, NSSMC ABREX series and WELTEN series which is being sourced from Metal One Corporation, Japan, should be exempted from anti-dumping duty.
- s. All items excluded from the purview of safeguard duty should be excluded from the product scope in the present investigation.

Submissions made by Domestic Industry

9. The submissions made by the domestic industry (DI) and considered relevant by the Authority are as follows:
 - a. Domestic industry has submitted that each type of hot rolled coils and sheets have different requirement as the specifications and uses. The domestic industry is capable of manufacturing all the type of PUC.
 - b. The interested parties have raised similar contentions during the recently concluded safeguard investigation.
 - c. The Designated Authority had earlier conducted investigations relating to stainless steel products wherein both coil and plates/sheets were included within the scope of the product under consideration. No product is consumed in coil form. Every coil is first cut and then consumed.

- d. The interested parties have failed to substantiate their claim with evidence. Moreover, companies could have approached any other producer in India who would have easily supplied such material to them. Merely because one Indian manufacturer is not supplying to these companies, it cannot be a ground for exclusion of these products. The requirements of the interested parties can be conveniently served by Indian steel manufacturers including Petitioners. Further, several exporters have raised issues on the quality of products manufactured by the domestic industry, but they have no locus to raise such issues. Such issues are credible if users in India raise them.
- e. There are many HR Flat steels conforming to various grades and specifications that are being produced by DI but not covered under Quality Control Order or does not have BIS Standard, viz., API grades, SAE1541, AHSS with TS \geq 580 MPa, Case-Hardening steels viz. 16MnCr5 etc.
- f. API was excluded from Safeguard investigation since imports of API grade steels did not exhibit the required surge. The Domestic industry was not getting injured by the imports of API grade steel during the period of investigation in the safeguard investigation. However, the imports of API Grade steel has jumped manifold during the POI and the average import prices has also fallen sharply causing injury to the DI. The average import quantity of the API grade steel increased from 5,959 MT per month during April-June 2015 to 29,142 MT during the POI. The import prices of API Grades steel plummeted from USD 702 per MT in June 2015 to USD 370 per MT in December 2015. However, the DI is fully capable and is rated amongst select world-class steel makers for their technological and operational excellence. DI is capable to produce and supply API grade steels as per customized technical requirement.
- g. DI is already servicing on regular basis the structural / HT grade steel requirement for world-renowned manufacturers of excavators, back-hoe loaders, dumpers etc. viz. JCB, Caterpillar and many more.
- h. Many interested parties including Maruti Suzuki India Limited have contended that all imported grades that are not manufactured by the domestic industry should be excluded from the product scope. Though such parties have annexed with their submissions a list of grades that they import, but the same have been treated as confidential. Unless such parties provide the list of grades to interested parties on non-confidential basis, the domestic industry will not be in a position to comment on the grades for which they require exclusion. In view of this, exclusions requested by such parties cannot be allowed. It is reiterated that the domestic industry is fully capable in manufacturing all the grades and specifications required by the domestic industry.
- i. Many of the interested parties had raised similar submissions before the DG Safeguards as well. The interested parties are merely repeating those submissions before the Designated Authority now. It is to be noted that the DG Safeguards had thoroughly examined the submissions of the interested parties in the final findings dated 15 March 2016. The DG Safeguards concluded that there was no merit in the submissions of the interested parties and further concluded that all the grades for which exclusions were sought were being manufactured by the domestic industry and supplied to users in India. No interested party has challenged the aforesaid determination of the DG Safeguards. Therefore, the product scope in safeguard

investigation is legally sacrosanct, final and binding on the interested parties. The same interested parties cannot now come before the Designated Authority and reiterate same submissions on the product scope.

- j. As regards the grade N22CB, DI requests equivalent international standard should be made known or alternately, chemical composition, mechanical properties and other metallurgical properties should be provided to DI to comment. In any case, it is submitted that the domestic industry has manufactured equivalent grade and supplied the same to users in India. Therefore, the domestic industry is fully capable to manufacture the aforesaid grade.
- k. All the exclusions requested by the interested parties are not warranted, as the domestic industry not only manufactures the same but has also supplied to users in India on a regular basis. Evidence in this regard in the form of invoices, mill test certificates and appreciation letters from users has been provided to the Authority. These aspects have also been duly verified by the Authority. There is no doubt that the domestic industry is fully capable in manufacturing all the grades for the interested parties have requested exclusion.

Examination by the Authority

- 10. The submissions made by the interested parties and the domestic industry with regard to the PUC related issues and considered relevant by the Authority are examined and addressed as follows:
 - a. The main thrust of the submissions by the aforementioned interested parties is three-fold: i) the domestic industry does not produce many grades covered in the product scope, ii) the domestic industry does manufacture certain grades but the quality is not suitable, and iii) for certain grades, the domestic industry does not have customer's approval. The domestic industry has filed a detailed response addressing the claims of these interested parties. The Authority has examined the response filed by the domestic industry and it is noted that the domestic industry has the capability to manufacture all the grades for which exclusions have been sought. The Authority has also during the verification visit found that the domestic industry is manufacturing all the grades for which it got the orders and has also supplied them to users in India. Therefore, the request of various interested parties for exclusion of specific grades cannot be entertained.
 - b. It has been contended by interested parties that coils and not in coils cannot be covered in one investigation. It is further contended that alloy and non-alloy steel cannot be covered in one investigation. The Authority notes that there is no bar in law to conduct an anti-dumping investigation on coils and not in coils in one investigation as well as alloy and non-alloy steel in one anti-dumping investigation. In fact, the Authority has conducted previous anti-dumping investigations on stainless steel which cover both coils, and sheets and plates in one anti-dumping investigation itself. Further, it is noted that with respect to calculation of dumping and injury margins, the Authority has compared coils with coils and sheets and plates with sheets and plates.

- c. It has been contended by the interested parties that HR coils and sheets/plates are different products having different end uses and, therefore, cannot be considered substitutable. In this regard the Authority notes that although coils and sheets/plates are two different products having different uses, but they are manufactured using the same manufacturing process. Further, hot rolled coils can be slit into sheets and plates of various sizes and dimensions (upto certain thickness). Also, the raw materials for manufacturing hot rolled coils and sheets/plates are essentially the same. Therefore, the Authority considers it appropriate to cover both hot-rolled steel in coils and sheets/plates into a single investigation. There is no legal bar on the Authority to cover two products having different uses in the same investigation. The Authority has already conducted anti-dumping investigations on stainless steel which cover both coils and sheets and plates in one anti-dumping investigation. In any case, the Authority has calculated separate dumping and injury margins for HR Coils and HR sheets/plates.
- d. Moreover, the Authority notes that Rule 2(d) defines "like article" as an article which is identical or alike in all respects to the article under investigation for being dumped into India or in the absence of such an article, another article which although not alike in all respects, has characteristics closely resembling those of the articles under investigation. While determining the likeness of an article, the Authority looks into the raw material used, production process, end use, and technical and commercial substitutability, etc.
- e. It has been contended by some parties that there does not exist any product such as "HR not in coils". In this regard the Authority notes that HR not in coils is a nomenclature appearing in Indian Customs Tariff itself and the same has been adopted in the present investigation.
- f. It has been contended that the PUC covers both narrow thickness sheets with a thickness less than 3mm and wide thickness sheets with thickness more than 10mm. It is further argued that the difference in plate thickness is crucial because it affects the end-use of the product and the consumer's preference as well. It is argued that the goods falling under customs tariff heading ("CTH") 7208, 7211, 7225 and 7226 are different regarding their end-uses. Narrow and wide flat rolled products are different in regard to their end-use, and they cannot be treated as substitutable or interchangeable. The Authority does not agree with the above contentions. It is argued that HR coils and sheets and plates falling under CTH 7208, 7211, 7225 and 7226 are different and inter se are neither substitutable nor interchangeable. But the essential question is whether HR coils and sheets and plates being imported into India are like or substitutable with the products being manufactured by the domestic industry. The Authority notes that subject imports indeed are like to the products manufactured by the domestic industry. The contention of inter se substitutability or interchangeability is irrelevant in this context. Further, there is no legal bar in conducting one anti-dumping investigation on narrow and wide thickness sheets and plates.

- g. The Authority notes that a product excluded under Quality Control Order cannot be merely be excluded unless the interested parties provide evidence that the same are not being manufactured by the domestic industry. The opposing interested parties have not given any credible evidence that these products are not manufactured by the domestic industry whereas on the other hand the domestic industry has provided sufficient evidence in this regard that they manufacture the product under consideration. Further, the interested parties have not been able to identify the products excluded in the Quality Control Order which the domestic industry does not manufacture. The interested parties have merely made a blanket statement in this regard.
- h. Some of the interested parties have contended that the PUC has been broadly defined to cover HR coils as well as HR plates/sheets. However, they have not given any explanation or evidence to substantiate their claim. Merely because of the fact that domestic industry has filed two separate safeguard applications for Hot rolled in coils and Hot rolled sheets and plates, it does not debar the domestic industry to cover Hot rolled in coils and Hot rolled Sheets and plates in a single anti-dumping application. As stated earlier, the Authority has in the past conducted a single anti-dumping investigation on stainless steel in coils and sheets and plates.
- i. Some interested parties have also argued that they have been importing HR coil in thickness 2.00 mm and below because their regular supplier M/s Tata Steel Ltd. had stopped supplying due to availability constraints and because of this reason they are forced to import this specific product and such products, therefore, should be excluded from the product scope. The Authority notes that the interested parties have failed to substantiate this claim with credible evidence. Moreover, the users could have approached any other producer in India who could have easily supplied such material to them. Merely because one Indian manufacturer is not supplying to these companies, it cannot be a ground for exclusion of these products.
- j. With regard to the submission by some interested parties that it is difficult to depend on Indian vendors due to inconsistent quality, supply and Minimum Order Quantity requirements, the Authority notes that such parties have themselves acknowledged that the grades required by them are manufactured by Indian producers. Merely because some particular domestic producers are not approved by an interested party does not mean that these grades should be excluded. Moreover, the Minimum Order Quantity is a kind of business decision which is quite prevalent in the trade and thus cannot be reason for not granting protection to the domestic industry. Further, such claims have not been substantiated by any evidence. Further, interested parties have not supplied any evidence to demonstrate that plates which are used for construction machinery and complying to IS Standard IS 2062:2011, E250C, E350C and E450BR are not manufactured by the domestic industry. However, the domestic industry has placed evidence on record to demonstrate that they manufacture the above grades.
- k. It is contended that anti-dumping duty should not be imposed on abrasion resistant alloy steel plates and high strength alloy steel plates sourced from JFE Japan and SSAB, Sweden. The Authority notes that the domestic industry has either been making

these grades or has the capability to manufacture the same. Further, this investigation is not against the EU, so interested parties may explain how SSAB Sweden is concerned with the present investigation.

- l. It is contended that N22CB, a special grade of hot-rolled steel from Japan should be excluded from the product scope. The Authority notes that the domestic industry has demonstrated that they are capable of manufacturing this grade and have in fact also manufactured and supplied an equivalent grade to users in India. Therefore, the Authority notes that this grade is not excluded from the product scope at this juncture.
- m. It has been argued by various interested parties that automotive steel should be excluded from the scope of PUC since its imports are very less as compared to total imports and prices are very high. In this regard the Authority notes that low imports of a particular grade do not lead to exclusion of that grade from the scope of the PUC. Further, the Authority notes that imports of automotive steel are actually in significant quantities during the POI. The interested parties have not demonstrated that such grades are not being dumped into India or the domestic industry is not manufacturing such grades. The domestic industry has provided comprehensive evidence to demonstrate that they are manufacturing and have been supplying automotive steel grades to users in India.
- n. Some interested parties have argued that automotive grade steel like “High Tensile Special Purpose Grade Steel” imported from Korea RP and Japan should be excluded from PUC as the import prices of this grade are higher than the normal price. It is contended that reference price should be fixed as after imposition of anti-dumping duty, they will have to necessarily import this product. In this regard, the Authority observes that it has to be demonstrated by Korean exporters that they are not dumping this grade or imports of this grade are not causing injury to the domestic industry. Further, the domestic industry is capable of manufacturing “High Tensile Special Purpose Grade Steel” as well as “pickled and oiled hot rolled steel coils”. The domestic industry has further submitted that they are already on the approved vendor list of several automobile makers, their vendors and auto component manufacturers.
- o. It is contended by interested parties that grades such as SK4, SK5 and SKS81 should be excluded from PUC. However, interested parties have failed to demonstrate that the domestic industry is not capable of manufacturing these grades. Interested parties have to provide credible evidence to substantiate the above claims.
- p. Further, the domestic industry has demonstrated with evidence that they can manufacture Hot-rolled Silicon Electrical Non Oriented Steel (HRNO) and hot-rolled oiled and pickled coils. Therefore, requests for exclusion of these grades cannot be entertained.
- q. With regard to contention of interested parties for exclusion of certain grades of steel products from the product scope, the Authority notes that none of the interested parties have specified the grade, along with chemical as well as physical parameters, for which they wish to claim exemption. Hence, for the purpose of the preliminary findings, the claims for exclusion of certain grades from PUC are provisionally rejected.

- r. With respect to the contention of the interested parties regarding exclusion of API grade, it is noted that API has been excluded from the product scope in the safeguard application because the imports of API grade were not significant at the time of filing the safeguard application and thus were not causing any injury during the safeguard investigation period. However, API grade has been imported in increased quantities at reduced prices after imposition of provisional safeguard duty and during the POI of the current antidumping investigation. API grade steel had been excluded from the product scope of the safeguard investigation as the import analysis for F.Y. 2014-15 showed that quantity of import of these API grade steel was not at alarming levels. During 2015-16, the average import volumes of API grade steel increased by nearly 5 times in the POI as compared to the earlier period. The average import prices of API grade steel had also steeply fallen during the POI. The domestic industry has also supplied evidence in this regard which the Authority has duly examined. Therefore, API grade steel cannot be excluded from the product scope.
- s. As regards the contention that the PUC is too broad and vague, the Authority notes that the PUC has been appropriately defined keeping in view the imports from the subject countries and production and supply position of the domestic industry. The Authority has thoroughly examined the contentions by all parties before arriving at the product scope.
- t. In terms of Rule 6(7) and Rule 7 of the Rules, the Authority is obligated to provide evidence presented to it by one interested party to another interested party. If an interested party claims confidentiality on submissions and evidence, that interested party is obligated under Rule 7 to provide the same submissions and evidence in non-confidential format, but such non-confidential submissions should be meaningful so as to allow other interested parties to make comments. The Authority notes that many interested parties including Maruti Suzuki India Limited have requested for exclusion of various grades from the product scope. But such exclusion lists have been claimed confidential by the interested parties. The Authority being a quasi-judicial authority has provided non-confidential submissions of such parties to the domestic industry. The Authority notes that such interested parties have not complied with Rule 7 as their non-confidential submissions are not meaningful enough so as to allow the domestic industry to offer comments on exclusions requested therein. Therefore, at this stage, the Authority has provisionally decided not to exclude such grades from the product scope.
- u. The Authority cannot accept the submissions of the interested parties that all such grades for which exclusions were requested before DG Safeguards should be excluded from the product scope in the present investigation. The antidumping investigation is conducted based on its own facts and merits and independent of safeguard investigation. Still, it is pertinent to note that the DG Safeguards had examined the submissions of interested parties on merits in the safeguard final findings and did not allow any exclusion in product scope that was requested by interested parties.
- v. With regard to like article, Rule 2(d) of the AD Rules provides as follows: -"like article" means an article which is identical or alike in all respects to the article under investigation for being dumped in India or in the absence of such article, another article which although not alike in all respects, has characteristics closely resembling those of the articles under investigation. On the basis of information on record and considering the submissions made by the interested parties, the Authority provisionally

holds that there is no known difference in the subject goods produced by the Indian industry and those imported from the subject countries. The two are comparable in terms of physical characteristics, manufacturing process, functions and uses, product specifications, distribution and marketing, and tariff classifications of the goods. The two are technically and commercially substitutable. The consumers use the two interchangeably. The Authority provisionally holds that the products manufactured by the Applicants constitute like article to the subject goods being imported into India from the subject countries.

C. SCOPE OF DOMESTIC INDUSTRY AND STANDING

11. Rule 2 (b) of the AD rules defines the domestic industry as under:

“(b) “domestic industry” means the domestic producers as a whole engaged in the manufacture of the like article and any activity connected therewith or those whose collective output of the said article constitutes a major proportion of the total domestic production of that article except when such producers are related to the exporters or importers of the alleged dumped article or are themselves importers thereof in such case the term ‘domestic industry’ may be construed as referring to the rest of the producers”

12. The application has been filed M/s Steel Authority of India Limited, M/s. JSW Steel Limited and M/s Essar Steel India Limited. The production of the aforesaid three producers accounts for a major proportion of the total domestic production and is more than 50% of Indian production. The application has also been supported by two domestic producers, namely, Tata Steel Limited and Jindal Steel and Power Limited.

13. In the present case the petitioners cannot be treated as domestic industry for the reason that some petitioners have imported the subject goods from the subject countries in the POI. It is noted that the petitioners have imported small quantities. The volume of imports are quite low considering gross imports of the product under consideration in India, production of the petitioners and Indian production & consumption of the product under consideration in India. Taking into account the reported capacities and production of other known producers of the subject goods the applicants command a major proportion of the domestic production of the subject goods in the country.

