

**F. No. 6/8/2022-DGTR**  
**Government of India**  
**Department of Commerce**  
**Ministry of Commerce & Industry**  
**(Directorate General of Trade Remedies)**  
**4 Floor, Jeevan Tara Building**  
**5, Parliament Street, New Delhi-110001**

**Dated: 26<sup>th</sup> June 2023**

**Case No. AD(OI) - 08/2022**

**CLARIFICATION**

**Subject: Clarification regarding the method of reporting data in the respective Questionnaire Responses.**

1. Reference of all interested parties is invited to the above cited subject. The Directorate, on 16<sup>th</sup> June 2023, issued a notification regarding the scope of the product under consideration (PUC) and product control numbers (PCNs),<sup>1</sup> wherein it was clarified that 7 ‘sub-assemblies’ and ‘assemblies’ are included within the scope of the PUC.<sup>2</sup> Certain interested parties have requested for further clarification as to how transactions of the 7 identified ‘sub-assemblies’ and ‘assemblies’ are to be reported in the respective questionnaire responses.
2. It is hereby clarified that:
  - a. The PCNs of all transactions of alloy steel chisel/tool in fully assembled condition and hydraulic rock breaker in fully assembled condition must be reported as per the notice dated 16<sup>th</sup> June.<sup>3</sup>
  - b. An additional column, with the heading ‘*assemblies/sub-assemblies*’, must be incorporated into the respective appendices of the questionnaire responses (exporter questionnaire response, importer questionnaire response and user industry questionnaire response). If the ‘assemblies or sub-assemblies’ have been imported along with chisel, then such ‘assembly or sub-assemblies’ must be reported under the PCN meant for “hydraulic rock breaker with chisel” i.e., HRC. If the ‘assembly or sub – assemblies’ have been imported without chisel, then such ‘assembly or sub-assemblies’ must be reported under the PCN meant for “hydraulic rock breaker without chisel” i.e., HRB. Given the fact that each of these ‘assemblies or sub-assemblies’ are meant for use in a hydraulic rock breaker with chisel cavity of certain diameter, the corresponding diameter code of the chisel as stipulated in the previous notification, must also be mentioned.

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<sup>1</sup> ‘Scope of the Product Under Consideration and Product Control Numbers’, notice dated 16<sup>th</sup> June 2022, [https://www.dgtr.gov.in/sites/default/files/Scope%20of%20PUC%20%26%20final%20PCN%20methodology\\_Rock%20Breaker.pdf](https://www.dgtr.gov.in/sites/default/files/Scope%20of%20PUC%20%26%20final%20PCN%20methodology_Rock%20Breaker.pdf)

<sup>2</sup> *Id.*, paragraph 3.

<sup>3</sup> *Id.*, paragraph 4.

- c. Further, the transaction of the 7 ‘sub-assemblies’ and ‘assemblies’<sup>4</sup> must be reported as ‘*A/SA*’ under the additional column titled ‘*assemblies/sub-assemblies*’ (regardless of the type of ‘sub-assembly’ or ‘assembly’).

For example:

- i. a ‘hydraulic unit’ imported along with a chisel of 165mm, meant to be used in a hydraulic rock breaker of 2200 kgs (only weight of rock breaker) of chisel diameter 165 mm shall be reported as HRC-D4. In the additional column, the same shall be reported ‘A/SA’.
  - ii. A ‘hydraulic unit’ imported without chisel, meant to be used in a hydraulic rock breaker of 2200 kgs (only weight of rock breaker) of chisel diameter 165 mm shall be reported as HRB – D4. In the additional column, the same shall be reported as ‘A/SA’.
- d. It is also noted that a ‘sub – assembly or assembly’ may be imported with or without a chisel of corresponding diameter i.e., a ‘hydraulic unit’ meant to be used in a hydraulic rock breaker with a chisel diameter of 165 mm, may be imported with 125mm chisel. In such a situation, the chisel shall be reported as separate transaction as “CHI-D3” and the ‘hydraulic unit’ shall be reported as “HRB-D4”.
- e. If multiple chisels of varying diameters are imported along with a “hydraulic unit” and some of them correspond to the diameter of the rock breaker in which such “hydraulic unit” is to be used, then the hydraulic unit shall be reported HRC-D‘X’ (here X denotes the numeral part of D<sub>1</sub>, D<sub>2</sub>, D<sub>3</sub>, D<sub>4</sub>) and other chisels shall be reported as separate transaction under the appropriate PCN heading (CHI - D‘X’). The same methodology shall be applicable for reporting transactions of fully assembled rock breakers.

