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**F. No. 6/32/2024-DGTR**  
**Government of India**  
**Ministry of Commerce & Industry**  
**Department of Commerce**  
**(Directorate General of Trade Remedies)**  
**4th Floor, Jeevan Tara Building,**  
**5, Parliament Street, New Delhi -110001**

Dated: 19<sup>th</sup> September, 2025  
**Case No. AD (OI)-30/2024**

### **FINAL FINDINGS**

**Subject: Final Findings in the anti-dumping investigation concerning imports of “Cold Rolled Non-Oriented Electrical Steel” from China PR**

**F. No. 6/32/2024 -DGTR:** - Having regard to the Customs Tariff Act, 1975 as amended from time to time (hereinafter also 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, 1995 thereof, as amended from time to time (“AD Rules, 1995” or the “AD Rules” or the “Rules”).

#### **A. BACKGROUND OF THE CASE**

1. Whereas, POSCO Maharashtra Steel Private Limited and CSCI Steel Corporation India Private Limited (hereinafter collectively referred to as the “Applicants” or the “Petitioners” or the “domestic industry”) have filed an application before the Designated Authority (hereinafter referred to as the “Authority”), in accordance with the Act and the Rules for initiation of an anti-dumping investigation concerning imports of “**Cold Rolled Non-Oriented Electrical Steel**” (hereinafter referred to as the “product under consideration” or the “PUC” or “subject goods” or “CRNO” or) originating in or exported from China PR (hereinafter referred to as the “subject country”).
2. The Authority, on the basis of sufficient *prima facie* evidence submitted by the applicants, issued a public notice vide Notification No. 6/32/2024-DGTR dated 27<sup>th</sup> September 2024, published in Part-I Section-I of the Gazette of India, Extraordinary, initiating the subject investigation in accordance with Section 9A of the Customs Tariff Act read with Rule 5 of the AD Rules, 1995 to determine the existence, degree and effect of alleged dumping of the subject goods and to recommend the appropriate amount of

anti-dumping duty, which if levied, would be adequate to remove the alleged injury to the domestic industry.

**B. PROCEDURE**

3. The following procedure has been followed with regard to this investigation:
  - a. The Authority notified the Embassy of the subject country in India about the receipt of the present application before proceeding to initiate the investigation in accordance with Rule 5(5) of the AD Rules, 1995.
  - b. The Authority issued a notification vide No. 6/32/2024-DGTR dated 27<sup>th</sup> September, 2024, published in Part-I Section-I of the Gazette of India Extraordinary, initiating the anti-dumping investigation concerning imports of the subject goods from the subject country.
  - c. In accordance with Rule 6(2) of the Rules, the Authority sent a copy of the initiation notification to the Embassy of the subject country in India, the known producers and exporters from the subject country, known importers/users in India as well as other interested parties, as per the addresses made available by the applicants. The interested parties were asked to provide relevant information in the form and manner prescribed in the initiation notification and make their submissions known in writing within the time limit prescribed in the initiation notification.
  - d. The Authority also provided copy of the non-confidential version of the application filed by the applicants to the known producers/exporters, known importers/users and to the Embassy of the subject country in India in accordance with Rule 6(3) of the AD Rules, 1995.
  - e. The Embassy of the subject country in India was sent a copy of letter and questionnaire sent to the producers/exporters with the request to advise the exporters/producers from their country to submit their responses to the questionnaire within the time limit prescribed by the initiation notification.
  - f. The period of investigation (“POI”) for the purpose of the present investigation is 1<sup>st</sup> April 2023 to 31<sup>st</sup> March 2024. The injury investigation period for the present investigation is 1<sup>st</sup> April 2020 – 31<sup>st</sup> March 2021, 1<sup>st</sup> April 2021 – 31<sup>st</sup> March 2022, 1<sup>st</sup> April 2022 – 31<sup>st</sup> March 2023 and the POI.
  - g. The interested parties were granted an opportunity to present their comments on the issues of confidentiality claimed by the other interested parties within 7 days

of the circulation of the non-confidential version of the document filed before the Authority.

- h. The Authority also issued an economic interest questionnaire (hereafter referred to as 'EIQ') to the interested parties seeking inputs on the economic impact of the duties.
- i. The Authority sent questionnaires to the following known producers/exporters in the subject country in accordance with Rule 6(4) of the AD Rules, 1995:
  - i. Foshan Grand Acero Co Ltd
  - ii. China Steel Precision Metals
  - iii. Guangdong Meizhi Compressor Limited
  - iv. Jiangxi Xisco-Wisdri New Material Co Ltd
  - v. Cheongfuli Xiamen Company Li
  - vi. Xiamen ITG Group Corp Ltd
  - vii. Baosteel Zhanjiang Iron & Steel Co, Ltd
  - viii. Jiangsu Shagang Group Co. Ltd
  - ix. Shougang Zhixinqian'an Electromagnetic Material Co., Ltd
  - x. Shanxi Taigang Stainless Steel Co.Ltd.,
  - xi. Angang Steel Company Limited
  - xii. Baoshan Iron & Steel Co. Ltd.
  - xiii. Wuhan Iron and Steel Company Limited
  - xiv. Jiangxi Xisco-Wisdri Newmaterial Co. Ltd
- j. The following producers/ exporters of the product under consideration from subject country have registered as an interested party in the subject investigation and filed the questionnaire response within the time-limit prescribed by the Authority:
  - i. Baoshan Iron & Steel Co., Ltd.
  - ii. Baosteel Zhanjiang Iron and Steel Co. Ltd.
  - iii. Baosteel Singapore Pte Ltd.
  - iv. Wuhan Iron & Steel Co., Ltd.
  - v. Zhangjiagang Yangtze River Cold Rolled Sheet Co., Ltd.
  - vi. Jiangsu Shagang Group Co. Ltd.
  - vii. Jiangsu Shagang International Trade Co. Ltd.
  - viii. Shagang International Singapore (PTE) Ltd.
  - ix. Cemic Steel Ltd
  - x. Welong Resources Limited
  - xi. Tak Loon Steel Company Limited
  - xii. Shougang Zhixin Electromagnetic Materials (Qian'an) Co., Ltd
  - xiii. Shougang Holding Trade (Hong Kong) Limited
  - xiv. China Shougang International Trade & Engineering Corporation

k. The Authority sent questionnaires to the following known importers/users of subject goods in India calling for necessary information, in accordance with Rule 6(4) of the Rules:

- i. ABB India Limited
- ii. Andritz Hydro Private Limited
- iii. CG Power and Industrial Solutions Limited
- iv. ELGI Equipments Limited
- v. Elin Electronics Limited
- vi. Godrej Boyce Mfg Co Ltd
- vii. Hical Technologies Private Limited
- viii. Highly Electrical Appliances India Pvt Ltd
- ix. Honda Siel Power Products Ltd
- x. Lubi Industries Llp
- xi. Megatherm Induction Pvt Ltd
- xii. Midea India Private Limited
- xiii. Nidec Industrial Automation India Private Limited
- xiv. Permanent Magnets Limited
- xv. Siemens Limited
- xvi. Td Power Systems Ltd
- xvii. Tecumseh Products India Private Limited
- xviii. Vedanta Electricals Private Limited
- xix. Voith Hydro Private Limited
- xx. Aesthetic Stampings Laminations Limited
- xxi. Alphonso Steel Pvt Ltd
- xxii. Alpine Stampings
- xxiii. Amulya Metal
- xxiv. Baosteel India Company Private Limited
- xxv. China Steel Corporation India Private Limited
- xxvi. Gupta Machine Tools Private Limited
- xxvii. Hitech Tools India
- xxviii. Igarashi Motors India Ltd
- xxix. Jain Brothers International
- xxx. Jash Steel Private Limited
- xxxi. JFE Shoji Steel India Private Limited
- xxxii. Kapil Corepacks Private Limited
- xxxiii. Kico Steel LLP
- xxxiv. Kirtanlal Partners
- xxxv. Kumar Precision Stampings Private Limited
- xxxvi. LG Electronics India Pvt Ltd
- xxxvii. Magcore Lamination India Private Limited
- xxxviii. Mahindra Steel Service Centre Ltd
- xxxix. Manly Silicon Steel Private Limited
- xl. Mi Electrical Steel Processing India Pvt Ltd
- xli. Navratna Steel
- xlii. Neemrana Steel Service Center India Private Limited
- xliii. Nlmk India Service Center Private Limited