14. Therefore, the Authority holds that the applicants command a major proportion of the production of the subject goods in India and for the purpose of this investigation the applicants satisfies the standing requirement in terms of Rule 5(3) and constitutes the domestic industry in terms of Rule 2(b) of the AD Rules.

D. MISCELLANEOUS ISSUES RAISED BY INTERESTED PARTIES.

15. Miscellaneous submissions made by various interested parties and considered relevant by the Authority are as follows:

- a. Imposition of anti-dumping duty only on “Hot Rolled flat products of alloy or non-alloy steel in coils” without imposing the same on imports of finished products like Cold Rolled Steel, Galvanised Steel and pre-painted Galvanized steel would adversely affect the secondary steel manufacturers. Downstream products will be

imported into India as they are not subject to any anti-dumping duty resulting in death for all the downstream industries which consume HR Coil as raw material.

- b. The POI “should be representative and as recent as possible”. Deviations from the benchmarking one year POI shall be substantiated by the Petitioners and the Designated Authority by positive evidence which is not present in the current case. The POI of six months is too short for arriving at a conclusion and it should be at least one year.
- c. The steel industry is already strongly protected by an increasing MFN customs tariff from 5% in 2011-12 to 12.5% in 2015-16. On top of that, from 15 March 2016, safeguard duties of 20% ad valorem are in place on imports of hot rolled steel in coils. Furthermore, the DGFT introduced a Minimum Import Price against 173 HS codes, covering the PUC.
- d. MIP has already been imposed and demand of Indian steel mills should not be accepted. Imposition of ADD duty will promote import of finished products, resulting in closure of Indian Industries. There is no further need to protect the steel industry after imposition of MIP, increase in import duty and imposition of safeguard duty. The prices of steel are on a rising trend now and major domestic steel players such as JSW Steel, Bhushan, Essar, JSPL, TATA are reported to be doing good.
- e. Besides high tariffs, the foreign producers confront discriminative non-tariff barriers by way of licensing by BIS. The requirement of BIS license was one of the main reasons for the NLMK Group to suspend their imports of PUC from Russia to India.
- f. All subject countries except for Russia and China are subject to preferential trade agreements. Contrary to Russia, all these countries are relieved from a constantly increasing MFN tariff (from 5% to 12.5%) on HR steel products.
- g. The petition should only be based on JPC data to avoid any manipulations by private agencies. Import Statistics have been procured from a private organization-IBIS and the data could have been manipulated. The import data is based on IBIS and production data is based on JPC which is not compatible and is misleading.
- h. In February 2016 all goods falling within the heading 7208 and part of the goods under heading 7225 were subject to imposition of minimum import price. In view of this, the value “POI annualized” cannot be treated as reliable and should not be taken into consideration.
- i. The declaration that there are no known differences in the production prices employed by the Petitioners and exporters is incorrect. Indian producers have neglected technological up-gradation for cost reduction and product development.
- j. The petition did not include sufficient information on the impact of the alleged dumped imports on the domestic industry. In doing so, the Petitioners failed to meet the specific requirements of Article 5 WTO ADA as implemented in the Indian AD

Rules. The Petitioners omitted information on employment, wages, cost of sales, export sales, opening and closing stocks, net worth and captive consumption.

- k. Large volume of PUC is being captively consumed by the Petitioners for production of downstream goods. Petitioners have willfully taken demand for PUC as a whole while concealing the captive consumption of PUC by them. Captively consumed goods did not enter the market and could not be considered as part of competing goods.

16. Miscellaneous submissions made by the Domestic Industry and considered relevant by the Authority are as follows:

- a. Section 9A (3) of the Act is with reference to history of dumping of the product. Petitioners request the authority to recommend retrospective levy of anti-dumping duty on the subject goods because the conditions for retrospective levy of antidumping duty are fully satisfied.
- b. There is evidence of dumping of subject goods which is evident from the fact that many countries including Canada, US, Turkey, EU etc. have initiated anti-dumping investigation against import of Hot-Rolled flat products of steel. Massive dumping of PUC into India has taken place in a relatively short period of time causing injury to the domestic industry.
- c. Exporters are well aware that they are resorting to dumping which is causing injury to the domestic industry since import prices of PUC have reduced significantly as evident from the landed values for respective countries.

Examination by the Authority

17. Miscellaneous submissions made by the interested parties and considered relevant by the authority are examined and addressed as follows:

- a. As regards the submission that imposition of anti-dumping duty on the imports of subject goods will have an inflationary impact on their prices and adversely affect downstream industries, the Authority notes that the objective of anti dumping duty is to prevent the unfair trade practices and to redress its injurious effect on the domestic industries by providing them a level playing field. Moreover, imposition of anti-dumping duty neither restricts nor prevents imports.
- b. The Authority notes that the argument that imposition of anti-dumping duty on the imports of the subject goods would accrue undue advantage to domestic Industry is presumptuous and pre-mature. Anti-dumping investigations are based on facts and law to analyze and assess the magnitude of dumping and consequent injurious effect on the domestic industry and to recommend imposition of suitable and adequate antidumping measure to provide a fair and level playing field to the domestic industry vis-à-vis dumping.
- c. With regard to the contention of the interested parties that period of investigation should be more than 6 months, the authority notes that according to recommendation of committee on anti-dumping practices (WTO document no. G/ADP/6 dated 16 May 2000):

“...the period of data collection for dumping investigations normally should be twelve months, and in any case no less than six months, ending as close to the date of initiation as is practicable”

Therefore, in view of above recommendation, 6 months period can be taken as the POI. The Authority has taken six months POI in other investigations also.

- d. The intent behind imposition of safeguard duty is different from anti-dumping duty. Safeguard duty is imposed to arrest surge in imports, whereas anti-dumping duty is imposed to neutralize the injurious effect of dumping on the domestic industry and to create a level playing field to enable the domestic industry to compete effectively vis-à-vis dumped goods.
- e. MIP was introduced by Government of India in view of low prices offered by exporters from subject countries. It is pertinent to note that MIP is in force for a period of six months or until further orders by DGFT, whichever is earlier. This means that MIP could be revoked at any time before the six months period. Once MIP expires, the domestic industry would be left without any protection from the dumped imports. Further, existence of MIP does not mean that dumping is not taking place.
- f. The interested parties have argued that other non-tariff barriers are also in place like BIS. The authority notes that existence of BIS is to ensure certain quality parameters. BIS standards are to be adhered by domestic industry as well as imports from all the countries. Further, existence of BIS does not lead to conclusion that there is no dumping and consequent injury to domestic industry.
- g. With regard to contention of the interested parties that Russia and China PR are subject to increased customs duty due to existence of preferential trade agreements, the authority notes that even after increasing the customs duty, domestic industry is not able to compete with the low priced dumped imports.
- h. The Authority notes that the production quantity figures have been sourced from the JPC data only wherever necessary. Further, authority has relied upon DGCI&S import data in these findings.
- i. With regard to the contention of the interested parties that there are difference in the manufacturing processes applied by domestic industry and exporters, the authority notes that the most important thing which is required to be analysed is that whether imported goods are like article or not. None of the interested parties has submitted any evidence that subject goods manufactured by the domestic industry are not like articles as compared to those imported. Further, there can be minor differences in the production process adopted by the domestic industry and producers in subject countries but these minor differences does not impact the subject goods in terms of its end uses. It is also noted that both the imported goods and domestically manufactured goods are technically and commercially substitutable.

- j. As regards the request for retrospective imposition of anti-dumping duty, Section 9A(3) of Customs Tariff Act provides as follows:

If the Central Government, in respect of the dumped article under inquiry, is of the opinion that

- (i) *there is a history of dumping which caused injury or that the importer was, or should have been, aware that the exporter practices dumping and that such dumping would cause injury; and*
- (ii) *the injury is caused by massive dumping of an article imported in a relatively short time which in the light of the timing and the volume of imported article dumped and other circumstances is likely to seriously undermine the remedial effect of the anti-dumping duty liable to be levied,*

the Central Government may, by notification in the Official Gazette, levy anti-dumping duty retrospectively from a date prior to the date of imposition of anti-dumping duty under sub-section (2) but not beyond ninety days from the date of notification under that sub-section, and notwithstanding anything contained in any law for the time being in force, such duty shall be payable at such rate and from such date as may be specified in the notification.

- k. The Authority would examine the matter concerning retrospective imposition of anti-dumping duty at the stage of the final finding.
- l. The present investigation has been initiated on the basis of prima facie analysis of the information/data furnished by the applicant showing dumping of subject goods from the subject countries, injury to the applicant on account of the said dumping and causal link between the two. The contention of the opposing interested parties that the initiation of investigation is bad in law due to misleading data furnished by the applicant and improper evaluation of data by the Authority, the Authority notes that it has prima facie satisfied itself about the accuracy and adequacy of information on the basis of information furnished by the petitioner at the time of initiation.

E. DUMPING MARGIN

Market Economy Treatment (MET), Normal Value, Export Price and Dumping Margin

1) NORMAL VALUE

18. Under Section 9A(1)(c), normal value in relation to an article means:

(i) the comparable price, in the ordinary course of trade, for the like article when meant for consumption in the exporting country or territory as determined in accordance with the rules made under sub-section (6); or

(ii) when there are no sales of the like article in the ordinary course of trade in the domestic market of the exporting country or territory, or when because of the particular market situation or low volume of the sales in the domestic market of the exporting country or territory, such sales do not permit a proper comparison, the normal value shall be either-

(a) comparable representative price of the like article when exported from the exporting country or territory or an appropriate third country as determined in accordance with the rules made under sub-section (6); or

(b) the cost of production of the said article in the country of origin along with reasonable addition for administrative, selling and general costs, and for profits, as determined in accordance with the rules made under sub-section (6):

Provided that in the case of import of the article from a country other than the country of origin and where the article has been merely transshipped through the country of export or such article is not produced in the country of export or there is no comparable price in the country of export, the normal value shall be determined with reference to its price in the country of origin.

Provisions relating to Non- Market Economy countries

19. Annexure-I to AD rules states as under:

7. In case of imports from non-market economy countries, normal value shall be determined on the basis if the price or constructed value in the market economy third country, or the price from such a third country to other countries, including India or where it is not possible, or on any other reasonable basis, including the price actually paid or payable in India for the like product, duly adjusted if necessary, to include a reasonable profit margin. An appropriate market economy third country shall be selected by the designated authority in a reasonable manner, keeping in view the level of development of the country concerned and the product in question, and due account shall be taken of any reliable information made available at the time of selection. Accounts shall be taken within time limits, where appropriate, of the investigation made in any similar matter in respect of any other market economy third country. The parties to the investigation shall be informed without any unreasonable delay the aforesaid selection of the market economy third country and shall be given a reasonable period of time to offer their comments.

8. (1) The term “non-market economy country” means any country which the designated authority determines as not operating on market principles of cost or pricing structures, so that sales of merchandise in such country do not reflect the fair value of the merchandise, in accordance with the criteria specified in subparagraph (3)

(2) There shall be a presumption that any country that has been determined to be, or has been treated as, a non-market economy country for purposes of an anti-dumping investigation by the designated authority or by the competent authority of any WTO member country during the three year period preceding the investigation is a nonmarket economy country

Provided, however, that the non-market economy country or the concerned firms from such country may rebut such a presumption by providing information and evidence to the designated authority that establishes that such country is not a non-market economy country on the basis of the criteria specified in subparagraph (3)

(3) The designated authority shall consider in each case the following criteria as to whether:

(a) the decisions of the concerned firms in such country regarding prices, costs and inputs, including raw materials, cost of technology and labour, output, sales and investment, are made in response to market signals reflecting supply and demand and without significant State interference in this regard, and whether costs of major inputs substantially reflect market values;

(b) the production costs and financial situation of such firms are subject to significant distortions carried over from the former non-market economy system, in particular in relation to depreciation of assets, other write-offs, barter trade and payment via compensation of debts;

(c) such firms are subject to bankruptcy and property laws which guarantee legal certainty and stability for the operation of the firms, and

(d) the exchange rate conversions are carried out at the market rate.

Provided, however, that where it is shown by sufficient evidence in writing on the basis of the criteria specified in this paragraph that market conditions prevail for one or more such firms subject to anti-dumping investigations, the designated authority may apply the principles set out in paragraphs 1 to 6 instead of the principles set out in paragraph 7 and in this paragraph”.

Submissions made by Exporters, Importers, Users and other Interested Parties

20. Various submissions made by the interested parties with regard to MET, Normal value, export price and dumping margin and considered relevant by the Authority are examined and addressed as follows:

- a. The calculation of normal value is based on assumption rather than factual position and is not valid. The breakup of components of normal value such as iron ore consumption, energy consumption, labour cost etc. should be furnished.

- b. Russian Federation expresses its concern with the methodology of dumping margin calculation for Russian supplies. The Metal Bulletin prices (MBP) are unreliable and inaccurate for purposes of calculating a benchmark for the import of subject goods from Russia. MBP are not synonymous with Russian prices because they are based on prices for producers in Eastern Europe but not only in Russia. DG should base its conclusion on the basis of actual data submitted by Russian exporters and producers.
- c. Calculation of costs on the basis of “Indian experience” contradicts with the Article 2.2.1.1 of the Anti-dumping Agreement which stipulates that “the costs shall normally be calculated on the basis of the records kept by the exporters or producers under the investigation...”
- d. Some interested parties have submitted that if profit making transactions are less than 20%, then normal value should be determined on the basis of cost of production plus reasonable profit.

Submissions made by the Domestic industry

21. Various submissions made by the domestic industry with regard to MET, Normal value, export price and dumping margin during the course of the investigation and considered relevant by the Authority are as follows:
- a. Domestic Industry has provided evidence of selling price of product concerned in the domestic market of subject countries.
 - b. There is sufficient reason to consider that the producers in subject countries are dumping the subject goods. These producers have been selling the product under consideration at prices less than cost of production or domestic prices are significantly higher than export price to India.
 - c. None of the Chinese producers can satisfy market economy status. None of the WTO Member countries has granted market economy status to Chinese producers on the basis of the latest detailed evaluation of relevant criteria.
 - d. Unless the responding Chinese exporters conform to the standards laid down under the Rules, the Designated Authority is required to determine the normal value in accordance with Para 7 of Annexure-I to the Rules.
 - e. None of the producers/exporters from China PR has claimed market economy treatment.

Examination by the Authority

Market Economy claims for Chinese producers

22. The Authority notes that in the past three years China PR has been treated as a non-market economy country in anti-dumping investigations by India and other WTO Members. China PR has been treated as a non-market economy country subject to rebuttal of the presumption by the exporting country or individual exporters in terms of the Rules.
23. As per Paragraph 8, Annexure I to the AD Rules as amended, the presumption of a non-market economy can be rebutted if the exporter(s) from China PR provides information and sufficient evidence on the basis of the criteria specified in sub paragraph (3) in Paragraph 8 and prove to the contrary. The cooperating exporters/producers of the subject goods from People's Republic of China are required to furnish necessary information/sufficient evidence as mentioned in sub-paragraph (3) of paragraph 8 in response to the Market Economy Treatment questionnaire to enable the Designated Authority to consider the following criteria as to whether:-
- a. The decisions of concerned firms in China PR regarding prices, costs and inputs, including raw materials, cost of technology and labour, output, sales and investment are made in response to market signals reflecting supply and demand and without significant State interference in this regard, and whether costs of major inputs substantially reflect market values.
 - b. The production costs and financial situation of such firms are subject to significant distortions carried over from the former non-market economy system, in particular in relation to depreciation of assets, other write-offs, barter trade and payment via compensation of debts.
 - c. Such firms are subject to bankruptcy and property laws which guarantee legal certainty and stability for the operation of the firms.
 - d. The exchange rate conversions are carried out at the market rate.
24. It is noted that none of producers of subject goods in China PR have claimed market economy treatment. Accordingly, the authority is not required to examine any of the above criteria and held that producers/exporters from China PR are not operating under market economy conditions.