For example:

- i. a ‘hydraulic unit’ imported along with 3 chisels. The diameter of these chisels is 165mm, 125 mm and 85 mm, and the ‘hydraulic unit’ is meant to be used in a hydraulic rock breaker of 2200 kgs (only weight of rock breaker) of chisel diameter 165 mm, then the ‘hydraulic unit’ shall be reported as HRC-D4. In the additional column, the same shall be reported ‘A/SA’. The other two chisels shall be reported as ‘CHI-D3’ and ‘CHI-D2’, respectively.
- ii. a ‘hydraulic unit’ imported along with 2 chisels. The diameter of these chisels is 125 mm and 85 mm, and the ‘hydraulic unit’ is meant to be used in a hydraulic rock breaker of 2200 kgs (only weight of rock breaker) of chisel diameter 165 mm, then the ‘hydraulic unit’ shall be reported as HRB-D4 as chisel corresponding to the ‘hydraulic unit’ is not imported. In the additional column, the same shall be reported ‘A/SA’. The other two chisels shall be reported as ‘CHI-D2’ and ‘CHI-D3’.

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<sup>4</sup> *Id.*, paragraph 3.

- iii. a 'fully assembled' rock breaker is imported along with 3 chisels. The diameter of these chisels is 165mm, 125 mm and 85 mm. The rock breaker weighs 2200 kgs (only weight of rock breaker) and can accommodate a chisel of diameter 165 mm, then the 'rock breaker' shall be reported as HRC-D4. The other two chisels shall be reported as 'CHI-D3' and 'CHI-D2', respectively.
  - iv. a 'fully assembled' rock breaker is imported along with 2 chisels. The diameter of these chisels is 125 mm and 85 mm. The rock breaker weighs 2200 kgs (only weight of rock breaker) and can accommodate a chisel of diameter 165 mm, then the 'rock breaker' shall be reported as HRB-D4. The other two chisels shall be reported as 'CHI-D2' and 'CHI-D3', respectively.
- f. For transactions of alloy steel chisel/tool in fully assembled condition and hydraulic rock breaker in fully assembled condition, the additional column titled '*assemblies/sub-assemblies*' must be reported as '*n/a*' (denoting 'not applicable').
3. To ensure seamless analysis of information provided, the interested parties are also directed to **strictly adhere to the nomenclature stipulated by the Authority**. For example, 'n/a' should not be written as 'NA' or "N.A." or "na"; it should be reported as "n/a"; 'CHI-D3' should not be reported "chi-d3" or "CHID3", but as "CHI-D3".
  4. The interested parties are also directed to provide all PCNs, costing and other financial or economic information in the form of MS – Excel sheets. The narrative part of the information must be provided in searchable "PDF" format which shall not be a scanned copy and in which basic document annotation operations such as copy, paste, highlight, underline etc. can be carried out.
  5. It is further re-iterated all interested parties are required to file their questionnaire responses within the timeline as established in the previous notification i.e., by **16<sup>th</sup> July 2023**. All interested parties are also hereby directed to circulate the non-confidential versions of their questionnaire responses to all other parties latest **18<sup>th</sup> July 2023**. Non-compliance may result in the treatment of such party as 'non-cooperative'.

Regards



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