- xliv. Novac Advisors Private Limited
- xlv. Pearl Engineering Co
- xlvi. Pec Ventures Private Limited
- xlvii. Pitti Engineering Limited
- xlviii. Poggen-Amp Nagarsheth Powertronics Pvt Ltd
- xlix. Pooja Metal Processors P Limited
  - 1. Posco India Processing Center Private Limited
  - li. Posco Tmc India Private Limited
  - lii. Powercore Industries India Pvt Ltd
  - liii. Pressmatic Engineers India Private Limited
  - liv. Prg International Electricals Private Limited
  - lv. Royal Overseas Exports
  - lvi. S S Steel Enterprises
  - lvii. Sarth Stampings Private Limited
- lviii. Sewa Electrical Industries Private Limited
- lix. Shree Krishna Steels
- lx. Silicon Cortech Private Limited
- lxi. SR Electrosteel Pvt Ltd
- lxii. Star Wire Product
- lxiii. Stecol International Private Limited
- lxiv. Steel Mont Pvt Ltd
- lxv. Techno Vision Tools
- lxvi. Tempel Precision Metal Products India Private Limited

- 1. The following importer/user have registered as an interested party in the subject investigation and submitted the importer questionnaire response within the time limit prescribed by the Authority:
  - i. Poggenamp Nagarsheth Powertronics Pvt. Ltd. (“Poggenamp”)
  - ii. Baosteel India Company Pvt. Ltd.
- m. The producers/exporters from the subject country who have not submitted the questionnaire response or have not cooperated in the investigation have been treated as non-cooperative in the investigation.
- n. Interested parties were provided 15 days' time from the date of initiation of the investigation, to file their comments on the scope of product under consideration (PUC) and product control number (“PCN”) methodology. The Authority received a request from an interested party for granting an extension of the timeline to file the comments on PUC and PCN methodology. Subsequently, the Authority granted additional time up to 21<sup>st</sup> October 2024 for filing the comments on PUC and PCN methodology.
- o. The Authority held a meeting on the scope of PUC and PCN methodology on 4<sup>th</sup> November 2024. Thereafter, the Authority notified the final scope of PUC and PCN methodology vide its letter dated 26<sup>th</sup> November 2024. The Authority confirmed the same scope of PUC and adopted the same PCN methodology as were

proposed in the initiation notification- F. No. 6/32/2024-DGTR dated 27<sup>th</sup> September 2024. The Authority granted 30 days' time to interested parties from 26<sup>th</sup> November 2024 to file questionnaire responses. Upon the request of certain interested parties, the Authority granted further extension of one week to file the questionnaire responses i.e. till 1<sup>st</sup> January 2025.

- p. The DG System was requested to provide transaction-wise details of the imports of the subject goods for the injury period and the period of investigation. The same was received by the Authority and considered at the stage of initiation of the investigation as well as for the present final findings.
- q. In accordance with Rule 6(6) of the AD Rules, 1995, the Authority provided an opportunity to the interested parties for presenting their views orally regarding the subject investigation through an oral hearing held on 18<sup>th</sup> March 2025. The interested parties who presented their views in the oral hearing, were requested to file written submissions of the views expressed orally, followed by rejoinder submissions, if any. The interested parties were further directed to share the non-confidential version of the written submissions with the other interested parties.
- r. Due to the change of the Designated Authority, a fresh oral hearing was held on 13<sup>th</sup> June, 2025 wherein all interested parties were provided the opportunity to present their views. The interested parties were requested to submit their written submissions and rejoinder submissions, if any.
- s. The non-injurious price (hereinafter referred to as the “NIP”) has been determined based on the cost of production and reasonable return on capital employed for 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 AD Rules, 1995 so as to ascertain whether anti-dumping duties lower than the dumping margin would be sufficient to remove injury to the domestic industry.
- t. The information submitted by the domestic industry has been examined and verified to the extent deemed necessary and has been relied upon for the present final findings.
- u. The examination and verification of the information submitted by the cooperating producers/exporters from the subject country was also carried out to the extent deemed necessary and the same has been relied upon for the purpose of the present final findings.
- v. The Authority made available the non-confidential version of the evidence presented by various interested parties on mutual basis in the manner prescribed through Trade Notice no. 01/2020 dated 10<sup>th</sup> April 2020. The

information/submissions provided by the interested parties on a confidential basis were examined concerning the sufficiency of such confidentiality claims. On being satisfied concerning the sufficiency of the confidentiality claims filed by the interested parties, the Authority has considered such information/submissions as confidential. In case of non-acceptance of confidentiality claims, the interested parties were directed to submit the non-confidential version of the same and circulate it to the other interested parties.

- w. A disclosure statement containing the essential facts of the investigation which have formed the basis of the final findings was issued to the interested parties on 01 September 2025 and the interested parties were allowed time up to 8<sup>th</sup> September 2025 to file comment on the same. The comments to disclosure statement received from the interested parties have been considered, to the extent found relevant and non-repetitive, in these final findings.
- x. The Authority has considered all the arguments raised and information provided by all the interested parties at this stage, to the extent the same are supported with evidence and considered relevant to the present investigation.
- y. ‘\*\*\*’ in the final findings represents information furnished by an interested party on confidential basis and so considered by the Authority under Rule 7 of AD Rules, 1995.
- z. The exchange rate for the POI adopted by the Authority for the subject investigation is 1 US \$= INR 83.69.

**C. PRODUCT UNDER CONSIDERATION AND LIKE ARTICLE**

4. The product under consideration as defined at the stage of initiation is as follows-

*“3. The product under consideration in the present investigation is Cold Rolled Non-Oriented Electrical Steel (CRNO). It includes cold-rolled flat steel products of silicon-electrical steel, whether or not in coils, regardless of width and thickness.*

*4. CRNO is characterized as having substantially the same magnetic and electrical properties in all directions (non-oriented) in the plane of the sheet. In contrast, Grain-Oriented Electrical Steel (GOES) has superior magnetic and electrical properties along the lengthwise direction in the plane of the sheet but less favorable properties in other directions.*

5. CRNO is also referred to as Non-Oriented Electrical Steel (NOES), Non-Grain Oriented Steel (NGO), Non-Oriented Steel (NO), Cold-Rolled Non-Grain Oriented Steel (CRNGO) etc. These terms are used interchangeably.

6. PUC includes all kinds of CRNO whether or not it is coated (e.g., with enamel, varnish, natural oxide surface, phosphate surface, or chemically treated with other materials).

### **Exclusion**

7. Cold Rolled Full Hard Silicon Electrical Steel (CRFH) used for manufacturing of CRNO is excluded from the scope of PUC.

### **Uses**

8. CRNO is widely used for iron core materials of rotating machines ranging from large-size power generators to small-size precision electric motors, which are used in variety of applications like home appliances, HEV/EV traction motors, large generators, industrial motors etc.