Determination of Normal Value

25. The Authority sent questionnaires to the known exporters/producers from the subject countries, advising them to provide information in the form and manner prescribed. The following parties have filed exporter questionnaire responses:

I. Korea:

1. Hyundai Steel Company (Producer)
2. Samwoo Co. Ltd. (Trader)
3. Hyundai Corporation (Trader)

4. P & A corporation (Trader)
5. Main Steel Co. Ltd. (Trader)
6. EIN Corporation (Trader)
7. GS Global Corp. (Trader)
8. POSCO Asia Company Ltd (Trader)
9. POSCO, Korea (Producer)
10. Daewoo International (*Name changed w.e.f. 14th March 2016 to POSCO Daewoo Corporation*) (Trader)
11. POSCO Processing & Services Co. Ltd. (Trader)
12. Samsung C&T Corporation (Trader)

II. Japan

13. Hanwa Co. Ltd. (Trader)
14. Mitsui & co. Ltd. (Trader)
15. Marubeni Itochu Steel Inc. (Trader)
16. JFE Steel Corporation (Producer)
17. JFE Shoji Trade Corporation (Trader)
18. Honda Trading corporation (Trader)
19. Ohmi Industries Ltd. (Trader)
20. Nippon Steel & Sumikin Bussan Corporation (Trader)
21. Shmiso Corporation (Trader)
22. Nisshin Steel Co. Ltd. (Producer)
23. Sumitomo Corporation (Trader)
24. Nippon Steel & Sumitomo Metal Corporation (Producer)
25. Kanematsu Corporation Ltd. (Trader)
26. Toyota Tshusho Corporation (Trader)
27. Metal One Corporation (Trader)
28. Nissan Trading Corporation (Trader)
29. Uttam Galva International FZE, UAE (Trader)
30. Uttam Galva International Pte. Ltd., Singapore (Trader)
31. Kyusho Co. Ltd., Japan

III. China PR

32. Zhangjiagang Hongchang Steel Plate Co. Ltd. (Producer)
33. Zhangjiagang GTA Plate Co. Ltd. (Producer)

34. Shagang International (Singapore) PTE. Ltd. (Trader)
35. Xinsha International Pte. Ltd. (Trader)
36. Zhangjiagang Shajing Heavy Plate Co. Ltd. (Producer)
37. Jiangsu Shagang International Trade Co. Ltd (Trader)
38. Nanjing Iron and Steel Co. Ltd. (Producer)
39. Nanjing Iron and Steel Group International Trade Co. Ltd. (Trader)
40. Singapore Jinteng International Pte. Ltd. (Trader)
41. Angang Group Hong Kong Co. Ltd. (Trader)
42. Angang Steel Company Limited (Producer)
43. Wuyang New Heavy & Wide Steel Plate Co. Ltd. (Producer)
44. Wuyang Iron & Steel Co. Ltd. (Producer)
45. Hebei Iron & steel (Singapore) PET. Ltd. (Trader)
46. Hebei Iron & steel (Hong Kong) International Trade Co. Ltd (Trader)
47. Salzgitter Mannesmann International GmbH (Trader)
48. Ningbo Cimei Import & Export Co. Ltd. (Trader)
49. Lu Qin (Hong Kong) Co. Ltd. (Trader)
50. Burwill Resources Limited (Trader)
51. Future Materials Industry (Hong Kong) Co. Ltd. (Trader)
52. Steelco Pacific Trading Limited (Trader)

IV. Indonesia

53. PT Krakatau POSCO, Indonesia

26. None of the producers/exporters of subject goods from Russia and Brazil has filed exporter's questionnaire response.

Determination of Normal Value for producers and exporters in China PR

27. It is noted that none of producers of subject goods in China PR has claimed market economy treatment. Therefore, in view of the facts placed on record by the domestic industry for the purpose of the provisional findings, the Authority has adopted the constructed normal value for determination of the normal value in terms of Para-7 to Annexure-1 to the Rules.

Methodology for determination of normal value for producers and exporters in China PR

28. In view of the above, the normal value for China is required to be determined as per the procedure described in Para 7 of the Annexure I to the Anti-dumping Rules. As per the provisions of Para 7 of Annexure I, the normal value in China PR is required to be determined based on domestic selling prices in a market economy third country, or the

constructed value in a market economy third country, or the export prices from such a third country to any other country, including India. However, if the normal value cannot be determined on the basis of the alternatives mentioned above, the Designated Authority may determine the normal value on any other reasonable basis, including the price actually paid or payable in India for the like product, duly adjusted to include reasonable profit margin.

29. In the absence of any reliable price and cost details for the subject goods in any market economy third country, the Designated Authority has constructed the normal value for China PR on the basis of price actually paid or payable in India for the like product, duly adjusted, to include a reasonable profit margin. Accordingly, the Normal Value for all the exporters from China PR has been provisionally determined for HR in Coils and HR not in Coils (Sheets/Plates) and the same is shown in the Dumping Margin Table below.

Determination of Normal Value for producers and exporters in Korea RP and Japan

General Methodology for working out Normal Value

30. It was first determined by the Authority whether the total domestic sales of the subject goods by the producers/exporters in the subject countries were representative when compared to the exports of the subject goods to India.
31. Thereafter, it was examined whether their sales are under ordinary course of trade in terms of Para 2 of the Annexure I to the Anti-dumping Rules. Wherever the producers/exporters have provided transaction wise details of sales made in home market and same have been accepted by the Authority, the said information has been relied upon to determine the normal value of the subject goods sold in the home market.
32. For conducting ordinary course of trade test, the cost of production of the product concerned was examined with reference to the information provided by the producers/exporters and compared with domestic selling price to determine whether the domestic sales were in the ordinary course of trade or not. The authority has considered all the transactions in the domestic market for the determination of the normal value for the cooperating producers/exporters where profit making transactions are more than 80% and in cases, where profitable transactions are less than 80%, only profitable domestic sales have been taken into consideration for the determination of the normal value.

Korea RP

Normal value of cooperating exporters

Normal Value for M/s Hyundai Steel Company (“Hyundai Steel”) Korea RP, (Producer)

33. During the POI, Hyundai Steel has sold ***MT of the subject goods having invoice value *** million KRW in the domestic market. All sales in the domestic market were made to non-affiliated parties during the POI. The domestic sales are in sufficient volumes when compared with exports to India. To determine the normal value, the authority conducted the ordinary course of trade test to determine profit making domestic sales transactions with reference to cost of production of subject goods. If profit making transactions are more than 80%, then the authority has considered all the transactions in

the domestic market for the determination of the normal value and in cases, where profitable transactions are less than 80%, only profitable domestic sales have been taken into consideration for the determination of the normal value. Hyundai Steel has claimed adjustment on account of credit cost & inland freight and the same have been allowed provisionally by the authority. Accordingly, provisional weighted average normal value at ex-factory level for Hyundai Steel has been determined for HR Coils and HR not in Coils and the same is shown in the Dumping Margin Table below.

Normal Value for M/s POSCO, Korea RP (Producer)

34. During the POI, POSCO has sold the subject goods in the domestic market to related and unrelated parties as under:

PARTICULARS	QUANTITY (MT)	%	RESPONSE FILED
UNRELATED PARTIES	***	***	
RELATED PARTIES			
1. ***	***	***	NO
2. ***	***	***	NO
3. ***	***	***	NO
4. ***	***	***	NO
5. ***	***	***	NO
6. ***	***	***	YES
7. ***	***	***	NO
8. ***	***	***	NO
9. ***	***	***	NO
10. ***	***	***	NO
11. ***	***	***	NO
12. ***	***	***	NO
13. ***	***	***	NO
TOTAL RELATED PARTIES	***	***	
GRAND TOTAL	***	100.00%	

35. The Authority notes that none of the above mentioned related parties except POSCO P&S has filed questionnaire response. However, it is also noted that more 80% of the domestic sales has been made to non-affiliated parties during the POI. Therefore, the authority provisionally accepts the domestic sales subject to verification and further information from related companies in Korea RP. The domestic sales are in sufficient volumes when compared with exports to India. All domestic sales transactions have been considered for determination of the normal value. To determine the normal value, the authority conducted the ordinary course of trade test to determine profit making domestic

sales transactions with reference to the cost of production of the subject goods. If profit making transactions are more than 80%, then the authority has considered all the transactions in the domestic market for the determination of the normal value and in cases, where profitable transactions are less than 80%, only profitable domestic sales have been taken into consideration for the determination of the normal value.

36. POSCO has claimed adjustment on account of inland freight, loading charge, packing cost, warranty cost, credit expense, indirect selling expenses & level of trade. The authority has not accepted the adjustments for warranty cost, indirect selling expenses & level of trade for the purpose of provisional findings. Accordingly, provisional weighted average normal value at ex-factory level for POSCO has been determined for HR Coils and HR not in Coils and the same is shown in the Dumping Margin Table below.

M/s Samwoo Co., Ltd., (“Samwoo”), Korea RP

37. M/s Samwoo Co. Ltd., Korea RP has filed a questionnaire response claiming to be a producer of the subject goods. It is noted by the Authority that Samwoo is involved in merely pickling and oiling process after purchasing HR Coils from various producers of HR Coils in Korea RP. Samwoo has not provided any details regarding the producers of HR Coils from whom it has purchased HR Coils. Therefore, the authority is unable to determine the normal value for Samwoo and does not accept the response filed by Samwoo for the purpose of provisional findings. Accordingly, the provisional normal value for Samwoo is based on facts available with the authority and the same is shown in the Dumping Margin Table below.

Normal Value for non-cooperating producers and exporters from Korea RP

38. The Authority notes that no other producer/exporter from Korea RP has responded to the Authority in the present investigation. For all the non-cooperative producers/exporters in Korea RP, the Authority has determined provisional weighted average normal value at ex-factory level for HR Coils and HR not in Coils on the basis of best available information and the same is shown in the Dumping Margin Table below.

Normal Value for Japan

Normal Value for M/s JFE Steel Corporation Japan (Producer) (“JFE”)

39. During the POI, JFE has sold the subject goods in domestic market to related and unrelated parties as under:

COMPANY	QTY MT	%	RESPONSE FILED
COILS			
UNRELATED PARTIES	***	***	
RELATED PARTIES			
1. ***	***	***	NO
2. ***	***	***	NO
3. ***	***	***	YES

COMPANY	QTY MT	%	RESPONSE FILED
4. ***	***	***	NO
TOTAL RELATED PARTIES	***	***	
GRAND TOTAL	***	100%	
NOT IN COILS			
UNRELATED PARTIES	***	***	
JFE SHOJI TRAD- RELATED	***	***	YES
TOTAL NOT IN COILS	***	100%	

40. The authority notes that none of the above mentioned related parties except JFE Shoji Trading has filed their response. However, it is also noted by the authority that domestic sales made to non-cooperative related parties are insignificant in terms of total domestic sales. Therefore, the authority provisionally accepts the domestic sales subject to verification and further information from related companies. The domestic sales are in sufficient volumes when compared with exports to India.
41. To determine the normal value, the authority conducted the ordinary course of trade test to determine profit making domestic sales transactions with reference to the cost of production of subject goods. If profit making transactions are more than 80%, then the authority has considered all the transactions in the domestic market for the determination of the normal value and in cases, where profitable transactions are less than 80%, only profitable domestic sales have been taken into consideration for the determination of the normal value.
42. JFE has claimed adjustment on account of discounts, inland freight, handling, storage and commission. The authority has provisionally accepted all the adjustments for the purpose of provisional findings. Accordingly, provisional weighted average normal value at ex-factory level for JFE has been determined for HR Coils and HR not in Coils and the same is shown in the Dumping Margin Table below.

Normal Value for M/s Nippon Steel & Sumitomo Metal Corporation (“NSSMC”)

43. During the POI, NSSMC has sold the subject goods in domestic market to related and unrelated parties as under:

COMPANY	QUANTITY MT	%	RESPONSE FILED
RELATED			
1. ***.	***	***	NO
2. ***.	***	***	YES
3. ***.	***	***	NO
4. ***.	***	***	YES

COMPANY	QUANTITY MT	%	RESPONSE FILED
5. ***.	***	***	NO
6. ***.	***	***	NO
RELATED TOTAL	***	***	
UNRELATED TOTAL	***	***	
GRAND TOTAL	***	100%	

44. The authority notes that none of the above mentioned related parties except Nippon Steel & Sumikin Bussan Corporation and Nippon Steel & Sumikin Pipe Co. Ltd, has filed their response. However, it is also noted by the authority that domestic sales made to non-cooperative related parties are very insignificant in terms of total domestic sales. Therefore, the authority provisionally accepts the domestic sales subject to verification and further information from related companies. The domestic sales are in sufficient volumes when compared with exports to India.
45. To determine the normal value, the authority conducted the ordinary course of trade test to determine profit making domestic sales transactions with reference to the cost of production of subject goods. If profit making transactions are more than 80%, then the authority has considered all the transactions in the domestic market for the determination of the normal value and in cases, where profitable transactions are less than 80%, only profitable domestic sales have been taken into consideration for the determination of the normal value.
46. NSSMC has claimed adjustment on account of price adjustments, rebate, early payment, inland freight, insurance, credit cost, storage and handling. The authority has provisionally accepted all the adjustments for the purpose of provisional findings. Accordingly, provisional weighted average normal value at ex-factory level for NSSMC has been determined for HR Coils and HR not in Coils and the same is shown in the Dumping Margin Table below.

Nisshin Steel Co. Ltd.

47. The authority notes that Nisshin Steel Co. Ltd (“NSC”) has submitted the exporters’ response claiming to be producer of subject goods and informed that it has exported the subject goods through traders in Japan. However, the authority notes that NSC has not submitted any details about domestic sales in Appendix-1 and other costing information. NSC has submitted only Appendix-2A and 2B which are also grossly incomplete. Therefore, the authority is unable to determine the normal value for NSC in the absence of any information and rejects the response filed by NSC. Accordingly, the normal value for NSC is based on the facts available with the authority and the same is shown in the Dumping Margin Table below.

Normal Value for non-cooperating producers and exporters from Japan

48. The Authority notes that no other producer/exporter from Japan has responded to the Authority in the present investigation. For all the non-cooperative producers/exporters in Japan, the Authority has determined provisional weighted average normal value at ex-factory level for HR Coils and HR not in Coils on the basis of best available information and the same is shown in the Dumping Margin Table below.

Normal Value for Indonesia

Determination of Normal Value for M/s PT Krakatau POSCO, Indonesia

49. The Authority notes that M/s PT Krakatau POSCO, Indonesia has filed the exporter's questionnaire response. It has been stated by M/s PT Krakatau POSCO that they have exported the subject goods to India through various trading companies. However, some of these trading companies named by M/s PT Krakatau POSCO have not reported the exports of the subject goods to India in their response which are manufactured by M/s PT Krakatau POSCO. Due to this suppression of vital information by the traders, the Authority does not accept the response of M/s PT Krakatau POSCO and determines the normal value for the company on the basis of best available information and the same is shown in the Dumping Margin Table below.

Determination of Normal Value for other producers and exporters in Indonesia

50. The Authority notes that no other producer/exporter from Indonesia has responded to the Authority in the present investigation. For all the non-cooperative producers/exporters in Indonesia, the Authority has determined provisional weighted average normal value at ex-factory level for HR Coils and HR not in Coils on the basis of best available information and the same is shown in the Dumping Margin Table below.

Determination of Normal Value for producers and exporters in Russia

51. The Authority notes that no producer/exporter from Russia has responded to and cooperated with the Authority in the present investigation. For all the non-cooperative producers/exporters in Russia, the Authority has determined provisional weighted average normal value at ex-factory level for HR Coils and HR not in Coils on the basis of best available information and the same is shown in the Dumping Margin Table below.

Determination of Normal Value for producers and exporters in Brazil

52. The Authority notes that no producer/exporter from Brazil has responded to and cooperated with the Authority in the present investigation. For all the non-cooperative producers/exporters in Brazil, the Authority has determined provisional weighted average normal value at ex-factory level for HR Coils and HR not in Coils on the basis of best available information and the same is shown in the Dumping Margin Table below.

2) EXPORT PRICE

Export Price for Korea RP

Export Price for M/s Hyundai Steel Company, Korea RP (Producer) along with M/s GS Global Corp. Korea RP, M/s Hyundai Corporation, Korea RP, M/s Main Steel Co., Ltd. Korea RP, M/s P&A Corporation, Korea RP and Ohmi Industries Ltd., Japan, (Exporters/Traders).

53. M/s Hyundai Steel Company, a producer of the subject goods in Korea RP, has filed the questionnaire response along with its unrelated trading companies', namely, GS Global Corp. Korea RP, M/s Hyundai Corporation, Korea RP, M/s Main Steel Co., Ltd. Korea RP, M/s P&A Corporation, Korea RP and Ohmi Industries Ltd, Japan. These trading companies exported of the subject goods to India manufactured by the Hyundai Steel during the POI. All of these Exporters/Traders have filed their Questionnaire responses with the Authority. The quantity of the PUC exported to India is as under:

EXPORTS TO INDIA	QTY (MT)	%	RESPONSE FILED
DIRECT EXPORTS BY HYUNDAI STEEL	***	***	YES
M/S GS GLOBAL CORP,	***	***	YES
M/S HYUNDAI CORPORATION	***	***	YES
M/S. OHMI INDUSTRIES LTD., JAPAN	***	***	YES
M/S P&A CORPORATION,	***	***	YES
M/S MAIN STEEL CO., LTD	***	***	YES
TOTAL EXPORTS TO INDIA	***	100.00%	YES

54. The authority notes that Hyundai Steel has exported the subject goods as HR Coils, HR PO Coils and HR not in Coils (Sheets/Plates). The export sales of Hyundai Steel through its unrelated/relating trading companies are on FOB/CFR basis. Hyundai Steel has claimed adjustment on account of inland freight, ocean freight, handling charge, inspection fee, bank charge, warehouse expenses, insurance fee and credit expenses and the same have been allowed provisionally. Accordingly, the provisional weighted average export price has been determined for Hyundai Steel at ex-factory level for HR Coils and HR not in Coils and the same is shown in the Dumping Margin Table below.

