

No.14/1/97-ADD
Government of India
Ministry of Commerce

New Delhi, the 6th oct. 1997

Initiation Notification

Subject: Initiation of anti dumping investigation concerning import of Hot Rolled Coils/ Sheets/ Plates/ Strips from Russia, Ukraine and Kazakhstan.

M/s Steel Authority of India Ltd. (SAIL) and M/s Essar Steel Ltd. Filed a petition on behalf of the domestic industry, in accordance with the Customs Tariff (Amendment) Act, 1995 and Customs Tariff (Identification, Assessment and Collection of Anti Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 before the Designated Authority (hereinafter referred to as the Authority) alleging dumping of Hot Rolled Coils/ Sheets/ Plates/ Strips from Russia, Ukraine and Kazakhstan and requested for anti dumping investigations and levy land of anti dumping duties.

1. Domestic Industry- Standing: The petition has been filed by M/s Steel Authority of India Ltd., Hindustan Times House, 18-20, K.G. Marg, New Delhi and M/s Essar Steel Ltd., Essar House, Mahalakshmi, Mumbai-400034 and is supported by M/s Lloyds Steel Industries Ltd and M/s. Tata Iron & Steel Company Ltd (TISCO). The petitioners account for approx 78% of the total domestic production. Therefore, the Petitioners satisfy the standing to file the petition on behalf of the domestic industry.

2. Product Involved: The product involved in the present investigation is Hot Rolled Coils/ Sheets/ Strips of a width 600 mm or more having thickness between 1.5 mm & 20 mm (both inclusive), not clad plated or coated originating in or exported from Russia. Ukraine and Kazakhstan and is classified under custom sub- heading 72.08 of the Customs Tariff Act. The classification is, however, indicative only and in no way binding on the scope of the present investigation.

3. Countries Involved: The countries involved in the present investigations are Russia, Ukraine and Kazakhstan.

4. Like Goods: The petitioner has claimed that the goods exported from Russia, Ukraine and Kazakhstan are being produced by the petitioners and are being consumed interchangeably and, therefore, have characteristics closely resembling each other. Goods produced by the subject companies can, therefore, be treated as like

articles to the goods imported from Russia, Ukraine and Kazakhstan within the meaning of the Rules.

5. Normal Value:

(a) Russia:

The petitioners have claimed Normal Value based on local prices of Hot Rolled Coils/ Sheets/ Plates/ Strips in respect of three companies in Russia.

(b) Ukraine and Kazakhstan:

Due to non-availability of reliable normal value data in Ukraine and Kazakhstan, the petitioners have claimed the normal value, on the basis of cost of production as applicable for steel plants in these countries. The cost of production has been taken on the basis of an in- depth analysis done by the internationally reputed steel publication, World Steel Dynamics.

6. Export price: The petitioner has claimed export price on the basis of data from DGCI & S, Calcutta and based of Bill of entries filed by the importers concerned with the customs authorities compiled by M/s Steel Trade Intelligence, Bombay.

7. Dumping Margin: There is sufficient prima facie evidence with regard to normal values in the subject countries, the prices at which goods have been exported from the subject countries and that the normal values of Hot Rolled Coils/ Sheets/ Plates/ Strips in the subject countries are significantly higher than the price at which these have been exported to India, indicating, prima facie, that the goods are being dumped by the exporters from the subject countries.

8. Injury: The petitioners have alleged that imports of Hot Rolled Coils/ Sheets/ Plates/ Strips to India from the subject countries have increased and stated that their profits have declined and inventories have gone up. The imports of Hot Rolled Coils/ Sheets/ Plates/ Strips are entering in India at such a price so as to have a significant depressing effect on the domestic prices of Hot Rolled Coils/ Sheets/ Plates/ Strips in India. Various economic parameters relating to domestic industry indicate collectively and cumulatively that domestic industry has suffered material injury and the same also pose a threat of material injury.

9. Initiation of Anti Dumping investigation: The Authority, in view of the forgoing paragraphs initiates anti dumping investigation into the existence, degree and effect of alleged dumping of the subject goods originating in or exported from Russia, Ukraine and Kazakhstan.

10. Period of investigation: The period of investigation for the purpose of present investigations is 1st April, 1996 to 31st March, 1997

11. Submission of Information: The exporters in the said countries and importers in India known to be concerned are being addressed separately to submit relevant information to form and manner prescribed and make their views known to the Designated Authority and Additional Secretary, Government of India, Ministry of Commerce, Udyog Bhawan New Delhi 110011. Any other interested party may also make its submissions relevant to the investigations in the prescribed form and manner within the time limit set out below.

12. Time Limit: Any information relating to the present investigation should be sent in writing so as to reach the Authority at the address mentioned above not later than forty days from the date of publication of this notification. The known exporters and importers, who are being addressed separately, are, however, required to submit the information within forty days from the date of letter addressed to them separately.

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

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

(Dipak Chatterjee)
Designated Authority