### **Tariff Classification**

9. The product under consideration is classified under tariff headings 72251920, 72251990, 72261920, and 72261990 of the Customs Tariff Act, 1975. However, imports of PUC have also been observed in certain other HS Codes viz., 72255010, 72107000, 72261910, 72269110 and 72261100. The customs classification is indicative only and is in no way binding on the scope of the PUC in the present investigation.

10. The domestic industry has proposed the following Product Control Number (PCN) for the product under consideration in the present investigation:

<b><i>PCN for PUC</i></b>				
<b><i>S.No.</i></b>	<b><i>Attributes</i></b>	<b><i>No. of Digits</i></b>	<b><i>Description</i></b>	<b><i>Code</i></b>
1	<i>Thickness</i>	2	<i>upto and including 0.35 mm</i>	<i>T1</i>
			<i>More than 0.35 mm and upto 0.5mm</i>	<i>T2</i>
			<i>More than 0.5mm</i>	<i>T3</i>

PCN for PUC				
S.No.	Attributes	No. of Digits	Description	Code
2	<i>Core Loss (at a frequency 50 Hz and a maximum flux density of 1.5 Tesla)</i>	2	<i>upto and including 3.50 Watt/Kg</i>	<i>C1</i>
			<i>More than 3.50 Watt/Kg and upto 5.00 Watt/Kg</i>	<i>C2</i>
			<i>More than 5.00 Watt/Kg</i>	<i>C3"</i>

### C.1. Submissions made by the other interested parties

5. The following submissions have been made by the other interested parties with respect to product under consideration and PCN methodology:

- Steel grade 30SW1500 is used to produce new energy vehicles, drones and other high-end equipment and domestic producers in India do not produce this product. Therefore, steel grade 30SW1500 should be excluded from the product scope.
- The other interested parties have contested the PCN methodology proposed by the domestic industry in the context of “Core Loss” as a parameter and has proposed the following PCN methodology for the same:

Core Loss	PCN Code
Up to and including 4.00 Watt/Kg	C1
More than 4.00 Watt/Kg and upto 6.00 Watt/Kg	C2
More than 6.00 Watt/Kg	C3

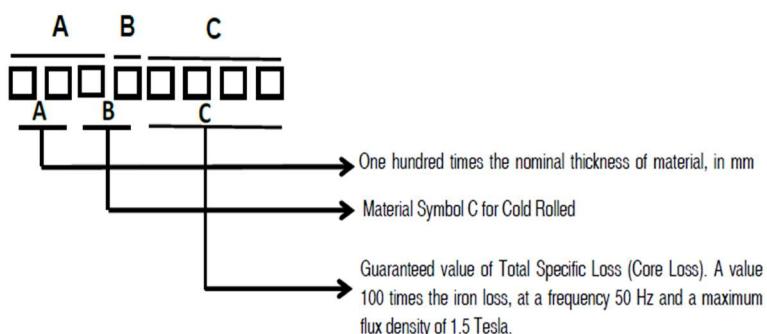
- Poggenamp Nagarseth Powertronics Pvt. Ltd., an importer/user of the subject goods has claimed that following grades are not made available by the domestic

industry in India:

<b>Grades requested for exclusion</b>		
i. 35CS1850HF	x. 25CS2000P	xix. 20CS1200FY
ii. 35CS1750HF	xi. 25CS1500HF	xx. 20CS1200HF
iii. 30CS2000P	xii. 25CS1350HF	xxi. 20CS1150FY
iv. 30CS1800HF	xiii. 25CS1250HF	xxii. 15CS1200HF
v. 30CS1600FY	xiv. 25CS1250FY	xxiii. 15CS1000FY
vi. 30CS1450HF	xv. 25CS1200FY	
vii. 27CS2000P	xvi. 25CS1180FY	
viii. 27CS1450HF	xvii. 20CS1500HF	
ix. 27CS1450FY	xviii. 20CS1300FY	

### C.2. Submissions made by the domestic industry

6. The following submissions have been made by the domestic industry with regard to the product under consideration:
  - i. Poggenamp Nagarsheth Powertronics Pvt. Ltd. has filed the comments on scope of PUC and PCN methodology on 1<sup>st</sup> November 2024 i.e. more than 1 month after the initiation of investigation. The comments filed by importer should be rejected because they have been submitted after due date of 21<sup>st</sup> October 2024.
  - ii. IS 648:2022 is the mandatory BIS standard for PUC. It provides the designation for different grades of CRNO as follows:



NOTE A = One hundred times the nominal thickness of the product, in mm. B = Material Symbol C for Cold Rolled. C = One hundred times the maximum value of specific total loss in W/kg at 1.5 Tesla, 50 Hz.

#### Examples

A sheet or strip of 0.50 mm thickness, tested at 1.5 Tesla, 50 Hz and specific total loss 2.70 W/kg shall be designated as 50C270.

- iii. For example, in steel grade 30CS2000P, the first 2 digits “30” indicates thickness (.30mm), the next two digits “CS” indicate branding and last 4 digits “2000” indicate core loss of 20 at frequency of 400 Hz at maximum flux density of 1.0 Tesla. IS 648:2022 provides the scope of BIS standard as follows:

*“This standard covers the requirement for non-oriented electrical steel with silicon content up to 3.5 percent, cold rolled, both insulated and uninsulated, fully processed electrical steel and strip primarily intended for static and rotating machines operating at power frequencies.*

***This standard defines grades of cold rolled non-oriented electrical steel sheet and strip in nominal thicknesses of 0.35 mm, 0.5 mm, 0.65 mm and 1.00 mm. If required and agreed to between the purchaser and the manufacturer, the typical, physical and mechanical properties of the steel sheets/strips shall be supplied by the manufacturer to the purchaser.”***

- iv. IS 648:2022 covers grades of cold rolled non-oriented electrical steel sheet and strip in nominal thicknesses of 0.35 mm, 0.5 mm, 0.65 mm and 1.00 mm. Steel grades having less than .35mm thickness are new age products (mainly for use in EV) and are not covered by mandatory BIS standard as can be seen from the aforementioned scope of IS 648:2022. Almost all grades listed by the importer/user are Steel grades having less than .35mm thickness and are not covered by mandatory BIS standard.
- v. The steel grade 30CS2000P and other similar grades with less than .35mm thickness are new age products (primarily to be used for electric vehicles) and were not covered by IS 648:2022 introduced in 2022 as there was hardly any demand of these grades until recently. If grades not covered by IS 648:2022 are to be sold, NOC is required from Ministry of Steel. Ministry of Steel has constituted a technical committee to deal with such issues (BIS Website – FAQ- <https://www.bis.gov.in/product-certification/product-certification-faq/>).
- vi. The Domestic industry can produce and supply steel grade with less than .35mm thickness if there is demand in India in commercial quantity. Domestic industry has not refused supply of steel grade with less than .35mm thickness to any user in India. Domestic industry can produce and supply steel grade having less than .35 thickness if order is placed on it.
- vii. The domestic industry has in fact produced steel grade of similar specifications for electric vehicle motors. Based on EV design, the user may require .25 or .27 or .30 thickness and core loss of 15.00 W/Kg or 14.5W/Kg or 12.5W/Kg etc.
- viii. CSCI has already undertaken successful trial production of grade 27C1450 and POSCO has already undertaken successful trial production of grades 25PNX1250F

& 27PNX1350F in India. Test reports of production undertaken by domestic industry for these grades have been submitted with the Authority.

- ix. Poggenamp has made a generic claim that certain grades are not produced by domestic producers in India. Poggenamp should provide evidence to show that they have placed order on domestic producers regarding particular grade and domestic producers have refused to supply that particular grade to them. In absence of such information, submission made by Poggenamp is not of any significance.