Export price for M/s POSCO, Korea RP (Producer) and traders M/s GS Global Corp, Korea RP, M/s Hyundai Corporation, Korea RP, M/s Samsung C&T Corporation, Korea RP, M/s Daewoo International, Korea RP, M/s. POSCO Asia, Korea RP, POSCO P&S, Korea RP

55. M/s POSCO, a producer of the subject goods in Korea RP, has filed a questionnaire response along with its unrelated/related trading companies', namely, M/s GS Global Corp, Korea RP, M/s Hyundai Corporation, Korea RP, M/s Samsung C&T Corporation, Korea RP, M/s Daewoo International, Korea RP, M/s. POSCO Asia, Korea RP, POSCO P&S, Korea RP, who exported the subject goods to India manufactured by the POSCO. POSCO has also made direct exports to its related company in India, POSCO Maharashtra, during the POI. Further, POSCO has also exported some quantities through

other traders who have not filed their questionnaire response with the Designated Authority. The details are as under:

COMPANY NAME	QTY MT	%	RESPONSE FILED
UNRELATED TRADERS			
1. GS GLOBAL CORP	***	***	YES
2. HYOSUNG CORPORATION	***	***	NO
3. HYUNDAI CORPORATION	***	***	YES
4. KOLON GLOBAL CORP	***	***	NO
5. LG INT'L CORP	***	***	NO
6. SAMSUNG CORPORATION C&T	***	***	YES
7. SK NETWORKS	***	***	NO
8. STEEL N PEOPLE	***	***	NO
UNRELATED TRADERS/IMPORTERS- TOTAL	***	***	
RELATED TRADERS/IMPORTERS			
1. POSCO CORPORATION DAEWOO	***	***	YES
2. POSCO ASIA	***	***	YES
3. POSCO JAPAN	***	***	NO
4. POSCO P&S	***	***	YES
5. POSCO-MAHARASHTRA	***	***	YES
RELATED TRADERS/IMPORTERS- TOTAL	***	***	
TOTAL EXPORTS TO INDIA	***		

56. From the above table, the authority notes that some of the related and unrelated traders have not filed their response. However, it is also noted by the authority that export to India made through non-cooperative related/unrelated parties are very insignificant in terms of total exports to India. Therefore, the authority provisionally accepts the exports to India sales subject to verification and further information from related companies. The export sales of POSCO through its cooperating unrelated/related trading companies are on FOB/C&F basis. POSCO has claimed adjustment on account of inland freight, ocean freight, loading charge, packing and credit expenses and the same have been allowed provisionally. Accordingly, the provisional weighted average export price has been determined for POSCO at ex-factory level for HR Coils and for HR not in Coils and the same is shown in the Dumping Margin Table below.

M/s Samwoo Co. Ltd., (“Samwoo”) Korea RP along with M/s EIN Corporation, Korea RP(Exporter/Trader).

57. It is noted by the authority that M/s Samwoo Co., Ltd., Korea RP has exported only pickled and oiled HR Coils to India. Samwoo is not manufacturing HR Coils but is merely doing pickling/oiling process after purchasing HR Coils from various producers of HR Coils in Korea RP. Therefore, the authority does not accept the response filed by Samwoo for the purpose of provisional findings and is unable to determine the export price. Accordingly, the export price for Samwoo is based on the facts available with the authority.

Export Price for non-cooperating producers and exporters from Korea RP

58. The Authority notes that no other producer/exporter from Korea RP has responded to the Authority in the present investigation. For all the non-cooperative producers/exporters in Korea RP, the Authority has determined the provisional weighted average export price for HR Coils and HR not in Coils on the basis of best available information and the same is shown in the Dumping Margin Table below.

Export Price for Japan

Export Price for M/s JFE Steel Corporation Japan (Producer) (“JFE”) through Honda Trading Corporation, Japan, JFE Shoji Trade Corporation, Japan Marubeni-Itochu Steel Inc., Japan, Mitsui & Co. Ltd, Japan, Ohmi Industries, Ltd., Japan, Uttam Galva International Pte. Ltd., Singapore, Uttam Galva International FZE, Dubai, Shinsho Corporation, Japan, Kyusho Co., Ltd., Japan and Metal One Corporation, Japan (Exporters/Traders)

59. JFE has filed the questionnaire response along with its unrelated/related trading companies’, namely, Honda Trading Corporation, Japan, JFE Shoji Trade Corporation, Japan Marubeni-Itochu Steel Inc., Japan, Mitsui & Co. Ltd, Japan, Ohmi Industries, Ltd., Japan, Uttam Galva International Pte. Ltd., Singapore, Uttam Galva International FZE, Dubai, Shinsho Corporation, Japan, Kyusho Co. Ltd., Japan and Metal One Corporation, Japan, who exported the subject goods to India manufactured by the JFE. Further, JFE has also exported some quantities through other trader who have not filed their questionnaire response with the Designated Authority. The details are as under:

COMPANY	QUANTITY MT	%	RESPONSE FILED
RELATED TRADER- (JFE TRADING)	***	***	YES
UNRELATED TRADERS			
1. HONDA TRADING	***	***	YES
2. MARUBENI-ITOCH	***	***	YES
3. METAL ONE CORP	***	***	YES
4. MITSUI & CO.,	***	***	YES

COMPANY	QUANTITY MT	%	RESPONSE FILED
5. OHMI INDUSTRIE	***	***	YES
6. SATO SHOJI K.K	***	***	NO
7. SHINSHO CORPORATION	***	***	YES
8. TOYOTA TSUSHO	***	***	YES
TOTAL EXPORTS UNRELATED	***	***	
TOTAL EXPORTS TO INDIA PUC	***	100%	

60. From the above table, the authority notes that one of the unrelated trader has not filed its response. However, it is also noted by the authority that the exports to India made through non-cooperative unrelated parties are insignificant in terms of total exports to India. Therefore, the authority provisionally accepts the exports of the subject goods to India subject to verification. JFE has not reported all terms of delivery and explanations in its response and no adjustments have been claimed from the export price. The authority notes that whereas other producers have claimed adjustments from export price, no adjustments have been claimed by JFE. Therefore, the authority has made provisional adjustments from export price on the basis of information provided by other cooperating exporters from Japan. Further, the authority notes that some of the traders have exported the subject goods to India at a loss or at a price which does not recover for traders' expenses. The authority has, therefore, made appropriate adjustments on account of traders' expenses also. Accordingly, the provisional weighted average export price determined for JFE at ex-factory level for HR Coils and for HR not in Coils and the same is shown in the Dumping Margin Table below.

Export Price for M/s Nippon Steel & Sumitomo Metal Corporation (“NSSMC”), Japan through Hanwa Co. Ltd., Japan, Honda Trading Corporation, Japan, Kanematsu Corporation Ltd., Japan, Marubeni-Itochu Steel Inc., Japan, Mitsui & Co. Ltd, Japan, Nippon Steel & Sumikin Bussan Corporation Sumitomo Corporation, Japan and Metal One Corporation, Japan (Exporters/Traders)

61. NSSMC has filed a questionnaire response along with its unrelated/related trading companies', namely, Hanwa Co. Ltd., Japan, Honda Trading Corporation, Japan, Kanematsu Corporation Ltd., Japan, Marubeni-Itochu Steel Inc., Japan, Mitsui & Co. Ltd, Japan, Nippon Steel & Sumikin Bussan Corporation Sumitomo Corporation, Japan and Metal One Corporation, Japan, who have exported the subject goods to India manufactured by the NSSMC. Further, NSSMC has also exported some quantities through other traders who have not filed their questionnaire response with the Authority. The details are as under:

COMPANY	QTY MT	%	RESPONSE FILED
NIPPON STEEL & SUMIKIN BUSSAN CORPORATION (RELATED)	***	***	YES
UNRELATED IMPORTERS/TRADERS			
1. HANWA CO.,LTD.	***	***	YES

2. HONDA TRADING CORPORATION	***	***	YES
3. KANEMATSU CORPORATION	***	***	YES
4. MARUBENI-ITOCHU STEEL INC.	***	***	YES
5. METAL ONE CORPORATION	***	***	YES
6. MITSUI & CO., LTD.	***	***	YES
7. SUMITOMO CORPORATION	***	***	YES
8. TOYOTA TSUSHO CORPORATION	***	***	YES
TOTAL EXPORTS- UNRELATED	***	***	
TOTAL EXPORTS TO INDIA	***	***	

62. The export sales of NSSMC through its unrelated/relating trading companies are on FOB basis. NSSMC has claimed adjustment on account of price adjustments, credit cost, rebate, early payment, inland freight, packing storage and handling and the same have been allowed provisionally. Accordingly, the provisional weighted average export price has been determined for NSSMC at ex-factory level for HR Coils and for HR not in Coils and the same is shown in the Dumping Margin Table below.

Export Price for non-cooperating producers and exporters from Japan

63. The Authority notes that no other producer/exporter from Japan has responded to the Authority in the present investigation. For all the non-cooperative producers/exporters in Japan, the Authority has determined the provisional weighted average export price for HR Coils and HR not in Coils on the basis of best available information and the same is shown in the Dumping Margin Table below.

Export Price for China PR

M/s Angang Steel Company Limited, China PR(Producer) through related company M/s Angang Group Hong Kong Co., Ltd. ,Hong Kong (Exporter/Trader).

64. From the information submitted by M/s Angang Steel Company Limited (“Angang”), the authority notes that Angang has exported the subject goods to India through related exporter/trader, namely, M/s Angang Group Hong Kong Co., Ltd. (“Angang HK”). The exports through related company constitutes about ***% of exports to India. Other traders, namely, M/s Ace Ship Recycling Pte Ltd., M/s Benteler Trading International GmbH, M/s SK Networks Co., Ltd., and M/s Spark Alloys FZE have not submitted any response. However, it is also noted by the authority that the export to India made through non-cooperative unrelated parties are insignificant in terms of total exports to India. Angang has exported *** MT the subject goods of invoice value RMB *** during the POI. The sales to Indian customers are on CFR basis. The producer/exporter has claimed adjustments on account of inland freight, port handling charges/customs fee, ocean freight and commission and the same have been allowed. The authority has made further adjustment on account of non- refundable VAT provisionally. Accordingly, the provisional weighted average export price determined for Angang at ex-factory level for

HR Coils and for HR not in Coils and the same is shown in the Dumping Margin Table below.

M/s Zhangjiagang GTA Plate Co., Ltd.(GTA), China PR, M/s Zhangjiagang Hongchang Plate Co., Ltd.(Hongchang), China PR, M/s Zhangjiagang Shajing Heavy Plate Co., Ltd., (Shajing), China PR, (Producer/Manufacturer) along with it affiliated/non-affiliated trading companies, namely, M/s Jiangsu Shagang International Trade Co., Ltd., (Shagang International), China PR, M/s Shagang International (Singapore) PTE LTD (Shagang Singapore), Singapore, M/s Xinsha International PTE Ltd., (Xinsha), Singapore, M/s Burwill Resources Limited, BVI, M/s Future Materials Industry (Hong Kong) Co., Ltd., Hongkong, M/s Lu Qin (Hong Kong) Co., Ltd., Hong Kong, M/s Ningbo Cimei Import & Export Co., Ltd., China PR, M/s Steelco Pacific Trading Limited, Hong Kong, M/S GS Global Corp., Korea RP (Exporters/Traders).

65. M/s Zhangjiagang GTA Plate Co. Ltd. (GTA), M/s Zhangjiagang Hongchang Plate Co., Ltd., (Hongchang) and M/s Zhangjiagang Shajing Heavy Plate Co., Ltd. (Shajing), are related companies and producers of the subject goods. These producers have sold the subject goods to their related company M/s Jiangsu Shagang International Trade Co., Ltd., (Shagang International). Shagang International has further resold the subject goods to M/s Shagang International (Singapore) Pte Ltd., (Shagang Singapore) and M/s Xinsha International Pte Ltd., (Xinsha). Shagang Singapore and Xinsha have resold the subject goods to M/s Burwill Resources Limited, M/s Ningbo Cimei Import and Export Co., Ltd., M/s Future Materials Industry (Hong Kong) Co. Ltd., M/s Lu Qin (Hong Kong) Company Ltd., M/s Steelco Pacific Trading Ltd., M/S GS Global Corp, M/s B&L Metal (HK) Limited, M/s C.G.S. (Hong Kong) Company Limited and M/s Hangzhou Cogeneration (Hong Kong) Co., Ltd, who in turn have exported the subject goods to India.
66. Out of the above mentioned companies, M/s B&L Metal (HK) Limited, M/s C.G.S. (Hong Kong) Company Limited and M/s Hangzhou Cogeneration (Hong Kong) Co., Ltd., have not filed their questionnaire responses with the authority. However, it is also noted by the authority that export to India made through non-cooperative unrelated traders are very insignificant in terms of total exports to India. The authority has considered only those export quantities for which questionnaire responses have been filed for determination of the provisional export price.
67. The sales to Indian customers are on FOB and CFR basis. The authority notes that whereas other producers have claimed adjustments from export price, no adjustments have been claimed by producers for Zhangjiagang group. Therefore, the authority has made provisional adjustments from export price on the basis of information provided by other cooperating exporters from China PR. Accordingly, the provisional weighted average export price has been determined for the cooperating producers for Zhangjiagang group at ex-factory level for HR Coils and HR not in Coils and the same is shown in the Dumping Margin Table below.

M/s Wuyang New Heavy & Wide Steel Plate Co., Ltd (“WYNH”), China PR and M/s Wuyang Iron and Steel Co., Ltd. (“WYIS”), China PR through Hebei Iron & Steel (Hong Kong) International Trade Co. Ltd, Hong Kong and Hebei Iron & Steel (Singapore) PTE. Ltd, Singapore, Salzgitter Mannesmann International GmbH, Germany and Burwill Resources Limited, BVI.

68. WYNH is a producer of HR not in Coils in China PR. WYNH sold HR not in Coils to its related company WYIS in China PR. WYIS exported these goods along with its own manufactured HR not Coils to India through its related companies Hebei Iron & Steel (Hong Kong) International Trade Co., Ltd and Hebei Iron & Steel (Singapore) Pte. Ltd and also through unrelated traders, namely, Salzgitter Mannesmann International GmbH, Germany and Burwill Resources Limited, British Virgin Inland. The sales to Indian customers are on FOB/CIF basis. WYNH and WYIS have exported *** MT of HR not in Coils to India during the POI. WYNH and WYIS have claimed adjustments on account of inland freight, port handling charges/customs fee, ocean freight, insurance and bank charges and same have been allowed provisionally. The authority has made further adjustment on account of non- refundable VAT provisionally. Accordingly, the provisional weighted average export price has been determined for WYNH and WYIS at ex-factory level for HR not in Coils and the same is shown in the Dumping Margin Table below.

M/s Nanjing Iron and Steel Co. Ltd (“NISCO”) through M/s Nanjing Iron and Steel Group International Trade Co. Ltd and Singapore Jinteng International Pte. Ltd.

69. From the information submitted by M/s Nanjing Iron and Steel Co. Ltd (“NISCO”), the authority notes that NISCO has exported the subject goods to India through related exporter/trader, namely, M/s Nanjing Iron and Steel Group International Trade Co. Ltd and Singapore Jinteng International Pte. Ltd. The traders have exported major quantity through other traders namely Hyundai Corporation, Precious Metal International (HK) Co., Ltd and Hong Kong Baomin Trading Limited. Hyundai Corporation has not reported these exports in its response and Precious Metal International (HK) Co., Ltd and Hong Kong Baomin Trading Limited have not cooperated in with the authority. Therefore, the authority does not accept the response filed by NISCO for the purpose of provisional findings and is unable to determine the export price. Accordingly, the export price for NISCO is based on the facts available with the authority.

Export Price for non-cooperating producers and exporters from China PR

70. The Authority notes that no other producer/exporter from China PR has responded to the Authority in the present investigation. For all the non-cooperative producers/exporters in China PR, the Authority has determined the provisional weighted average export price for HR Coils and HR not in Coils on the basis of best available information and the same is shown in the Dumping Margin Table below.

Export Price for Indonesia

M/s PT Krakatau POSCO, Indonesia

71. The Authority notes that M/s PT Krakatau POSCO, Indonesia has filed the exporter’s questionnaire response. It has been stated by M/s PT Krakatau POSCO that they have exported the subject goods to India through various trading companies. However, some of these trading companies named by M/s PT Krakatau POSCO have not reported the exports of the subject goods to India in their response which are manufactured by M/s PT

Krakatau POSCO. Due to this suppression of vital information by the traders, the Authority does not accept the response of M/s PT Krakatau POSCO and determines the export price for the company on the basis of best available information and the same is shown in the Dumping Margin Table below.

Export Price for other producers and exporters in Indonesia

72. The Authority notes that no other producer/exporter from Indonesia has responded to the Authority in the present investigation. For all the non-cooperative producers/exporters in Indonesia, the Authority has determined the provisional weighted average export price for HR Coils and HR not in Coils on the basis of best available information and the same is shown in the Dumping Margin Table below.

Export Price for producers and exporters in Russia

73. The Authority notes that no producer/exporter from Russia has responded to the Authority in the present investigation. For all the non-cooperative producers/exporters in Russia, the Authority has determined the provisional weighted average export price for HR Coils and HR not in Coils on the basis of best available information and the same is shown in the Dumping Margin Table below.

Export Price for producers and exporters in Brazil

74. The Authority notes that no producer/exporter from Brazil has responded to the Authority in the present investigation. For all the non-cooperative producers/exporters in Brazil, the Authority has determined the provisional weighted average export price as for HR Coils and HR not in Coils on the basis of best available information and the same is shown in the Dumping Margin Table below.