### **C.3. Examination by the Authority**

7. The Authority has addressed the arguments regarding the scope of the PUC submitted by various interested parties and has examined the same based on the relevant information available on record.
8. With regard to the submission of Poggenamp for the exclusion of thinner grades (with thickness less than 0.35mm) of subject goods from the scope of PUC as these are not supplied by the domestic industry, the Authority notes that Poggenamp has not provided any evidence demonstrating that they have placed an order on the domestic industry for the supply of such grades of subject goods and the same has been refused/declined by the domestic industry. Further, Poggenamp has not provided any evidence of import of such grades of subject goods in commercial quantities from China PR during the POI. The Authority further notes that IS 648:2022 is a mandatory BIS standard and covers grades of cold rolled non-oriented electrical steel sheet and strip in nominal thicknesses of 0.35 mm, 0.5 mm, 0.65 mm and 1.00 mm. Steel grades having less than .35mm thickness are new age products and are not covered by mandatory BIS standard.
9. The Authority notes that both POSCO Maharashtra Steel Private Limited and CSCI Steel Corporation India Private Limited have furnished trial production test reports certifying production of subject goods with thickness less than 0.35mm to be used in production of electric vehicles (EVs) and hybrid vehicles. The domestic industry has submitted that they are fully capable of supplying subject goods with thickness less than 0.35mm as and when an order for the same is placed on them.
10. The Authority notes that the primary purpose of the PCN methodology is to ensure that cost and price differences across product categories are accurately represented. However, neither the importer nor the exporter has demonstrated that modifications to the PCN are necessary to achieve fair comparison or to more accurately reflect cost and price variations across categories. Furthermore, no supporting information has been provided to justify their proposed modifications to the PCN methodology.
11. It is noted that the modifications suggested by the exporter and/or importer do not constitute substantial changes to the proposed PCN structure by the domestic industry.

Therefore, the Authority concludes to not accept the modifications suggested by the exporter and importer.

12. In view of the above, the Authority concludes that the scope of PUC and the PCN methodology is same as noted in the initiation notification and as determined vide notice dated 26<sup>th</sup> November 2024 and the same is reproduced as below:

*“3. The product under consideration in the present investigation is Cold Rolled Non-Oriented Electrical Steel (CRNO). It includes cold-rolled flat steel products of silicon-electrical steel, whether or not in coils, regardless of width and thickness.*

*4. CRNO is characterized as having substantially the same magnetic and electrical properties in all directions (non-oriented) in the plane of the sheet. In contrast, Grain-Oriented Electrical Steel (GOES) has superior magnetic and electrical properties along the lengthwise direction in the plane of the sheet but less favorable properties in other directions.*

*5. CRNO is also referred to as Non-Oriented Electrical Steel (NOES), Non-Grain Oriented Steel (NGO), Non-Oriented Steel (NO), Cold-Rolled Non-Grain Oriented Steel (CRNGO) etc. These terms are used interchangeably.*

*6. PUC includes all kinds of CRNO whether or not it is coated (e.g., with enamel, varnish, natural oxide surface, phosphate surface, or chemically treated with other materials).*

#### **Exclusion**

*7. Cold Rolled Full Hard Silicon Electrical Steel (CRFH) used for manufacturing of CRNO is excluded from the scope of PUC.*

#### **Uses**

*8. CRNO is widely used for iron core materials of rotating machines ranging from large-size power generators to small-size precision electric motors, which are used in variety of applications like home appliances, HEV/EV traction motors, large generators, industrial motors etc.*

#### **Tariff Classification**

*9. The product under consideration is classified under tariff headings 72251920, 72251990, 72261920, and 72261990 of the Customs Tariff Act, 1975. However, imports of PUC have also been observed in certain other HS Codes viz., 72255010, 72107000, 72261910, 72269110 and 72261100. The customs classifications is indicative only and is in no way binding on the scope of the PUC in the present investigation.*

10. The domestic industry has proposed the following Product Control Number (PCN) for the product under consideration in the present investigation:

<b>S. No.</b>	<b>Attributes</b>	<b>No. of Digits</b>	<b>Description</b>	<b>Code</b>
1	<i>Thickness</i>	2	<i>Upto and including 0.35mm</i>	<i>T1</i>
			<i>More than 0.35mm and including 0.5mm</i>	<i>T2</i>
			<i>More than 0.5mm</i>	<i>T3</i>
2	<i>Core Loss (at a frequency 50 Hz and a maximum density of 1.5 Tesla)</i>	2	<i>Upto and including 3.50 Watt/Kg</i>	<i>C1</i>
			<i>More than 3.50 Watt/kg and upto 5.0 Watt/kg</i>	<i>C2</i>
			<i>More than 5.00 Watt/Kg</i>	<i>C3''</i>

13. Rule 2(d) of the Anti-Dumping Rules provides the definition of like article as under:

*"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*

14. After considering the information on record, the Authority concludes that the product under consideration produced by the domestic industry and imported from the subject country are comparable in terms of physical & chemical characteristics, functions & uses, product specifications, pricing, distribution & marketing and tariff classification of the goods. The goods produced by the domestic industry and imported from the subject country are like articles in terms of the Rules. The two are technically and commercially, substitutable. Thus, the Authority concludes that the subject goods produced by the domestic industry are like article to the product under consideration imported from the subject country within the scope and meaning of Rule 2(d) of Anti-Dumping Rules.

#### **D. SCOPE OF DOMESTIC INDUSTRY AND STANDING**

##### **D.1. Submissions made by the domestic industry**

15. The following submissions have been made by the domestic industry with regard to the domestic industry and standing:

- i. The applicants share in Indian production is in the range of 55-65%. Accordingly, the share of applicants exceeds 50% in total Indian production, which means that the applicants have 'majority share' in total production and clearly satisfy the requirement of 'major proportion share' in terms of Rule 2(b) read with Rule 5(3) of the AD Rules.
- ii. None of the applicants have imported the subject goods from China PR. None of the applicants are related to any exporter of subject goods from China PR or any importer of subject goods in India.
- iii. The applicants request the Authority to conclude that the applicants have requisite standing as domestic industry in the present investigation.

#### **D.2. Submissions made by the other interested parties**

16. No submissions have been made by the other interested parties with regard to the standing of the domestic industry.

#### **D.3. Examination by the Authority**

17. 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".*

18. The application in the present case has been filed by POSCO Maharashtra Steel Private Limited and CSCI Steel Corporation India Private Limited. The Authority notes that the applicants share in Indian production is in the range of 55-65%. Accordingly, the share of applicants exceeds 50% in total Indian production, which means that the applicants have 'major proportion' in total Indian production. The Authority notes that none of the applicants have imported the subject goods from China PR. Further, none of the applicants are related to any producer/exporter of subject goods from China PR or any importer of subject goods in India.

19. Therefore, considering the information on record, the Authority concludes that the applicants are eligible domestic industry within the meaning of Rule 2(b) of the Rules, and that the application satisfies the criteria of standing in terms of Rule 5(3) of the Rules.

## **E. CONFIDENTIALITY**

### **E.1. Submissions made by the domestic industry**

20. The following submissions have been made by the domestic industry with regard to the confidentiality claims:
  - i. Producers/exporters have not disclosed information regarding owner/principal shareholder list and their affiliations, marketing/distribution channel details for domestic and export sales to India, details of adjustments claimed for determining normal value and export price, manufacturing process and names of raw materials used in the production of PUC.
  - ii. Jiangsu Shagang and Yangtze have claimed that they have exported subject goods to India through their affiliated companies in response to Question 1 of Section E of their questionnaire response. However, Jiangsu Shagang and Yangtze have not reported any exports to India in Appendix 1 of their questionnaire response.
  - iii. Shougang Zhixin, Shougang Hong Kong and Shougang International have provided the brochure for Beijing Shougang Co., Ltd., China PR ('Beijing Shougang') in their respective questionnaire responses. Domestic industry requests the Authority to verify whether Beijing Shougang is involved in exports/sales of subject goods to India.