3) Dumping Margin

75. The export price to India (net of all the adjustments claimed by the exporters and accepted by the Authority) has been compared with the normal value to determine the dumping margin. The dumping margin during the POI for all the cooperating exporters/producers from the subject countries has been determined as shown in the Dumping Margin table below.

Dumping Margin Table

HR in Coils

S.No	Country	Producer	Exporter	Normal Value	Net Export Price	Dumping Margin	Dumping Margin %	Dumping Margin Range %
1.	Korea RP	M/s Hyundai Steel Company	1. M/s Hyundai Steel Company, Korea RP 2. M/s GS Global Corp., Korea RP 3. M/s Hyundai Corporation, Korea RP 4. M/s Main Steel Co. Ltd., Korea	***	***	***	***	25-35

S.No	Country	Producer	Exporter	Normal Value	Net Export Price	Dumping Margin	Dumping Margin %	Dumping Margin Range %
			RP 5. M/s P&A Corporation, Korea RP 6. Ohmi Industries Ltd., Japan					
2.	Korea RP	M/s POSCO	1. M/s POSCO, Korea RP 2. M/s POSCO Daewoo Corporation, Korea RP 3. M/s GS Global Corp, Korea RP 4. M/s Hyundai Corporation, Korea RP 5. M/s Samsung C&T Corporation, Korea RP 6. M/s POSCO Asia, Hong Kong 7. POSCO P&S, Korea RP	***	***	***	***	45-55
3.	Japan	JFE Steel Corporation	1. Honda Trading Corporation, Japan 2. JFE Shoji Trade Corporation, Japan 3. Metal One Corporation, Japan 4. Mitsui & Co. Ltd, 5. Ohmi Industries Ltd., Japan 6. Uttam Galva International Pte. Ltd., Singapore 7. Uttam Galva International FZE, UAE 8. Toyota Tshusho Corporation, Japan 9. Marubeni-Itochu Steel Inc., Japan	***	***	***	***	60-70
4.	Japan	M/s. Nippon Steel & Sumitomo Metal Corporation	1. Hanwa Co., Ltd, Japan 2. Honda Trading Corporation, Japan 3. Kanematsu Corporation Ltd, Japan 4. Marubeni-Itochu Steel Inc., Japan 5. Metal One Corporation, Japan 6. Mitsui & Co. Ltd, Japan 7. Nippon Steel & Sumikin Bussan Corporation, Japan 8. Sumitomo Corporation, Japan 9. Toyota Tshusho Corporation, Japan 10. Ohmi Industries Ltd, Japan	***	***	***	***	50-60
5.	China PR	M/s Angang Steel Company Limited	M/s Angang Group Hong Kong Co. Ltd, Hong Kong	***	***	***	***	50-60
6.	China PR	1. M/s Zhangjiagan g GTA Plate Co., Ltd. 2. M/s Zhangjiagan g Hongchang Plate Co., Ltd., 3. M/s Zhangjiagan g Shajing Heavy Plate Co., Ltd.,	1. M/s Jiangsu Shagang International Trade Co., Ltd., China PR 2. M/s Shagang International (Singapore) Pte LTD., Singapore 3. M/s Xinsha International PTE Ltd., Singapore, 4. M/s Burwill Resources Limited, BVI 5. M/s Future Materials Industry (Hong Kong) Co. Ltd., Hong Kong 6. M/s Lu Qin (Hong Kong) Co. Ltd., Hong Kong 7. M/s Ningbo Cimei Import & Export Co. Ltd., China PR 8. M/s Steelco Pacific Trading Limited, Hong Kong 9. M/S GS Global Corp., Korea RP	***	***	***	***	70-80

HR not in Coils

S.No	Country	Producer	Exporter	Normal Value	Net Export Price	Dumping Margin	Dumping Margin %	Dumping Margin Range %
1.	Korea RP	M/s Hyundai Steel Company	1. M/s GS Global Corp., Korea RP 2. M/s Hyundai Corporation, Korea RP	***	***	***	***	150-160
2.	Korea RP	M/s POSCO	1. M/s POSCO Daewoo Corporation, Korea RP 2. M/s GS Global Corp, Korea RP 3. M/s Hyundai Corporation, Korea RP 4. M/s POSCO Asia, Hong Kong 5. POSCO P&S, Korea RP	***	***	***	***	30-40
3.	Japan	JFE Steel Corporation	1. JFE Shoji Trade Corporation, Japan 2. Metal One Corporation, Japan 3. Mitsui & Co. Ltd, Japan 4. Ohmi Industries, Ltd., Japan 5. Toyota Tshusho Corporation, Japan 6. Shinsho Corporation, Japan 7. Marubeni-Itochu Steel Inc., Japan 8. Kyusho Co. Ltd., Japan	***	***	***	***	35-45
4.	Japan	M/s Nippon Steel & Sumitomo Metal Corporation	1. Hanwa Co. Ltd, Japan 2. Mitsui & Co. Ltd, Japan 3. Nippon Steel & Sumikin Bussan Corporation, Japan 4. Sumitomo Corporation, Japan 5. Ohmi Industries Ltd, Japan	***	***	***	***	(25-35)
5.	China PR	M/s Angang Steel Company Limited	M/s Angang Group Hong Kong Co. Ltd, Hong Kong	***	***	***	***	70-80
6.	China PR	1. M/s Zhangjiagang GTA Plate Co., Ltd. 2. M/s Zhangjiagang Hongchang Plate Co., Ltd., 3. M/s Zhangjiagang Shajing Heavy Plate Co., Ltd.,	1. M/s Jiangsu Shagang International Trade Co. Ltd., China PR 2. M/s Shagang International (Singapore) Pte Ltd., Singapore	***	***	***	***	95-105
7.	China PR	1. M/s Wuyang New Heavy & Wide Steel Plate Co. Ltd 2. M/s Wuyang Iron and Steel Co. Ltd.	1. M/s Wuyang Iron and Steel Co. Ltd., China PR 2. Hebei Iron & Steel (Hong Kong) International Trade Co. Ltd, Hong Kong 3. Hebei Iron & Steel (Singapore) PTE. Ltd, Singapore	***	***	***	***	70-80

S.No	Country	Producer	Exporter	Normal Value	Net Export Price	Dumping Margin	Dumping Margin %	Dumping Margin Range %
			4. Salzgitter Mannesmann International GmbH, Germany 5. Burwill Resources Limited, BVI					

Dumping Margin for other producers and exporters from the subject countries

76. The Normal Value and export price to India in respect of other producers and exporters in the subject countries has been determined on the basis of best information available. The information provided by the responding exporters has been adopted for the purpose. The dumping margin so worked out is mentioned in the table below.

HR in Coils (in US\$/MT)	Japan	Korea	Russia	Brazil	China	Indonesia
Normal Value	***	***	***	***	***	***
Net Export Price	***	***	***	***	***	***
Dumping Margin	***	***	***	***	***	***
Dumping Margin %	***	***	***	***	***	***
Dumping Margin % Range	80-90	45-55	30-40	40-50	70-80	80-90

HR not in Coils (US\$/MT)	Japan	Korea	Russia	China	Indonesia	Brazil
Normal Value	***	***	***	***	***	***
Net Export Price	***	***	***	***	***	***
Dumping Margin	***	***	***	***	***	***
Dumping Margin %	***	***	***	***	***	***
Dumping Margin % Range	55-65	155-165	80-90	95-105	110-120	20-30

77. It is seen that the dumping margins are quite significant and more than the limits prescribed under the Rules in respect of exports made by all the producers-exporters of the product under consideration from subject countries.

F. INJURY

Submissions made by importers, exporters, users and user associations

78. The submissions made by the opposing interested parties with regard to injury related issues and considered relevant by the authority are as follows:

- a. Prices of raw materials and consumables have fallen globally, leading to fall in prices of steel. The domestic and global prices of major raw material including Iron Ore, Coking Coal and Lubricants etc. declined by 30% to 60% in 2014-15 resulting in reduction in prices of HR Coils by 30% to 35%. On the other hand Indian steel

industry while earning windfall profits in the upturn must develop competitiveness to face global competition in the recessionary conditions. Therefore, there is no reason why profitability of the domestic industry should fall.

- b. Only the additional demand has been fulfilled by imports and increased imports should be seen in light of total demand existing in the country.
- c. The flooding of Indian steel market by cheap imports from China PR is based on sustained media campaigns from the petitioners without verification of facts. All shipments from China PR and other countries are against order placed by the Indian industry and thus it is the Indian industry and not the foreign producers who determine the quantum of imports. Moreover, imports under duty free scheme for export production of value added products constitute bulk of the imports of HR Coils. As per JPC data, the imports were also essential to bridge the gap between the domestic production and consumption.
- d. As per DGCIS data, the consumption of the subject goods in India during the period 2012-2016 increased by 23% and the imports from Russia decreased in relation to the domestic consumption in India.
- e. The share of Russian imports in overall Indian consumption of the PUC did not increase from 2012-2013 to April-December 2015 while this was substantially lower in 2013-14 and 2014-15. Although the prices of Russian imports were the lowest among those of the countries concerned, the market share of Russian imports did not increase contrary to the other countries. NLMK submits that effect of imports from Russia be assessed separately from effects of imports from other countries.
- f. The production level of the DI has not fallen and there is only a slight increase in inventory. Moreover, the fair level of capacity utilization of 76% indicates that the situation is not as threatening as it is made out to be. Market share of 12% is not alarming in light of the fact that domestic production have not increased to cater to the higher demand.
- g. Low levels of capacity utilization of the domestic industry are caused by lack of raw material supply. Governmental ban on mining of iron-ore in 2013-2014 resulted in negative financial results of all steel making companies in India. Low capacity utilization has also been attributed to high costs of coal in India. The demand on coal remains higher than production.
- h. High raw material prices and unreasonable production costs have become key factors of disappointing financial results for the domestic industry. Indian producers had to import raw material and suspend production due to unreasonable production costs.

- i. The domestic industry experienced no injury in 2012-13, 2013-14 and 2014-15. The petitioners increased installed capacity, profitability, cash profits, ROCE while production volumes remained stable.
- j. The petition remains silent about the fact that during half of the POI, JSW Steel Ltd. closed both of its blast furnaces at Vijaynagar and Dolvi plants. According to marketing reports the enhanced facilities achieved the highest ever steel production in March, 2016. The negative effect of this factor on financials shall not be attributed to alleged dumped imports.
- k. The domestic steel producers are injured to their own financial imprudence and lack of R&D for cost reduction. They have made investment of billions of dollars in loss making foreign projects.
- l. Negative financial results of the Petitioners are due to high raw material prices in India and high cost of production. Indian producers import iron ore and coal which make their production costly than the production of companies abroad. Coking coal in India has high ash content which is not suitable for steel industry.
- m. Decreasing cash profit of the Petitioners is because of the huge financial investments in expanding capacities, interest and dividend payments, loan services etc.
- n. If the Petitioners were to keep their capacities at the level of 2012-13, the capacity utilization would have increased to nearly 92% in 2013-14 and 2014-15. Thus, wrong managerial decisions and negative impact shall not be attributed to imports.
- o. Injury to the Petitioners is not due to imports but due to factors like mismanagement or systemic cost problems of the steel industry in India which is isolated from global raw material prices. Marginal costs of Indian steel industry at the beginning of POI were about USD 400 whereas marginal costs of its closest competitor in China were about USD 319 and USD 330 in Europe.
- p. The export prices of the Petitioners were on average 10% lower of Indian imports price quotations. The Indian domestic industry quoted their export prices at level of USD 302 per MT which was 10% lower than the quotations of foreign producers importing to India, i.e., below the profitability threshold of the DI. This proves the self-inflicted character of alleged injury.
- q. The domestic steel producers are injured due to their own financial imprudence and lack of R&D for cost reduction. They have made investment of billions of dollars in loss making foreign projects.

Submissions made by the Domestic Industry

79. The following are the submissions with regard to injury related issues made by the domestic industry and considered relevant by the Authority:
- a. Imports of the subject goods have increased in absolute terms over the entire period of investigation. Imports of PUC from the subject countries have increased in absolute terms.
 - b. Imports of the subject goods have increased relative to production and also relative to consumption in India as well in absolute terms.
 - c. Market share of the Domestic Industry has decreased even though demand for the subject goods has been rising in India. This is due to the reason that imports have aggressively captured the increase in demand, while the market share of imports from subject countries sharply increased from 2012-13 to POI (A).
 - d. The Domestic Industry has not been able to increase its production and sales commensurate with the increase in demand.
 - e. Inventories of the Domestic Industry have been on the rise as the Domestic Industry has not been able to increase its sales despite increase in demand. Imports have been aggressively capturing the demand in India.
 - f. There is significant price depression and suppression due to low priced dumped imports coming into India.
 - g. The Domestic Industry's profitability and return on capital employed have been drastically affected. This is evident from the fact that the domestic industry was earning decent profits and return on capital employed till 2014-15. However, during the POI, the profits and returns have turned into losses.
 - h. The export performance of the Domestic Industry in no way has affected its financial and economic situation. Also, the petitioners have ignored the information related to exports while examining the injury parameters and entire injury analysis is based only on domestic performance of petitioners.
 - i. The analysis overwhelmingly indicates that the Domestic Industry is suffering material injury due to increasing dumped imports of PUC into India. There exists a strong nexus between the increase in dumped imports of the subject goods and the material injury being suffered by the Domestic Industry.
 - j. At the time of placing orders with the domestic industry, the customers insist that the Domestic Industry must match the price with the offer given by the foreign producer during the same month, though the offer given by a foreign supplier would be delivered only after 2 months. Therefore, the proper comparison for price undercutting should be between the domestic sales realisation with two months lag. If

the authority takes into account this time lag issue, price undercutting would be evident.

- k. Interested parties argue that prices of raw materials have declined and consequently there is a fall in prices of the subject goods. Interested parties further argue that the domestic prices of Petitioners are much higher than export prices. Petitioners submit that they have already decreased their prices in line with decrease in raw material prices. The contention of parties that there is a steep decline in raw material prices is incorrect as it does not take into account the cost of transporting the raw material to factory. Further, transportation cost also has consistently increased during the injury analysis period.
- l. It is also pertinent to note that during the recent periods, the landed value of imports of the subject goods have declined much more than the decline in raw material prices. Further, it should be noted that imports have come at grossly low prices and the domestic industry has been forced to match such low prices, to the extent that their prices have gone below the cost of production of the domestic industry.
- m. Interested parties are wrong in claiming that the domestic industry's export prices are lower than the domestic prices. It is important to note that international prices of steel products are already suppressed due to rampant dumping from the subject countries. The domestic industry's export prices are also suppressed. That does not mean that the domestic industry should also sell their products at suppressed prices in their domestic market as well.
- n. Interested parties have submitted that injury being suffered by the domestic industry is due to their own internal factors including wrong managerial decisions, high fixed cost burden, high freight cost, poor infrastructure, raw material crisis, underutilized capacities and inability to meet the quality requirements of specific downstream industry. These claims are very general and without any facts and figures to support. The fact that injury has been caused due to dumped imports of the subject goods in India has already been established above. The domestic industry has been in existence since many years and has been doing well in the past. Infrastructure and capacities are in place with the domestic industry to meet the demand of the subject goods.
- o. It is alleged that the domestic industry is facing losses due to internal managerial issues. If such internal issues actually existed, the domestic industry would not have done well in the past. Therefore, the allegation that the domestic industry is facing losses due to the internal problems is not correct. Moreover, the interested parties in their contentions are unable to substantiate the quality requirement which the domestic industry cannot produce.

Examination by the Authority

80. The submissions made by the domestic industry and other interested parties during the course of investigations with regard to injury and causal link and considered relevant by the Authority are examined and addressed as below:
- a. With regard to the submissions of the interested parties that prices of raw materials have declined and consequently there is a fall in prices of the subject goods, the Authority notes that the domestic industry has already decreased its prices in line with decrease in raw material prices. However, there is increase in other expenses such as freight, labour and other conversion costs due to normal inflation.
 - b. The Authority further notes that landed value of imports of the subject goods from the subject countries has declined much more than the decline in raw material prices and the domestic industry has been forced to match such low prices causing material injury to domestic industry.
 - c. With regard to the export performance of the domestic industry, the authority notes that entire injury analysis is based only on the domestic performance of the petitioners.
 - d. The Authority has further analysed the contention by the interested parties that injury being suffered by the domestic industry is due to their own internal factors including wrong managerial decisions, high fixed cost burden, high freight cost and poor infrastructure, raw material crisis, underutilized capacities and inability to meet the quality requirements of specific downstream industry. These claims are very general and without any facts and figures to support. The fact that injury has been caused due to the dumped imports of the subject goods in India has already been established above. The domestic industry has been in existence since many years and has been doing well in the past. Infrastructure and capacities are in place with the domestic industry to meet the demand of the subject goods. Had these factors impacted the performance of domestic industry, the domestic industry should not be earning profits in previous years.
 - e. With regard to the imports from Russia, the authority notes that imports from Russia are significant and at substantially lower prices.

Cumulative Assessment

81. Article 3.3 of WTO agreement and Annexure II para (iii) of the Anti-dumping Rules provides that in case where imports of a product from more than one country are being simultaneously subjected to anti-dumping investigations, the Authority will cumulatively assess the effect of such imports, in case it determines that:
- a. The margin of dumping established in relation to the imports from each country is more than two percent expressed as percentage of export price and the volume of the imports from each country is three percent (or more) of the import of like article or where the export of individual countries is less than

three percent, the imports collectively account for more than seven percent of the import of like article, and

- b. Cumulative assessment of the effect of imports is appropriate in light of the conditions of competition between the imported article and the like domestic articles.