### **E.2. Submissions made by the other interested parties**

21. The other interested parties have not made any submissions with regard to the confidentiality claims of the domestic industry.

### **E.3. Examination by the Authority**

22. The Authority made available the non-confidential version of the information provided by various interested parties to all interested parties for inspection through e-mail communication between various parties.

23. With regard to confidentiality of information, Rule 7 of the AD Rules, 1995 provides as follows:

*“(1) Notwithstanding anything contained in sub-rules (2), (3) and (7) of rule 6, sub-rule (2) of rule 12, sub-rule (4) of rule 15 and sub-rule (4) of rule 17, the copies of applications received under sub-rule (1) of rule 5, or any other information provided to the designated authority on a confidential basis by any party in the course of investigation, shall, upon the designated authority being satisfied as to its confidentiality, be treated as such by it and no such information shall be disclosed to any other party without specific authorisation of the party providing such information.*

*(2) The designated authority may require the parties providing information on confidential basis to furnish non-confidential summary thereof and if, in the opinion of a party providing such information, such information is not susceptible of summary, such party may submit to the designated authority a statement of reasons why summarisation is not possible.*

*(3) Notwithstanding anything contained in sub-rule (2), if the designated authority is satisfied that the request for confidentiality is not warranted or the supplier of the information is either unwilling to make the information public or to authorise its disclosure in a generalised or summary form, it may disregard such information.”*

24. Submissions made by the domestic industry and other opposing interested parties with regard to confidentiality, to the extent considered relevant, were examined by the Authority and addressed accordingly. The Authority notes that the information provided by the interested parties on confidential basis was duly 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 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. The Authority also notes that all interested parties have claimed their business-related sensitive information as confidential.

## **F. MISCELLANEOUS**

### **F.1. Submissions made by the domestic industry**

25. The following submissions have been made by the domestic industry with respect to the miscellaneous issues:

- i. The Authority has already considered the import data from DG System at the time of initiation of the subject investigation. The relevant portion of the initiation notification is noted below:

*"19. The export price for the subject goods has been computed based on the DG System transaction-wise import data. Appropriate price adjustments have been claimed to make the prices at ex-factory levels so that they become comparable with normal value."*

- ii. The Authority had initiated a safeguard investigation concerning imports of "Non-Alloy and Alloy Steel Flat Products" into India vide its Initiation Notification dated 12<sup>th</sup> December 2024. Subsequently, the Authority issued its preliminary findings on 18<sup>th</sup> March 2025 recommending imposition of safeguard measures. The Authority specifically excluded CRNO from the scope of PUC in the safeguard investigation.
- iii. Domestic industry imports CRFH and/or HRNO for its production of CRNO. The applicants had made submissions for exclusion of their raw material i.e., Cold Rolled Full Hard (CRFH) and Hot Rolled Non-Oriented Electrical Steel (HRNO) used in the manufacturing of the subject goods in the safeguard investigation. The Authority examined the claims for exclusion of CRFH and HRNO in the preliminary findings. However, the Authority has not excluded the raw material CRFH and HRNO used in the production of subject goods from safeguard investigation.
- iv. If safeguard duty is imposed on CRFH and HRNO and anti-dumping duty is not imposed on CRNO pursuant to the present investigation, then it will create an inverted duty structure i.e. import of raw material will be subject to safeguard duty but final goods will not be subject to trade remedy measure. It will tilt the competitive conditions in favour of foreign exporters. Indian industry for CRNO will become uncompetitive as their cost of production will increase significantly due to increase in cost of procurement of primary raw material CRFH and/or HRNO. The domestic industry will not be able to increase selling price of CRNO corresponding to the increase in cost of production because landed price of CRNO into India from China PR would continue to be lower than the cost of sales of the domestic industry. This will further aggravate the losses incurred by domestic industry on domestic sales of CRNO.
- v. Poggenamp participated in the oral hearing conducted in the subject investigation on 18<sup>th</sup> March 2025. Poggenamp made submissions during the said oral hearing. However, Poggenamp has not filed/circulated any written submissions subsequent to the oral hearing. Rule 6(6) of AD Rules provides oral information shall be taken into consideration by the Designated Authority only when it is subsequently reproduced in writing.
- vi. There is no requirement under the AD rules that the domestic industry should be an integrated producer to be an eligible domestic industry. The Authority in a catena

of investigations has considered domestic producers who are not backward integrated as eligible domestic industry. In the following anti-dumping investigations, the Authority considered domestic producers who were not backward integrated as eligible domestic producers:

- *Anti-dumping investigation concerning imports of Electrogalvanized Steel from Korea RP, Japan and Singapore*
- *Anti-dumping investigation concerning imports of Color Coated Steel from China PR and European Union*
- *Anti-dumping investigation concerning imports of Aluminum Foil from China PR*

vii. Shougang International has claimed that it does not have an office in India. However, based on internet research it is evident that Shougang International in fact has a wholly owned subsidiary in India. Shougang International not only has an office in India but also a wholly owned subsidiary ‘China Shougang (India) Co., LTD.’ (‘Shougang India’) which is responsible for providing business development, sales and services for Shougang International. Thus, the claim of Shougang International not having any offices in India is false and incorrect.

viii. The questionnaire responses of the following 2 companies were filed belatedly after the due date prescribed by the Authority and therefore their questionnaire responses should not be accepted:

- Tak Loon Steel Company Limited
- Baosteel India Company Pvt Ltd

ix. The other interested parties have wrongly noted base year as 2020-21 instead of 2021-22 while reproducing the import price trend of HR Plates and CR Coils and Sheets from the safeguard preliminary findings. There would be no significant divergence in trend between HR Plates and CR Coils and Sheets on one hand and cost of sales of the domestic industry on the other hand if 2021-22 is considered as the base year for comparison. In other words, it would be clear that cost of sales or price of raw material for domestic industry is declining considering 2021-22 as the base year, which is same in case of HR Plates and CR Coils and Sheets in the safeguard investigation.

x. The cost of sales of HR coils and sheets, HR Plate Mill Plates and CR Coils and Sheets have actually increased from 2021-22 to 2023-24 as per the preliminary findings in the safeguard investigation. On the other hand, the cost of sales of the domestic industry in the present investigation has actually reduced from 2021-22 to 2023-24. Therefore, the claim that price of raw material purchased from related parties is inflated by relying on preliminary findings in safeguard investigation, is completely baseless.

- xi. The POI period in the present investigation is 1<sup>st</sup> April 2023 to 31<sup>st</sup> March 2024 whereas POI period in the safeguard investigation is 1<sup>st</sup> October 2023 to 30<sup>th</sup> September 2024. To that extent as well, there cannot be a complete correlation in price trend.
- xii. The Authority in the preliminary findings dated 18<sup>th</sup> March 2025 in the safeguard investigation concerning imports of “Non-Alloy and Alloy Steel Flat Products” has recommended that the safeguard duty should be imposed on Cold Rolled Coils and Sheets when imported into India below the import price of 824 USD/MT (CIF). This means that the Authority is of the view that import price into India of Cold Rolled Coils and Sheets [including raw material Cold Rolled Full Hard (“CRFH”)] lower than 824 USD/MT is unfair and injurious to the domestic industry. Thus, so long as the purchase price of applicants is in the range of 824 USD/MT, there can be no question of the purchase price being affected by the relationship or the purchase price being inflated. In fact, the preliminary findings of the Authority are effectively a direction to the foreign exporters to not export to India at a price lower than 824 USD/MT.