82. The Authority notes that:

- a) The subject goods are being dumped into India from the subject countries. The margins of dumping from each of the subject countries are more than the *de minimis* limits prescribed under the Rules.
- b) The volume of imports from each of the subject countries is individually more than 3% of the total volume of imports.
- c) Cumulative assessment of the effects of imports is appropriate as the exports from the subject countries not only directly compete with the like articles offered by each of them but also the like articles offered by the domestic industry in the Indian market.

83. In view of the above, the Authority considers that it would be appropriate to assess injury to the domestic industry cumulatively from exports of the subject goods from the subject countries.

84. Rule 11 of AD Rules read with Annexure II provides that an injury determination shall involve examination of factors that may indicate injury to the domestic industry, “... *taking into account all relevant facts, including the volume of dumped imports, their effect on prices in the domestic market for like articles and the consequent effect of such imports on domestic producers of such articles...*” In considering the effect of the dumped imports on prices, it is considered necessary to examine whether there has been a significant price undercutting by the dumped imports as compared with the price of the like article in India, or whether the effect of such imports is otherwise to depress prices to a significant degree or prevent price increases, which otherwise would have occurred, to a significant degree. For the examination of the impact of the dumped imports on the domestic industry in India, indices having a bearing on the state of the industry such as production, capacity utilization, sales volume, stock, profitability, net sales realization, the magnitude and margin of dumping, etc. have been considered in accordance with Annexure II of the AD Rules.

Volume Effect of Dumped Imports and Impact on Domestic Industry

Assessment of Demand

85. The demand of the subject goods has been determined by adding domestic sales of Indian producers of like product with imports of the subject goods from all the countries. For the purpose of present injury analysis, the Authority has relied upon the import data procured from DGCI&S. With regard to undumped exports from Japan for

HR not in Coil for the purpose of the preliminary findings, the Authority has presumed the imports for the injury period as reported during the POI by concerned exporter due to the reason that the information was not provided to the Authority in time. The Authority notes that demand of the subject goods increased significantly over the injury period as can be shown in the table below:

HR in Coils (in MT)	2012-13	2013-14	2014-15	April 2015- Dec 2015 (A)	POI (Jul 2015- Dec 15)	POI (A)
Total dumped import from subject countries	18,76,896	11,82,360	22,79,828	43,67,580	24,27,262	48,54,525
Imports from other countries	5,75,369	3,46,219	1,24,579	1,17,564	41,756	83,512
Total imports	24,52,264	15,28,579	24,04,406	44,85,144	24,69,018	49,38,037
Domestic sales of petitioners	9,345,783	10,469,749	10,043,199	10,040,607	4,885,294	9,770,588
Domestic sales of supporters	1,926,675	2,854,835	2,638,128	2,924,609	1,576,764	3,153,528
Domestic sale of other producers	1,955,688	2,666,434	3,006,298	2,725,762	1,344,569	2,689,138
Total Demand	1,56,80,410	1,75,19,598	1,80,92,031	2,01,76,124	1,02,75,645	2,05,51,291

HR not in Coils (in MT)	2012-13	2013-14	2014-15	April 2015- Dec 2015 (A)	POI (Jul 2015- Dec 15)	POI (A)
Dumped import from subject countries	746,486	372,308	1,002,723	1,051,529	459,117	918,234
Un-dumped imports from Japan	10,870	10,870	10,870	10,870	5,435	10,870
Imports from other countries	5,97,034	3,31,776	3,15,552	2,29,347	80,093	1,60,187
Total Imports	13,54,390	7,14,953	13,29,145	12,91,746	5,44,646	10,89,291
Domestic sales of petitioners	3,341,216	3,332,848	3,405,997	3,428,266	1,754,675	3,509,349
Domestic sales of supporters	642,714	730,736	620,007	887,920	440,593	881,187
Domestic sale of other producers	395,665	1,339,546	664,952	399,678	201,636	403,271
Total Demand in India	57,33,984	61,18,084	60,20,101	60,07,609	29,41,549	58,83,098

Import Volumes and Share of the Subject Countries

86. With regard to the volume of the dumped imports, the Authority is required to consider whether there has been a significant increase in dumped imports, either in absolute terms

or relative to production or consumption in India. The volume of dumped imports of the subject goods from the subject countries has been analyzed as under:

HR in Coils (in MT)	2012-13	2013-14	2014-15	April 15 to Dec 15	POI
China PR	3,95,746	3,59,083	8,10,181	7,95,578	6,33,442
Japan	6,38,455	4,84,823	8,02,928	10,28,689	7,41,612
Korea RP	5,11,073	2,51,491	4,43,687	8,99,682	6,37,028
Russia	2,39,310	47,933	1,41,505	2,94,100	2,55,015
Brazil	92,311	39,030	81,527	1,60,166	1,60,166
Indonesia	-	-	-	97	-
Others	5,75,369	3,46,219	1,24,579	88,173	41,756
Total	24,52,264	15,28,579	24,04,406	32,66,486	24,69,018

HR not in Coils in MT	2012-13	2013-14	2014-15	April 15 to Dec 15	POI
China PR	3,84,527	1,19,879	6,96,199	3,01,940	1,97,757
Japan- Dumped	138,685	118,012	111,980	121,795	38,734
Japan- Undumped	10,870	10,870	10,870	8,153	5,435
Korea RP	1,63,635	1,07,972	1,54,776	1,82,057	1,23,478
Russia	38,111	26,328	26,273	2,327	2,076
Brazil	21,526	28	0	-	-
Indonesia	3	89	13,494	1,80,527	97,072
Others	5,97,034	3,31,776	3,15,552	1,72,010	80,093
Total	13,54,390	7,14,953	13,29,145	9,68,810	5,44,646

HR in Coils (in MT)	2012-13	2013-14	2014-15	April 2015- Dec 2015 (A)	POI (Jul 2015- Dec 15)	POI (A)
Dumped import from subject countries	18,76,896	11,82,360	22,79,828	43,67,580	24,27,262	48,54,525
Trend	100	63	121	233	129	259
Imports from other countries	5,75,369	3,46,219	1,24,579	1,17,564	41,756	83,512
Trend	100	60	22	20	7	15
Total Imports	24,52,264	15,28,579	24,04,406	44,85,144	24,69,018	49,38,037
Trend	100	62	98	183	101	201
Total Demand	1,56,80,410	1,75,19,598	1,80,92,031	2,01,76,124	1,02,75,645	2,05,51,291
Dumped imports from Subject Countries relative to consumption	12.0%	6.7%	12.6%	21.6%	23.6%	23.6%
Production of Petitioners	17,060,206	17,834,156	17,779,313	16,119,418	7,673,642	15,347,285
Dumped imports from Subject	11.0%	6.6%	12.8%	27.1%	31.6%	31.6%

HR in Coils (in MT)	2012-13	2013-14	2014-15	April 2015- Dec 2015 (A)	POI (Jul 2015- Dec 15)	POI (A)
Countries relative to petitioners' total production						

87. The authority notes as under from the above table:

- a. Dumped imports of HR in Coils from the subject countries have increased in absolute terms from 18,76,896 MT in 2012-13 to 4,854,525 MT in POI (A).
- b. Dumped imports of HR in Coils from the subject countries have increased in relation to petitioners' production from 11.0% in 2012-13 to 31.6 % in POI (A).
- c. Dumped imports of HR in Coils from the subject countries have increased in relation to consumption in India from 12.0% in 2012-13 to 23.6% in POI (A).

HR not in Coils in MT	2012-13	2013-14	2014-15	April 2015- Dec 2015 (A)	POI (Jul 2015- Dec 15)	POI (A)
Dumped Import from subject countries	746,486	372,308	1,002,723	1,051,529	459,117	918,234
Trend	100	50	134	141	62	123
Un-dumped Import from Japan	10,870	10,870	10,870	10,870	5,435	10,870
Imports from other countries	5,97,034	3,31,776	3,15,552	2,29,347	80,093	1,60,187
Trend	100	56	53	38	13	27
Total Imports	13,54,390	7,14,953	13,29,145	12,91,746	5,44,646	10,89,291
Trend	100	53	98	95	40	80
Total Demand in India	57,33,984	61,18,084	60,20,101	60,07,609	29,41,549	58,83,098
Dumped imports from Subject Countries relative to consumption	13.0%	6.1%	16.7%	17.5%	15.6%	15.6%
Production of Petitioners	3,935,165	3,732,064	4,061,878	3,957,121	1,949,295	3,898,589
Dumped imports from Subject Countries relative to petitioners' total production	19.0%	10.0%	24.7%	26.6%	23.6%	23.6%

88. The Authority notes as under from the above table:

- a. The dumped imports of HR not in Coils from the subject countries have increased in absolute terms from 746,486 MT in 2012-13 to 918,234 MT in POI (A).
- b. The imports of HR not in Coils from the subject countries have increased in relation

to petitioners' production from 19.0% in 2012-13 to 23.6% in POI (A).

c. Imports of HR not in Coils from the subject countries have increased in relation consumption in India from 13.0% in 2012-13 to 15.6% in POI (A).

89. It is, thus, concluded that imports of the PUC from the subject countries have increased both in absolute terms and in relation to production and consumption in India.

Price Effect of the Dumped Imports on the Domestic Industry

90. With regard to the effect of the dumped imports on prices, Annexure II (ii) of the Rules lays down as follows:

"With regard to the effect of the dumped imports on prices as referred to in sub-rule (2) of rule 18 the Designated Authority shall consider whether there has been a significant price undercutting by the dumped imports as compared with the price of like product in India, or whether the effect of such imports is otherwise to depress prices to a significant degree or prevent price increase which otherwise would have occurred to a significant degree."

91. It has been examined whether there has been a significant price undercutting by the dumped imports of the price of the like product in India, or whether the effect of such imports is otherwise to depress prices to a significant degree or prevent price increases, which otherwise would have occurred, to a significant degree. The impact of dumped imports on the prices of the domestic industry has been examined with reference to the price undercutting, price underselling, price suppression and price depression, if any.

Price Undercutting

92. In order to determine whether the imports are undercutting the prices of the domestic industry in the market, the Authority has compared landed price of imports with net sales realization of the domestic industry. In this regard, a comparison has been made between the landed value of the product and the average selling price of the domestic industry net of all rebates and taxes, at the same level of trade. The prices of the domestic industry were determined at the ex-factory level. The domestic prices and margin of undercutting is shown as per the table below:

HR in Coils (INR/MT)	Japan	Korea	Russia	Brazil	China	Subject Countries
Landed Value	***	***	***	***	***	***
Domestic Selling Price	***	***	***	***	***	***
Price undercutting	(***)	(***)	(***)	***	(***)	(***)
Price undercutting as % of Landed Value	(***)	(***)	(***)	***	(***)	(***)
Price Undercutting Range%	(5)-5	(5)-5	(5)-5	(5)-5	(5)-5	(5)-5

HR not in Coils (INR/MT)	Japan	Korea	Russia	China	Indonesia	Subject Countries
Landed Value	***	***	***	***	***	***
Domestic Selling Price	***	***	***	***	***	***
Price undercutting	(***)	(***)	***	(***)	***	(***)
Price undercutting as % of Landed Value	(***)	(***)	***	(***)	***	(***)
Price Undercutting Range%	(20)-(10)	(5)-5	10-20	(10)-(5)	5-10	(10)-0

93. The authority notes that the price undercutting is negative for some of the subject countries but is also of the opinion that for a proper examination, price undercutting should be examined in conjunction with price depression and price suppression and that price undercutting should not be examined in isolation in a situation where the Domestic Industry has been constantly forced to reduce its prices to match with the landed value of imports. If the Domestic Industry does not respond to imports by bringing down its prices, it will lose more customers and the injury would be more severe.

Price Underselling

94. The Authority has also examined the price underselling suffered by the domestic industry on account of dumped imports from the subject counties. For this purpose, the NIP determined for the domestic industry has been compared with the landed price of imports. Comparison of weighted average NIP of the domestic industry with weighted average landed price of imports shows as follows:

HR in Coils	UOM	Japan	Korea	Russia	Brazil	China
Weighted average-Non injurious price	Rs/MT	***	***	***	***	***
Landed Price	Rs/MT	***	***	***	***	***
Price Underselling	Rs/MT	***	***	***	***	***
Price Underselling	%	***	***	***	***	***
Price Underselling	% Range	10-20	10-20	10-20	10-20	10-20

HR not in Coils	UOM	Japan	Korea	Russia	China	Indonesia
Weighted average-Non injurious price	Rs/MT	***	***	***	***	***
Landed Price	Rs/MT	***	***	***	***	***
Price Underselling	Rs/MT	***	***	***	***	***
Price Underselling	%	***	***	***	***	***
Price Underselling	% Range	10-20	25-35	45-55	20-30	40-50

95. It is seen that the landed price of the subject goods from the subject countries were significantly lower than the NIP determined for the domestic industry.

Price Suppression/Depression

96. In order to determine whether the dumped imports are depressing the domestic prices and whether the effect of such imports is to suppress prices to a significant degree or prevent price increases which otherwise would have occurred to a significant degree, the Authority considered the changes in the costs and prices over the injury period. The position is shown in the table below:

HR in Coils (Rs per MT)	2012-13	2013-14	2014-15	April 2015- Dec 2015	POI (July 2015- Dec 15)
Cost to make and sell	***	***	***	***	***
Trend	100	100	97	92	91
Domestic Selling Price	***	***	***	***	***
Trend	100	102	101	81	79
Landed Value	***	***	***	***	***
Trend	100	105	97	71	100

HR not in Coils (Rs. Per MT)	2012-13	2013-14	2014-15	April 2015- Dec 2015	POI (Jul 2015- Dec 15)
Cost to make and sell	***	***	***	***	***
Trend	100	99	95	98	101
Domestic Selling Price	***	***	***	***	***
Trend	100	99	101	78	75
Landed Value	***	***	***	***	***
Trend	100	108	108	78	69

97. It is noted that the domestic selling prices of domestic industry have reduced significantly to match the landed value of dumped imports. The imports were thus suppressing the prices of the domestic industry in the market.

Economic parameters of the domestic industry

98. Annexure II to the AD Rules requires that a determination of injury shall involve an objective examination of the consequent impact of these imports on domestic producers of like product. The Rules further provide that the examination of the impact of the dumped imports on the domestic industry should include an objective and unbiased evaluation of all relevant economic factors and indices having a bearing on the state of the industry, including actual and potential decline in sales, profits, output, market share, productivity, return on investments or utilization of capacity; factors affecting domestic prices, the magnitude of the margin of dumping; actual and potential negative effects on cash flow, inventories, employment, wages, growth, ability to raise capital investments. An examination of the performance of the domestic industry reveals that the domestic

industry has suffered material injury. The various injury parameters relating to the domestic industry are discussed below.

Production, Capacity Utilization and Sales

99. The performance of the domestic industry with regard to production, domestic sales, capacity & capacity utilization was as follows:

HR in Coils (MT)	2012-13	2013-14	2014-15	April 2015-Dec 2015 (A)	POI (Jul 2015- Dec 15)	POI (A)
Installed Capacity	21,683,726	23,569,000	23,569,000	23,569,000	11,784,500	23,569,000
Total Production	17,060,206	17,834,156	17,779,313	16,119,419	7,673,642	15,347,285
Capacity Utilisation	78.68%	75.67%	75.44%	68.39%	65.12%	65.12%
Domestic Sales	9,345,783	10,469,749	10,043,199	10,040,608	4,885,294	9,770,588

HR not in Coils (MT)	2012-13	2013-14	2014-15	April 2015-Dec 2015 (A)	POI (Jul 2015- Dec 15)	POI (A)
Installed Capacity	5,747,200	5,776,600	5,923,267	6,216,600	3,108,300	6,216,600
Total Production	3,935,165	3,732,064	4,061,878	3,957,121	1,949,295	3,898,589
Capacity Utilisation	68.47%	64.61%	68.57%	63.65%	62.71%	62.71%
Domestic Sales	3,341,216	3,332,848	3,405,997	3,428,266	1,754,675	3,509,349

100. The following can be observed from the above tables:

- a. The production of domestic industry for HR in Coils has reduced significantly from 17,060,206 MT during 2012-13 to 15,347,285 MT during the POI (A). In the case of HR not in coils, the production has fallen from 3,935,165 MT in 2012-13 to 3,898,589 MT during the POI (A).
- b. Capacity utilization of the domestic industry has shown a considerable decline for HR in Coils. The domestic industry has been able to achieve a best capacity utilization of 78.68% during 2012-13. However, this came down to 65.12% during the POI because of the significant increase in dumped imports from the subject countries
- c. Similar trend can be seen for capacity utilization of the domestic industry for HR not in Coils. The domestic industry has been able to achieve a best capacity utilization of 68.74% during 2014-15. However, this came down to 62.71% during the POI. The balance 37% of the capacity remains unutilized. With such high unutilized capacities, the domestic industry is getting into severe financial crunch.