## **F.2. Submissions made by the other interested parties**

26. The following submissions have been made by the other interested parties with respect to the miscellaneous issues:

- i. The data sourced from the secondary sources is not authentic and reliable. The Authority should have called for DG System data for the examination of imports in the present investigation at the time of initiation.
- ii. It is critical to examine the prices of primary raw material, which are imported by the domestic industry from related parties because there is increase in cost of sales of the domestic industry during the injury investigation period.
- iii. The import prices for HR Plates and CR Coils/Sheets, as examined in the recent safeguard investigation concerning imports of “Non-Alloy and Alloy Steel Flat Products”, show a stable or even slight decrease in prices from 2020-21 to the POI whereas the cost of sales of the domestic industry shows an increasing trend.
- iv. It is necessary to understand whether import prices of raw material were influenced by the relationships between the companies or were determined by prevailing market conditions.
- v. The installed capacity to manufacture CRNGO in China is approximately 70% of the global installed capacity or 1,31,00,000 MT whereas India's installed capacity is approximately 5% of the Global Installed Capacity. Poggenamp has provided the following manufacturer wise capacity for China PR:

<b>List of manufacturers</b>	<b>Annual Capacity (in MT)</b>
Bao Steel, China	13,00,000
Wisco, China	14,00,000
Zhanjiang, China	6,00,000
Shougang, China	14,00,000
Shagang, China	20,00,000
Wisdri, China	7,00,000
Ansteel, China	8,50,000
Tisco, China	14,00,000
MA Steel, China	5,50,000
Other 12 Mills, China	30,00,000

- vi. JSW and SAIL produce CRNGO Electrical Steel in India using the blast furnace route while POSCO India and China Steel Corporation of India are only processors and dependent on import of raw material i.e. Cold Rolled Full Hard Silicon Electrical Steel and Hot Rolled Silicon Electrical Steel. India desperately needs domestic steel manufacturers to produce electrical steel through integrated steel plants. The only reason that has led to the shortages of the PUC is the lack of capacity of the domestic steel manufacturers capabilities to manufacture CRNGO Electrical Steel.
- vii. The domestic demand for the PUC is 750,000 MT out of which 630,000 is manufactured locally and the shortfall of 120,000 is bridged by imports, considering the CAGR of around 10%-12% the shortfall is bound to increase to the tune of 200,000 every year.

### **F.3. Examination by the Authority**

- 27. The Authority notes that the DG Systems was requested to provide transaction-wise details of the imports of the subject goods for the injury period and the period of investigation. The same was received by the Authority and considered at the stage of initiation of the investigation as well as for the final findings.
- 28. The Authority notes that it has verified the raw material prices of domestic industry and has adopted the duly verified raw material prices in its analysis. The Authority also notes that the constituents of domestic industry are importing raw materials.

29. The interested parties have relied on the trend in price of HR Plates and CR Coils/Sheets determined by the Authority in the safeguard investigation to suggest that the price of raw material imported by the domestic industry may have been inflated. The interested parties have erroneously compared the trend of prices of HR Plates and CR Coils/Sheets in safeguard investigation with the cost of sales of the domestic industry in the present investigation. The base year of the injury investigation period in the safeguard investigation is financial year 2021-22 whereas the base year in the present anti-dumping investigation is financial year 2020-21. The interested parties have borrowed the indexed figures of prices of HR Plates and CR Coils/Sheets in safeguard investigation for the financial years 2021-22, 2022-23, 2023-24 and have wrongly shown it as the indexed figures for the years 2020-21, 2021-22, 2022-23 while making comparison with the trend in cost of sales of the domestic industry in the present investigation.
30. The Authority notes that there is no requirement under the AD Rules that the domestic industry seeking protection of anti-dumping measures should also produce the raw material for the production of such subject goods or that the domestic industry should be fully backward integrated and should not rely on purchase of raw material for production of subject goods.

**G. MARKET ECONOMY TREATMENT (MET), DETERMINATION OF NORMAL VALUE, EXPORT PRICE AND DUMPING MARGIN**

31. Under Section 9A(1)(c) of the Act, normal value in relation to an article means:
  - (i) *the comparable price, in the ordinary course of trade, for the like article when destined 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 to 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 transhipped 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.*

### **G.1. Submissions made by the domestic industry**

32. The following submissions have been made by the domestic industry with regard to normal value:

- i. China PR should be treated as a non-market economy country and normal value in case of the producers/exporters from China PR should be determined in accordance with para-7 read with para 8 (2) and (3) of Annexure I of the Rules. In terms of Para 8 in Annexure I to the Rules, it is presumed that the producers of the subject goods in China PR are operating under non-market economy conditions. Therefore, normal value of the subject goods in China PR should be estimated in terms of Para 7 of Annexure I to the Rules.
- ii. As per Article 15(d) of the Accession Protocol, the provision of 15(a)(ii) has expired in December 2016 i.e. 15 years after China PR's accession to the WTO. However, Article 15(a)(i), which provides for presumption of non-market economy for China PR, is still in force. Hence, a valid presumption exists that China PR is a non-market economy country for anti-dumping investigations.
- iii. The Authority notes that none of the responding exporters have claimed market economy treatment by filing applicable questionnaire replies and, in this context, determination of normal value based on paras 7 and 8 of Annexure-I to the AD Rules is very essential.

### **G.2. Submissions made by the other interested parties**

33. The following submissions have been made by the other interested parties with regard to normal value:

- i. China's Accession Protocol has expired on 11th December 2016. Interested parties have relied on relationship between Article 15(a) and 15(b) of the protocol in the Appellate Body report on the "Fastener case" initiated by China PR against the EU, which has provided strong justification for China PR to automatically obtain the market-economy status once the Article 15 of the Protocol expires.
- ii. After 11<sup>th</sup> December 2016, anti-dumping regulations cannot contain any provisions allowing for the establishment of the normal value for the Chinese exporting producers on a basis other than their domestic prices and costs.

- iii. India has no legal basis under the agreements of the WTO to calculate normal value in anti-dumping investigation of products from China PR using the non-market economy methodology. Any such action by India would be inconsistent with the requirements of the Agreement on Implementation of Article VI of the GATT.
- iv. The Authority may not use surrogate country methodology in calculating normal value, regardless of whether China PR is treated as a market economy due to the principle of *pacta sunt servanda*, Section 15 of China's Accession Protocol to WTO and Appellate Body Report on EC- Fasteners initiated by China PR.
- v. China PR should not be treated as a non-market economy as per China's accession protocol to WTO, the same was also confirmed by the WTO Appellate Body in "EC-Fasteners". US and EU in their respective bilateral agreement with China PR had also noted about the expiry of non-market economy status after 15 years after China enters WTO.

### **G.3. Examination by the Authority**

34. The Authority had sent questionnaire to the known producers/exporters in the subject country, advising them to provide information in the form and manner prescribed by the Authority. Following producers/exporters have participated in the investigation by filing the prescribed questionnaire responses:

- i. Baoshan Iron & Steel Co., Ltd.
- ii. Baosteel Zhanjiang Iron and Steel Co. Ltd.
- iii. Baosteel Singapore Pte Ltd.
- iv. Wuhan Iron & Steel Co., Ltd.
- v. Zhangjiagang Yangtze River Cold Rolled Sheet Co., Ltd.
- vi. Jiangsu Shagang Group Co. Ltd.
- vii. Jiangsu Shagang International Trade Co. Ltd.
- viii. Shagang International Singapore (PTE) Ltd.
- ix. Cemic Steel Ltd
- x. Welong Resources Limited
- xi. Tak Loon Steel Company Limited
- xii. Shougang Zhixin Electromagnetic Materials (Qian'an) Co., Ltd
- xiii. Shougang Holding Trade (Hong Kong) Limited
- xiv. China Shougang International Trade & Engineering Corporation

#### **G.3.1 Normal value and export price for China PR**

##### **a) Market Economy Status for Chinese Producers**

35. Article 15 of China's Accession Protocol in WTO provides as follows:

*"Article VI of the GATT 1994, the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 ("Anti-Dumping Agreement") and the SCM Agreement shall apply in proceedings involving imports of Chinese origin into a WTO Member consistent with the following:*

*(a) In determining price comparability under Article VI of the GATT 1994 and the Anti-Dumping Agreement, the importing WTO Member shall use either Chinese prices or costs for the industry under investigation or a methodology that is not based on a strict comparison with domestic prices or costs in China based on the following rules:*

*(i) If the producers under investigation can clearly show that market economy conditions prevail in the industry producing the like product with regard to the manufacture, production and sale of that product, the importing WTO Member shall use Chinese prices or costs for the industry under investigation in determining price comparability;*

*(ii) The importing WTO Member may use a methodology that is not based on a strict comparison with domestic prices or costs in China if the producers under investigation cannot clearly show that market economy conditions prevail in the industry producing the like product with regard to manufacture, production and sale of that product.*

*(b) In proceedings under Parts II, III and V of the SCM Agreement, when addressing subsidies described in Articles 14(a), 14(b), 14(c) and 14(d), relevant provisions of the SCM Agreement shall apply; however, if there are special difficulties in that application, the importing WTO Member may then use methodologies for identifying and measuring the subsidy benefit which take into account the possibility that prevailing terms and conditions in China may not always be available as appropriate benchmarks. In applying such methodologies, where practicable, the importing WTO Member should adjust such prevailing terms and conditions before considering the use of terms and conditions prevailing outside China.*

*(c) The importing WTO Member shall notify methodologies used in accordance with subparagraph (a) to the Committee on Anti-Dumping Practices and shall notify methodologies used in accordance with subparagraph (b) to the Committee on Subsidies and Countervailing Measures.*

*(d) Once China has established, under the national law of the importing WTO Member, that it is a market economy, the provisions of subparagraph (a) shall be terminated provided that the importing Member's national law contains market economy criteria as of the date of accession. In any event, the provisions of*

*subparagraph (a)(ii) shall expire 15 years after the date of accession. In addition, should China establish, pursuant to the national law of the importing WTO Member, that market economy conditions prevail in a particular industry or sector, the non-market economy provisions of subparagraph (a) shall no longer apply to that industry or sector.”*

36. It is noted that while the provision contained in Article 15(a)(ii) has expired on 11.12.2016, the provision under Article 2.2.1.1 of the WTO Agreement on Anti-Dumping read with the obligation under 15(a)(i) of the Accession Protocol requires the criterion stipulated in Para 8 of Annexure I to the AD Rules, 1995 to be satisfied through the information/data to be provided in the supplementary questionnaire upon claiming market economy status.
37. Accordingly, the normal value for all the producers/exporters from China PR have been determined as below.

**b) Determination of normal value for China PR**

38. As none of the producers from China PR have filed the supplementary questionnaire response for market economy treatment, the normal value has been determined in accordance with para 7 of Annexure I of the Rules. Para 7 of Annexure I of the Rules provides as follows:

*7. In case of imports from non-market economy countries, normal value shall be determined on the basis of the price or constructed value in a market economy third country, or the price from such a third country to other countries, including India, or where it is not possible, 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 the selection. Account shall also be taken within time limits; where appropriate, of the investigation if any made in similar matter in respect of any other market economy third country. The parties to the investigation shall be informed without 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 does not operate 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 antidumping investigation by the designated authority or by the competent authority of any WO member country during the three year period preceding the investigation is a non- market economy country. Provided, however, that the non-market economy country or the concerned firms from such country may rebut such 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 sub- paragraph (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 vid 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.*

*(4) Notwithstanding, anything contained in sub-paragraph (2), the designated authority may treat such country as market economy country which, on the basis of the latest detailed evaluation of relevant criteria, which includes the criteria specified in sub paragraph (3), has been, by publication of such evaluation in a public document, treated or determined to be treated as a market economy country for the purposes of anti-dumping investigations, by a country which is a Member of the World Trade Organization. ”*

39. Para 7 lays down hierarchy for determination of normal value and provides that normal value shall be determined on the basis of price or constructed value in a market economy third country, or the price from such a third country to any other country, including India, or where it is not possible, on any reasonable basis, including the price actually paid or payable in India for the like article, duly adjusted, if necessary, to include a reasonable

profit margin. Thus, the Authority notes that the normal value is required to be determined having regard to the various sequential alternatives provided under Annexure-I.

40. The Authority notes that none of the interested parties have provided any information with regard to domestic price, constructed value or export price of the product from an appropriate market economy country to any other country. The Authority notes that it is required to select an appropriate country on the basis of information and evidence brought on record by the interested parties. Since neither the applicants nor the interested parties have provided any verifiable information, the normal value could not be determined on this basis.
41. In the absence of sufficient information on record regarding the other methods enshrined in Para 7 of Annexure I of the Rules, the Authority has determined the normal value by considering the method on “*any other reasonable basis*”.
42. The Authority has therefore constructed the normal value for China PR on the basis of cost of production in India, duly adjusted, including selling, general and administrative expenses and addition of reasonable profits. The constructed normal value so determined for Chinese producers/exporters is mentioned in the dumping margin table.

#### **G.4. Export Price**

##### **G.4.1 Submissions on behalf of domestic industry**

43. The following submissions have been made by the domestic industry with regard to determination of export price:
  - i. Baosteel Group has claimed that they do not have any offices in India. However, it is evident from the product brochure provided in the questionnaire response of Baosteel Singapore Pte Ltd., (as well as other related companies) that Baosteel Group has a presence in India in the name of ‘BAOSTEEL INDIA COMPANY PRIVATE LIMITED’ (‘Baosteel India’).
  - ii. Shougang International has claimed that it does not have an office in India. However, based on internet research it is evident that Shougang International in fact has a wholly owned subsidiary in India. Shougang International not only has an office in India but also a wholly owned subsidiary ‘China Shougang (India) Co., LTD.’ (‘Shougang India’) which is responsible for providing business development, sales and services for Shougang International. Thus, the claim of Shougang International of not having any offices in India is false and incorrect.

- iii. The questionnaire responses of the following 2 companies were filed belatedly after the date prescribed by the Authority and therefore their questionnaire response should not be accepted:
  - Tak Loon Steel Company Limited
  - Baosteel India Company Pvt Ltd.
- iv. Jiangsu Shagang and Yangtze have claimed that they have exported subject goods to India through their affiliated companies in response to Question 1 of Section E of their questionnaire response. However, Yangtze has not filed Appendix 3B of questionnaire response which should contain information regarding export to India through traders.
- v. Baosteel Singapore has filed Appendix 3B with the Authority i.e., when the exports by a company are made through related/unrelated traders/exporters. However, no trader/exporter who has purchased the subject goods from Baosteel Singapore and exported the same to India has participated in the present investigation by filing a questionnaire response. Thus, the value chain for Baosteel Group remains incomplete.
- vi. Shagang International has not reported any exports to India in Appendix 1 of its questionnaire response as the rows for sales quantity and sales value of PUC exports to India has been left blank.