Profits, profitability, return on investment and cash profits

HR in Coils	2012-13	2013-14	2014-15	April 2015- Dec 2015 (A)	POI (Jul 2015- Dec 15)	POI (A)
Profit (Rs. Lakhs)	***	***	***	(***)	(***)	(***)
Trend	100	226	280	(317)	(189)	(377)
Profit (Rs./MT)	***	***	***	(***)	(***)	(***)
Trend	100	202	261	(295)	(361)	(361)
Cash Profits (Rs. Lakhs)	***	***	***	(***)	(***)	(***)
Trend	100	169	188	(85)	(57)	(114)
Cash Profit (Rs./MT)	***	***	***	(***)	(***)	(***)
Trend	100	151	175	(79)	(109)	(109)
ROCE %	***	***	***	***	(***)	(***)
Trend	100	154	158	6	(5)	(5)

HR not in Coils	2012-13	2013-14	2014-15	April 2015-Dec 2015 (A)	POI (Jul 2015- Dec 15)	POI (A)
Profit (Rs. Lakhs)	***	***	***	(***)	(***)	(***)
Trend	100	122	626	(1,715)	(1,139)	(2,277)
Profit (Rs./MT)	***	***	***	(***)	(***)	(***)
Trend	100	122	614	(1,671)	(2,168)	(2,168)
Cash Profits (Rs. Lakhs)	***	***	***	(***)	(***)	(***)
Trend	100	106	242	(413)	(284)	(569)
Cash Profit (Rs./MT)	***	***	***	(***)	(***)	(***)
Trend	100	106	238	(402)	(542)	(542)
ROCE %	***	***	***	(***)	(***)	(***)
Trend	100	111	178	(140)	(218)	(218)

101. The authority notes the following from the above tables:

- a. The Domestic Industry's profitability and return on capital employed have been drastically affected due to rampant dumping of subject goods from subject countries. This is evident from the fact that the domestic industry was earning decent profits and return on capital employed till 2014-15. However, during the POI, the profits and returns have turned into losses.
- b. It can be seen from the above tables that domestic industry was earning decent returns till 2014-15. However, due to severe dumping from subject countries during POI, domestic industry has not been able to recover its cost of sales leave aside

earning a reasonable return on capital employed. If the same trend continues, it will be extremely difficult for the domestic industry to raise any investments. Moreover, if the dumping intensifies further, the negative cash flows will increase further and the domestic industry will not be in a position to service its debts.

Market Share

102. The effects of the dumped imports on the market share of the domestic industry have been examined as below:

HR in Coils	2012-13	2013-14	2014-15	April 2015- Dec 2015 (A)	POI (Jul 2015- Dec 15)	POI (A)
Demand (MT)	1,56,80,410	1,75,19,598	1,80,92,031	2,01,76,124	1,02,75,645	2,05,51,291
Indexed	100	112	115	129	66	131
Market Share						
Share of Petitioners	59.6%	59.8%	55.5%	49.8%	47.5%	47.5%
Share of Supporters	12.3%	16.3%	14.6%	14.5%	15.3%	15.3%
Share of Other Producers	12.5%	15.2%	16.6%	13.5%	13.1%	13.1%
Share of Subject countries	12.0%	6.7%	12.6%	21.6%	23.6%	23.6%
Share of Other countries	3.7%	2.0%	0.7%	0.6%	0.4%	0.4%

HR not in Coils	2012-13	2013-14	2014-15	April 2015-Dec 2015 (A)	POI (Jul 2015- Dec 15)	POI (A)
Demand (MT)	57,33,984	61,18,084	60,20,101	60,07,609	29,41,549	58,83,098
Indexed	100	107	105	105	51	103
Market Share						
Share of Petitioner	58.3%	54.5%	56.6%	57.1%	59.7%	59.7%
Share of Supporters	11.2%	11.9%	10.3%	14.8%	15.0%	15.0%
Share of Other Producers	6.9%	21.9%	11.0%	6.7%	6.9%	6.9%
Share of dumped imports from Subject countries	13.0%	6.1%	16.7%	17.5%	15.6%	15.6%
Share of un-dumped imports from Subject countries	0.2%	0.2%	0.2%	0.2%	0.2%	0.2%
Share of Other countries	10.4%	5.4%	5.2%	3.8%	2.7%	2.7%

103. The petitioners have not been able to increase the sales of the PUC commensurate with the increase in demand because of the significant volume of dumped imports coming from the subject countries.

104. It is seen from the above table that market share of the Domestic Industry has decreased for HR in Coils even though demand for the subject goods has been rising in India.

Further, the authority notes that market share of the imports from the subject countries have increased over the injury period. This is due to the reason that imports have aggressively captured the increase in demand.

Inventories

HR in Coils	2012-13	2013-14	2014-15	POI (Jul 2015- Dec 15)
Inventory (MT)	335,429	324,250	356,486	426,491
Trend (Indexed)	100	97	106	127

HR in not Coils	2012-13	2013-14	2014-15	POI (Jul 2015- Dec 15)
Inventory (MT)	100,878	195,205	113,044	135,397
Trend (Indexed)	100	194	112	134

105. The authority notes that the Domestic Industry is facing significant accumulated inventories. The levels of inventories have been increasing as compared to the base year. Due to increasing imports, the market share of the Domestic Industry has come down and the increased demand has been significantly captured by imports. As a result, the Domestic Industry is unable to increase its production and sales which is leading to a situation of inventory accumulation over the injury period.

Growth

HR in Coils	Unit	2013-14	2014-15	April 15 to Dec 15 (A)	POI(A)
Production	%	4.5	(0.3)	(9.3)	(4.7)
Cost of Production	%	0	(3)	(5)	(1)
Selling Price	%	2	0	(20)	(1)
Profit/ Loss per unit	%	102	59	(213)	(22)
Return on Capital Employed	%	3.88	0.28	(10.9)	(0.7)

HR not in Coils	Unit	2013-14	2014-15	April 15 to Dec 15 (A)	POI(A)
Production	%	(5)	8.8	(2.5)	(1.5)
Cost of Production	%	(1)	(4)	2	3
Selling Price	%	(1)	2	(23)	(3)
Profit/ Loss per unit	%	22	401	(372)	(30)
Return on Capital Employed	%	0.6	3.8	(18)	(4.4)

106. The Authority notes that growth of the domestic industry with regard to production, domestic sales, capacity utilization, profits, return on investment, cash profits has been negative.

Ability to raise capital investments

107. The Authority notes that given the rising demand of the product in the country, the domestic industry has made investments in plant and machinery. However, despite these investments, the performance of the domestic industry has deteriorated considerably and further investment may get adversely affected.

Level of dumping & dumping margin

108. It is noted that the imports from the subject countries are entering the Indian market at dumped prices and that the margins of dumping are significant.

Factors Affecting Domestic Prices

109. The examination of the import prices from the subject countries, change in the cost structure, competition in the domestic market, factors other than dumped imports that might be affecting the prices of the domestic industry in the domestic market, etc. shows that the landed value of the imported material from the subject countries is below the selling price and the non-injurious price of the domestic industry, causing significant price under selling in the Indian market. Thus, the factor affecting the domestic prices is landed value of the subject goods from the subject countries.

Conclusion on injury

110. It is thus seen that there has been a significant increase in the volume of dumped imports from the subject countries in absolute terms. The imports have increased significantly in relation to consumption and production of the product in India. Imports have thus increased both in absolute terms and in relation to production and consumption in India. Dumped imports have had significant adverse price effect in terms of price suppression and depression. Effect of dumped imports has been to reduce the domestic prices of the subject goods. Low priced dumped imports have forced the domestic industry to fetch a market price which could not even cover its cost. The domestic industry is suffering significant price underselling. There exists significant price depression and suppression due to low priced dumped imports coming in India. The dumping margin determined by the Authority is quite significant. With regard to consequent impact of dumped imports on the domestic industry, it is noted that dumped imports from the subject countries have adversely impacted the performance of the domestic industry in respect of production, domestic sales, capacity utilization, inventories, market share, profits, cash profits and return on investment. Inventories with the domestic industry increased. The Domestic Industry's profitability and return on capital employed have been drastically affected. This is evident from the fact that the domestic industry was earning decent profits and return on capital employed till 2014-15. However, during the POI, the profits and returns have turned into losses. Thus, the Authority provisionally concludes that the domestic industry has suffered material injury.

Causal Link

111. The Authority has examined whether other factors listed under the Anti-dumping Rules could have contributed to injury to the domestic industry. The examination of causal link between dumping and material injury to the domestic industry has been done as follows:

Imports from third countries

112. The imports from the countries other than the subject countries are not significant in volume terms so as to cause or threaten to cause injury to the domestic industry. Moreover, the price at which goods are coming from the other countries is much higher than the price at which goods are coming from the subject countries.

Contraction in demand

113. The demand for the subject goods has shown an increasing trend. Accordingly, fall in demand cannot be the reason for injury to the domestic industry. In fact, the domestic

industry has not been able to increase its sale and market share commensurate to increase in demand.

Trade restrictive practices of and competition between the foreign and domestic producers

114.The Authority notes that there is no trade restrictive practice which could have contributed to the injury to the domestic industry.

Developments in technology

115.The technology for production of the product concerned has not undergone any change. Thus, developments in technology cannot be regarded as a factor causing injury to the domestic injury.

Changes in pattern of consumption

116.The domestic industry is producing the type of goods that have been imported into India. Possible changes in the pattern of consumption are not a factor that could have caused claimed injury to the domestic industry.

Export performance

117.Claimed injury to the domestic industry is not on account of possible significant deterioration in export performance of the domestic industry. In fact, the exports by the domestic industry have not materially declined. In any case, the domestic industry has considered domestic performance wherever possible.

Performance of the domestic industry with respect to other products

118.The Authority notes that the performance of other products being produced and sold by the domestic industry has not affected the assessment made by the Authority of the domestic industry's performance. The information considered by the Authority is with respect to the product under consideration only.

Productivity of the domestic industry

119.The Authority notes that the deterioration in productivity has not caused injury to the domestic industry.

Factors establishing causal link

120.Analysis of the performance of the domestic industry over the injury period shows that the performance of the domestic industry has materially deteriorated due to dumped imports from the subject countries. Causal link between dumped imports and the injury to the domestic industry is established on the following grounds:

- Imports of the subject goods have increased in absolute terms over the entire period of investigation. Imports of the PUC from the subject countries have increased in absolute terms.

- Imports of the subject goods have increased relative to production and consumption in India.
- Market share of the Domestic Industry has decreased even though demand for the subject goods has been rising in India. This is due to the reason that imports have aggressively captured the increase in demand.
- The Domestic Industry has not been able to increase its production and sales commensurate with the increase in demand.
- Inventories of the Domestic Industry have been on the rise, as the Domestic Industry has not been able to increase its sales despite increase in demand. Imports have been aggressively capturing the demand in India.
- There is significant price suppression and depression due to low priced dumped imports coming in to India.
- The Domestic Industry's profitability and return on capital employed have been drastically affected. This is evident from the fact that the domestic industry was earning decent profits and return on capital employed till 2014-15. However, during the POI, the profits and returns have turned into losses.

121. The above analysis indicates that the Domestic Industry is suffering material injury due to increasing dumped imports of PUC into India. There exists a strong nexus between the increase in dumped imports of the subject goods and the material injury being suffered by the Domestic Industry.

Conclusion on Injury and Causation

122. From the above examination of injury and causal link, the Authority provisionally concludes that the domestic industry has suffered injury as a result of dumping of the subject goods from the subject countries. There has been a significant increase in the volume of dumped imports from the subject countries in absolute terms throughout the injury period and in relation to production and consumption in India. The dumped imports have had significant adverse effect on the prices of the domestic industry in the market. The dumping margin for the subject countries has been determined and is considered significant. Dumped imports from the subject countries have adversely impacted production, sales and capacity utilization. Market share of the domestic industry has significantly declined whereas that of subject imports has significantly increased. Performance of the domestic industry has significantly deteriorated in respect of profits, cash profits and return on investments. Inventories have increased. The Authority provisionally concludes that the domestic industry has suffered injury as a result of dumped imports from the subject countries.

123. The Authority has determined the non-injurious price for the domestic industry and compared with the landed values of the subject imports of the responding exporters to determine the injury margin. The injury margin so determined has been considered for determination of weighted average injury margin. The injury margins have been determined as follows:

Injury Margin

HR in Coils

S.No	Country	Producer	Exporter	NIP	Landed Value	Injury Margin	Injury Margin %	Injury Margin Range %
1.	Korea RP	M/s Hyundai Steel Company	<ol style="list-style-type: none"> M/s Hyundai Steel Company, Korea RP M/s GS Global Corp., Korea RP M/s Hyundai Corporation, Korea RP M/s Main Steel Co. Ltd., Korea RP M/s P&A Corporation, Korea RP Ohmi Industries Ltd., Japan 	***	***	***	***	20-30
2.	Korea RP	M/s POSCO	<ol style="list-style-type: none"> M/s POSCO, Korea RP M/s POSCO Daewoo Corporation, Korea RP M/s GS Global Corp, Korea RP M/s Hyundai Corporation, Korea RP M/s Samsung C&T Corporation, Korea RP M/s POSCO Asia, Hong Kong POSCO P&S, Korea RP 	***	***	***	***	20-30
3.	Japan	JFE Steel Corporation	<ol style="list-style-type: none"> Honda Trading Corporation, Japan JFE Shoji Trade Corporation, Japan Metal One Corporation, Japan Mitsui & Co. Ltd, Ohmi Industries Ltd., Japan Uttam Galva International Pte. Ltd., Singapore Uttam Galva International FZE, UAE Toyota Tshusho Corporation, Japan Marubeni-Itochu Steel Inc., Japan 	***	***	***	***	50-60
4.	Japan	M/s. Nippon Steel & Sumitomo Metal Corporation	<ol style="list-style-type: none"> Hanwa Co., Ltd, Japan Honda Trading Corporation, Japan Kanematsu Corporation Ltd, Japan Marubeni-Itochu Steel Inc., Japan Metal One Corporation, Japan Mitsui & Co. Ltd, Japan Nippon Steel & Sumikin Bussan Corporation, Japan Sumitomo Corporation, Japan Toyota Tshusho Corporation, Japan Ohmi Industries Ltd, Japan 	***	***	***	***	15-25
5.	China PR	M/s Angang Steel Company Limited	M/s Angang Group Hong Kong Co. Ltd, Hong Kong	***	***	***	***	25-35
6.	China PR	<ol style="list-style-type: none"> M/s Zhangjiagang GTA Plate Co., Ltd. M/s Zhangjiagang Hongchang Plate Co., Ltd., M/s Zhangjiagang Shajing Heavy 	<ol style="list-style-type: none"> M/s Jiangsu Shagang International Trade Co., Ltd., China PR M/s Shagang International (Singapore) Pte LTD., Singapore M/s Xinsha International PTE Ltd., Singapore, 	***	***	***	***	30-40

S.No	Country	Producer	Exporter	NIP	Landed Value	Injury Margin	Injury Margin %	Injury Margin Range %
		Plate Co., Ltd.,	4. M/s Burwill Resources Limited, BVI 5. M/s Future Materials Industry (Hong Kong) Co. Ltd., Hong Kong 6. M/s Lu Qin (Hong Kong) Co. Ltd., Hong Kong 7. M/s Ningbo Cimei Import & Export Co. Ltd., China PR 8. M/s Steelco Pacific Trading Limited, Hong Kong 9. M/S GS Global Corp., Korea RP					

HR not in Coils

S.No	Country	Producer	Exporter	NIP	Landed Value	Injury Margin	Injury Margin %	Injury Margin Range %
1.	Korea RP	M/s Hyundai Steel Company	1. M/s GS Global Corp., Korea RP 2. M/s Hyundai Corporation, Korea RP	***	***	***	***	80-90
2.	Korea RP	M/s POSCO	1. M/s POSCO Daewoo Corporation, Korea RP 2. M/s GS Global Corp, Korea RP 3. M/s Hyundai Corporation, Korea RP 4. M/s POSCO Asia, Hong Kong 5. POSCO P&S, Korea RP	***	***	***	***	20-30
3.	Japan	JFE Steel Corporation	1. JFE Shoji Trade Corporation, Japan 2. Metal One Corporation, Japan 3. Mitsui & Co. Ltd, Japan 4. Ohmi Industries, Ltd., Japan 5. Toyota Tshusho Corporation, Japan 6. Shinsho Corporation, Japan 7. Marubeni-Itochu Steel Inc., Japan 8. Kyusho Co. Ltd., Japan	***	***	***	***	0-10
4.	Japan	M/s Nippon Steel & Sumitomo Metal Corporation	1. Hanwa Co. Ltd, Japan 2. Mitsui & Co. Ltd, Japan 3. Nippon Steel & Sumikin Bussan Corporation, Japan 4. Sumitomo Corporation, Japan 5. Ohmi Industries Ltd, Japan	***	***	***	***	(40-50)
5.	China PR	M/s Angang Steel Company Limited	M/s Angang Group Hong Kong Co. Ltd, Hong Kong	***	***	***	***	50-60
6.	China PR	1. M/s Zhangjiagang GTA Plate Co., Ltd. 2. M/s Zhangjiagang Hongchang Plate Co., Ltd., 3. M/s Zhangjiagang Shajing Heavy Plate Co., Ltd.,	1. M/s Jiangsu Shagang International Trade Co. Ltd., China PR 2. M/s Shagang International (Singapore) Pte Ltd., Singapore	***	***	***	***	50-60

S.No	Country	Producer	Exporter	NIP	Landed Value	Injury Margin	Injury Margin %	Injury Margin Range %
7.	China PR	1. M/s Wuyang New Heavy & Wide Steel Plate Co. Ltd 2. M/s Wuyang Iron and Steel Co. Ltd.	1. M/s Wuyang Iron and Steel Co. Ltd., China PR 2. Hebei Iron & Steel (Hong Kong) International Trade Co. Ltd, Hong Kong 3. Hebei Iron & Steel (Singapore) PTE. Ltd, Singapore 4. Salzgitter Mannesmann International GmbH, Germany 5. Burwill Resources Limited, BVI	***	***	***	***	40-50

124.The level of dumping margins and injury margins as determined are considered significant.

Landed Value and Injury Margin for other producers and exporters from the subject countries

125.The landed value to India in respect of other producers and exporters in the subject countries has been determined on the basis of best available information. The information provided by the responding exporters has been adopted for the purpose. The injury margin so worked out is mentioned in the table below.

HR in Coils (US\$/MT)	Japan	Korea	Russia	Brazil	China	Indonesia
NIP	***	***	***	***	***	***
Landed Value	***	***	***	***	***	***
Injury Margin	***	***	***	***	***	***
Injury Margin %	***	***	***	***	***	***
Injury Margin % Range	45-55	20-30	10-20	15-25	30-40	60-70

HR not in Coils (US\$/MT)	Japan	Korea	Russia	China	Indonesia	Brazil
NIP	***	***	***	***	***	***
Landed Value	***	***	***	***	***	***
Injury Margin	***	***	***	***	***	***
Injury Margin %	***	***	***	***	***	***
Injury Margin % Range	10-20	80-90	50-60	50-60	40-50	5-15

G. Indian industry's interest & other issues

126. The Authority notes that the purpose of anti-dumping duties, in general, is to eliminate injury caused to the Domestic Industry by the unfair trade practices of dumping so as to re-establish a situation of open and fair competition in the Indian market, which is in the general interest of the country. Imposition of anti-dumping measures would not restrict imports from the subject countries in any way, and, therefore, would not affect the availability of the products to the consumers.

127. It is recognized that the imposition of anti-dumping duties might affect the price levels of the product manufactured using the subject goods and consequently might have some influence on relative competitiveness of these product. The domestic industry submitted that imposition of proposed duty shall have insignificant cost implications for the consumer. Therefore, fair competition in the Indian market will not be reduced by the anti-dumping measures, particularly if the levy of the anti-dumping duty is restricted to an amount necessary to redress the injury to the domestic industry. On the contrary, imposition of anti-dumping measures would remove the unfair advantages gained by dumping practices, would prevent the decline of the domestic industry and help maintain availability of wider choice to the consumers of the subject goods.

H. Recommendations

128. After examining the submissions made and issues raised, and considering the facts available on record, the Authority provisionally concludes that:

- (a) The product under consideration has been exported to India from the subject countries below normal value.
- (b) The domestic industry has suffered material injury on account of subject imports from the subject countries.
- (c) The injury has been caused by the dumped imports of the subject goods from the subject countries.

129. The Authority notes that the investigation was initiated and it was notified to all interested parties. Adequate opportunity was given to the exporters, importers and other interested parties to provide information on the aspects of dumping, injury and causal link. Having initiated and conducted an investigation into dumping, injury and the causal link thereof in terms of the Anti-Dumping Rules and having established a positive dumping margin as well as material injury to the domestic industry caused by such dumped imports, the Authority is of the view that imposition of provisional anti-dumping duty is necessary to offset dumping and injury.

130. Having regard to the lesser duty rule, the Authority recommends imposition of provisional anti-dumping duty equal to the lesser of margin of dumping and margin of injury, so as to remove the injury to the domestic industry. Accordingly, the Authority recommends imposition of provisional anti-dumping duties on the imports of the subject goods, originating in or exported from the subject countries, from the date of notification to be issued in this regard by the Central Government, as the difference between the landed value of the subject goods and the amount indicated in Col 8 of the duty table appended below, provided the landed value is less than the value indicated in Col 8. The landed value of imports for this purpose shall be the assessable value as determined by

the customs under Customs Tariff Act, 1962 and applicable level of custom duties except duties levied under Section 3, 3A, 8B, 9, 9A of the Customs Tariff Act, 1975.

Duty Tables

S.No.	Heading / Sub heading	Description of goods	Country of origin	Country of export	Producer	Exporter	Amount	Unit	Currency
1	2	3	4	5	6	7	8	9	10
1.	7208, 7211, 7225 and 7226	Hot-rolled flat products of alloy or non-alloy steel in coils of a width upto 2100mm and thickness upto 25mm	Korea RP	Korea RP	M/s Hyundai Steel Company	1. M/s Hyundai Steel Company, Korea RP 2. M/s GS Global Corp., Korea RP 3. M/s Hyundai Corporation, Korea RP 4. M/s Main Steel Co. Ltd., Korea RP 5. M/s P&A Corporation, Korea RP 6. Ohmi Industries Ltd., Japan	474	MT	US\$
2.	- do -	- do -	Korea RP	Korea RP	M/s POSCO	1. M/s POSCO, Korea RP 2. M/s POSCO Daewoo Corporation, Korea RP 3. M/s GS Global Corp, Korea RP 4. M/s Hyundai Corporation, Korea RP 5. M/s Samsung C&T Corporation, Korea RP 6. M/s POSCO Asia, Hong Kong 7. POSCO P&S, Korea RP	474	MT	US\$
3.	- do -	- do -	Korea RP	Korea RP	Any combination other than S. No. 1 & 2		474	MT	US\$
4.	- do -	- do -	Korea RP	Any country other than those subject to anti dumping duty	Any	Any	474	MT	US\$
5.	- do -	- do -	Any country other than those subject to anti dumping	Korea RP	Any	Any	474	MT	US\$

S.No.	Heading / Sub heading	Description of goods	Country of origin	Country of export	Producer	Exporter	Amount	Unit	Currency
			ng duty						
6.	- do -	- do -	Japan	Japan	JFE Steel Corporation	1. Honda Trading Corporation, Japan 2. JFE Shoji Trade Corporation, Japan 3. Metal One Corporation, Japan 4. Mitsui & Co. Ltd, 5. Ohmi Industries Ltd., Japan 6. Uttam Galva International Pte. Ltd., Singapore 7. Uttam Galva International FZE, UAE 8. Toyota Tshusho Corporation, Japan 9. Marubeni-Itochu Steel Inc., Japan	474	MT	US\$
7.	- do -	- do -	Japan	Japan	M/s. Nippon Steel & Sumitomo Metal Corporation	1. Hanwa Co., Ltd, Japan 2. Honda Trading Corporation, Japan 3. Kanematsu Corporation Ltd, Japan 4. Marubeni-Itochu Steel Inc., Japan 5. Metal One Corporation, Japan 6. Mitsui & Co. Ltd, Japan 7. Nippon Steel & Sumikin Bussan Corporation, Japan 8. Sumitomo Corporation, Japan 9. Toyota Tshusho Corporation, Japan 10. Ohmi Industries Ltd, Japan	474	MT	US\$
8.	- do -	- do -	Japan	Japan	Any combination other than S. No. 6 & 7		474	MT	US\$
9.	- do -	- do -	Japan	Any country other than those subject to anti dumping duty	Any	Any	474	MT	US\$
10.	- do -	- do -	Any country other than those subject	Japan	Any	Any	474	MT	US\$

S.No.	Heading / Sub heading	Description of goods	Country of origin	Country of export	Producer	Exporter	Amount	Unit	Currency
			to anti dumping duty						
11.	- do -	- do -	China PR	China PR	M/s Angang Steel Company Limited	M/s Angang Group Hong Kong Co., Ltd	474	MT	US\$
12.	- do -	- do -	China PR	China PR	<ol style="list-style-type: none"> 1. M/s Zhangji agang GTA Plate Co., Ltd. 2. M/s Zhangji agang Hongch ang Plate Co., Ltd., 3. M/s Zhangji agang Shajing Heavy Plate Co., Ltd., 	<ol style="list-style-type: none"> 1. M/s Jiangsu Shagang International Trade Co., Ltd., China PR 2. M/s Shagang International (Singapore) Pte LTD., Singapore 3. M/s Xinsha International PTE Ltd., Singapore, 4. M/s Burwill Resources Limited, BVI 5. M/s Future Materials Industry (Hong Kong) Co. Ltd., Hong Kong 6. M/s Lu Qin (Hong Kong) Co. Ltd., Hong Kong 7. M/s Ningbo Cimei Import & Export Co. Ltd., China PR 8. M/s Steelco Pacific Trading Limited, Hong Kong 9. M/S GS Global Corp., Korea RP 	474	MT	US\$
13.	- do -	- do -	China PR	China PR	Any combination other than S. No. 11 & 12		474	MT	US\$
14.	- do -	- do -	China PR	Any country other than those subject to anti dumping duty	Any	Any	474	MT	US\$
15.	- do -	- do -	Any country other than those subject to anti dumping duty	China PR	Any	Any	474	MT	US\$

S.No.	Heading / Sub heading	Description of goods	Country of origin	Country of export	Producer	Exporter	Amount	Unit	Currency
16.	- do -	- do -	Russia	Russia	Any	Any	474	MT	US\$
17.	- do -	- do -	Russia	Any country other than those subject to anti dumping duty	Any	Any	474	MT	US\$
18.	- do -	- do -	Any country other than those subject to anti dumping duty	Russia	Any	Any	474	MT	US\$
19.	- do -	- do -	Brazil	Brazil	Any	Any	474	MT	US\$
20.	- do -	- do -	Brazil	Any country other than those subject to anti dumping duty	Any	Any	474	MT	US\$
21.	- do -	- do -	Any country other than those subject to anti dumping duty	Brazil	Any	Any	474	MT	US\$
22.	- do -	- do -	Indonesia	Indonesia	Any	Any	474	MT	US\$
23.	- do -	- do -	Indonesia	Any country other than those subject to anti dumping duty	Any	Any	474	MT	US\$
24.	- do -	- do -	Any country other	Indonesia	Any	Any	474	MT	US\$

S.No.	Heading / Sub heading	Description of goods	Country of origin	Country of export	Producer	Exporter	Amount	Unit	Currency
			than those subject to anti dumping duty						

S.No.	Heading / Sub heading	Description of goods	Country of origin	Country of export	Producer	Exporter	Amount	Unit	Currency
1	2	3	4	5	6	7	8	9	10
1.	7208, 7211, 7225 and 7226	Hot-rolled flat products of alloy or non-alloy steel not in coils (commonly known as sheets and plates) of a width upto 4950mm and thickness upto 150mm	Korea RP	Korea RP	M/s Hyundai Steel Company	1. M/s GS Global Corp., Korea RP 2. M/s Hyundai Corporation, Korea RP	557	MT	US\$
2.	- do -	- do -	Korea RP	Korea RP	M/s POSCO	1. M/s POSCO Daewoo Corporation, Korea RP 2. M/s GS Global Corp, Korea RP 3. M/s Hyundai Corporation, Korea RP 4. M/s POSCO Asia, Hong Kong 5. POSCO P&S, Korea RP	557		US\$

S.No.	Heading / Sub heading	Description of goods	Country of origin	Country of export	Producer	Exporter	Amount	Unit	Currency
3.	- do -	- do -	Korea RP	Korea RP	Any combination other than S. No. 1 & 2		557	MT	US\$
4.	- do -	- do -	Korea RP	Any country other than those subject to anti dumping duty	Any	Any	557	MT	US\$
5.	- do -	- do -	Any country other than those subject to anti dumping duty	Korea RP	Any	Any	557	MT	US\$
6.	- do -	- do -	Japan	Japan	JFE Steel Corporation	<ol style="list-style-type: none"> 1. JFE Shoji Trade Corporation, Japan 2. Metal One Corporation, Japan 3. Mitsui & Co. Ltd, Japan 4. Ohmi Industries, Ltd., Japan 5. Toyota Tshusho Corporation, Japan 6. Shinsho Corporation, Japan 7. Marubeni-Itochu Steel Inc., Japan 8. Kyusho Co. Ltd., Japan 	557	MT	US\$
7.	- do -	- do -	Japan	Japan	M/s Nippon Steel & Sumitomo Metal Corporation	<ol style="list-style-type: none"> 1. Hanwa Co. Ltd, Japan 2. Mitsui & Co. Ltd, Japan 3. Nippon Steel & Sumikin Bussan Corporation, 	NIL (Please Refer Note -1 below the Duty Table)	MT	US\$

S.No.	Heading / Sub heading	Description of goods	Country of origin	Country of export	Producer	Exporter	Amount	Unit	Currency
						4. Sumitomo Corporation, Japan 5. Ohmi Industries Ltd, Japan			
8.					M/s Nippon Steel & Sumitomo Metal Corporation	1. Hanwa Co. Ltd, Japan 2. Mitsui & Co. Ltd, Japan 3. Nippon Steel & Sumikin Bussan Corporation, Japan 4. Sumitomo Corporation, Japan 5. Ohmi Industries Ltd, Japan	557	MT	US\$
9.	- do -	- do -	Japan	Japan	Any combination other than S. No. 6, 7 & 8		557	MT	US\$
10.	- do -	- do -	Japan	Any country other than those subject to anti dumping duty	Any	Any	557	MT	US\$
11.	- do -	- do -	Any country other than those subject to anti dumping duty	Japan	Any	Any	557	MT	US\$
12.	- do -	- do -	China PR	China PR	M/s Angang Steel Company Limited	M/s Angang Group Hong Kong Co. Ltd	557	MT	US\$
13.	- do -	- do -	China PR	China PR	1. M/s Zhangjiagang GTA Plate Co., Ltd. 2. M/s	1. M/s Jiangsu Shagang International Trade Co. Ltd., China	557	MT	US\$

S.No.	Heading / Sub heading	Description of goods	Country of origin	Country of export	Producer	Exporter	Amount	Unit	Currency
					Zhangjiagang Hongchang Plate Co., Ltd., 3. M/s Zhangjiagang Shajing Heavy Plate Co., Ltd.	PR 2. M/s Shagang International (Singapore) Pte Ltd., Singapore			
14.	- do -	- do -	China PR	China PR	1. M/s Wuyang New Heavy & Wide Steel Plate Co. Ltd 2. M/s Wuyang Iron and Steel Co. Ltd	1. M/s Wuyang Iron and Steel Co. Ltd., China PR 2. Hebei Iron & Steel (Hong Kong) International Trade Co. Ltd, Hong Kong 3. Hebei Iron & Steel (Singapore) PTE. Ltd, Singapore 4. Salzgitter Mannesmann International GmbH, Germany 5. Burwill Resources Limited, BVI	557	MT	US\$
15.	- do -	- do -	China PR	China PR	Any combination other than S. No. 12 13 & 14		557	MT	US\$
16.			China PR	Any country other than those subject to anti dumping duty	Any	Any	557	MT	US\$
17.			Any country other than those subject to anti	China PR	Any	Any	557	MT	US\$

S.No.	Heading / Sub heading	Description of goods	Country of origin	Country of export	Producer	Exporter	Amount	Unit	Currency
			dumping duty						
18.	- do -	- do -	Russia	Russia	Any	Any	557	MT	US\$
19.	- do -	- do -	Russia	Any country other than those subject to anti dumping duty	Any	Any	557	MT	US\$
20.	- do -	- do -	Any country other than those subject to anti dumping duty	Russia	Any	Any	557	MT	US\$
21.	- do -	- do -	Brazil	Brazil	Any	Any	557	MT	US\$
22.	- do -	- do -	Brazil	Any country other than those subject to anti dumping duty	Any	Any	557	MT	US\$
23.	- do -	- do -	Any country other than those subject to anti dumping duty	Brazil	Any	Any	557	MT	US\$
24.	- do -	- do -	Indonesia	Indonesia	Any	Any	557	MT	US\$
25.	- do -	- do -	Indonesia	Any country other than those subject to anti dumpi	Any	Any	557	MT	US\$

S.No.	Heading / Sub heading	Description of goods	Country of origin	Country of export	Producer	Exporter	Amount	Unit	Currency
				ng duty					
26.	- do -	- do -	Any country other than those subject to anti dumping duty	Indonesia	Any	Any	557	MT	US\$

Note-1: Only applicable for following quality/grades of sheets/plates:

- a) High Tensile Quality
- b) High Tensile Structural Steel (YS 350 Mpa & Above)
- c) Boiler/Pressure Vessel Quality

I. FURTHER PROCEDURE

131. The procedure as below would be followed subsequent to notifying the preliminary findings:-

- a. The Authority invites comments on these provisional findings from all the interested parties and the same, considered relevant by the Authority, would be considered in the final findings;
- b. Exporters, importers, the applicants and other interested parties known to be concerned are being addressed separately by the Authority, who may make known their views known, within forty days from the date of the publication of these preliminary findings. Any other interested party may also make known its views within forty days from the date of publication of these findings.
- c. The Authority would conduct further verification to the extent deemed necessary.
- d. The Authority would disclose the essential facts as per the Anti-dumping Rules before announcing the final findings.

(A. K. Bhalla)
Additional Secretary & Designated Authority