#### **G.4.2 Submissions made by other interested parties**

- 44. The following submissions were made by other interested parties with regard to determination of export price:
  - i. If the Authority decides to recommend imposition of anti-dumping duty on the import of subject goods, the Authority should determine individual rate of anti-dumping duty for the cooperating producers/exporters.

#### **G.4.3 Examination by Authority**

- 45. Following producers and exporters from China PR have participated and filed questionnaire response. The Authority has undertaken the desk verification and examined the claims made by the producer/exporters and the domestic industry. The responses by these producers/exporters have been examined as under:
  - i. **Baosteel Group**
    - a. **Wuhan Iron & Steel Co., Ltd.**

46. During the POI: Wuhan Iron & Steel Co., Ltd., China PR, has sold \*\*\* MT of subject goods of invoice value \*\*\* US\$ indirectly to India through a related exporter/trader namely, Baosteel Singapore Pte Ltd., Singapore. Out of which Baosteel Singapore Pte Ltd., Singapore has directly sold \*\*\* MT to India to unrelated buyers in India, \*\*\* MT and \*\*\* MT, Baosteel Singapore Pte Ltd., Singapore has sold to India indirectly through two unrelated Cemic Steel Limited and Welong Resources Limited and rest of the quantity \*\*\* MT has been sold to India indirectly through another four unrelated exporters/traders.
47. All the producers/exporters have filed their exporters questionnaires responses with the Designated Authority except these four unrelated exporters/traders. The producers/exporters have claimed adjustments on accounts of inland transportation, port and other related expenses, bank charges and credit cost to arrive at PCN-wise export price at ex-factory level, and the same has been accepted after desk verification. The net export price so determined is shown in the dumping margin table.

**b. Baosteel Zhanjiang Iron & Steel Co., Ltd.**

48. During the POI: Baosteel Zhanjiang Iron & Steel Co., Ltd., China PR, has sold \*\*\* MT of subject goods of invoice value \*\*\* US\$ indirectly to India through a related exporter/trader namely, Baosteel Singapore Pte Ltd., Singapore. Out of which Baosteel Singapore Pte Ltd., Singapore has directly sold 1820 MT to India and \*\*\* MT has been sold to India by Baosteel Singapore Pte Ltd., Singapore indirectly through another unrelated exporter/trader namely, Tongyuan International (HK) Co., Limited.
49. All the producers/exporters have filed their exporters questionnaires responses with the Designated Authority except Tongyuan International (HK) Co., Limited. The producers/exporters have claimed adjustments on accounts of inland transportation, port and other related expenses, bank charges and credit cost to arrive at PCN-wise export price at ex-factory level and the same has been accepted after desk verification. The net export price so determined is shown in the dumping margin table.

**c. Baoshan Iron & Steel Co., Ltd.**

50. During the POI: Baoshan Iron & Steel Co., Ltd., China PR, has sold \*\*\* MT of subject goods of invoice value \*\*\* US\$ indirectly to India through a related exporter/trader namely, Baosteel Singapore Pte Ltd., Singapore. Out of which Baosteel Singapore Pte Ltd., Singapore has directly sold \*\*\* MT to related importer Baosteel India Co. Pvt. Ltd. and \*\*\* MT to unrelated buyers in India. Rest of the quantity \*\*\* MT have been sold to India by Baosteel Singapore Pte Ltd., Singapore indirectly through another unrelated exporters/traders namely, Tongyuan International (HK) Co., Limited and JFE. Baosteel India Co. Pvt. Ltd has resold the subject goods to unrelated customers in India at profit.

51. With regard to the submission made by the domestic industry that Bao Steel Group has not disclosed the details of related Indian company, Baosteel India Co. Pvt. Ltd, the Authority notes that Baosteel India Co. Pvt. Ltd has provided the relevant information during the course of the investigation. All the producer/exporters and related importer have filed their questionnaires responses with the Designated Authority except Tongyuan International (HK) Co., Limited and JFE. The producers/exporters have claimed adjustments on accounts of inland transportation, port and other related expenses, bank charges and credit cost to arrive at PCN-wise export price at ex-factory level and the same has been accepted after desk verification. The net export price so determined is shown in the dumping margin table.

ii. **Shougang Zhixin Electromagnetic Materials (Qian'an) Co., Ltd**

52. Shougang Zhixin Electromagnetic Materials (Qian'an) Co., Ltd., (“Zhixin”) in its questionnaire response submitted that Zhixin has exported the subject goods to India through related exporter/trader, namely, Shougang Holding Trade (Hong Kong) Limited (“Shougang HK”). Another related company, Shougang International Trade & Engineering Corporation (“Shougang International”) is acting as commission agent and it was paid the commission fee by Zhixin for exports to India. It was also submitted that Shougang Holding Trade (Hong Kong) Limited has resold the subject goods to India indirectly through two unrelated exporters/traders namely, Tak Loon Steel Company Limited and JFE Shoji (Hong Kong) Ltd.

53. However, during the verification, it was noted by the Authority that commercial invoices, custom declaration and other export related documents are issued by Shougang International to Shougang HK. No invoices were issued by Zhixin to Shougang HK directly. Since no information has been filed by Shougang International in Appendix-2 and 3B, the response submitted by Shougang International is grossly incomplete and there is suppression of facts by Zhixin and Shougang International. Accordingly, the Authority concludes not to accept the response of Zhixin & related exporters. The export price for Zhixin has been determined on the basis of facts available and the same is shown in the dumping margin table.

iii. **Zhangjiagang Yangtze River Cold Rolled Sheet Co., Ltd**

54. From the response filed by Zhangjiagang Yangtze River Cold Rolled Sheet Co., Ltd. (“Zhangjiagang Yangtze”), Authority notes that it has sold the subject goods in home market to two related buyers namely, Jiangsu Shagang Group Co., Ltd (“Jiangsu Shagang”) and Zhangjiagang Free Trade Zone Binlan Trading.

55. Jiangsu Shagang Group Co., Ltd., has resold the subject goods in home market to a related exporter/trader namely, Jiangsu Shagang International Trade Co., Ltd. and other five unrelated customers. Jiangsu Shagang International Trade Co.,Ltd., has sold subject goods to India indirectly through a related exporter/trader namely, Shagang International (Singapore) Pte. Ltd. Further, Shagang International (Singapore) Pte. Ltd., has exported the subject goods to India directly and indirectly through seven unrelated exporters/traders.
56. It was also noted by the Authority that Zhangjiagang Yangtze and Jiangsu Shagang has not submitted the information with regard to exports to India in Appendix-3B. Further, Jiangsu Shagang has also not submitted information in Appendix-5 in the EQR with regard to exports to India. In order to determine the net export price, it is essential that information by producer must be submitted in Appendix-3B format. Further, trader is also required to provide exports to India details along with profitability information in Appendix-5.
57. The Authority also sought explanation from Zhangjiagang Yangtze and Jiangsu Shagang that why information in Appendix-3B/5 is not provided. However, no satisfactory answer was received from Zhangjiagang Yangtze and Jiangsu Shagang within the time limit prescribed by the Authority. Zhangjiagang Yangtze and Jiangsu Shagang later on filed some additional information after further delay of more than two months. The Authority noted that even delayed additional information provided by Zhangjiagang Yangtze and Jiangsu Shagang is not matching with the supporting documents provided. There is mismatch between the quantity/value and PCN reported.
58. Accordingly, the Authority concludes not to accept the response of Zhangjiagang Yangtze in & related exporters. The net export price for Zhangjiagang Yangtze has been determined on the basis of facts available and the same is shown in the Dumping Margin Table.

#### **Export Price for non-cooperating producers/exporters**

59. For all other producers/ exporters of China PR, export price has been determined based on facts available taking into account the data examined for the co-operating exporters and the same is mentioned in the dumping margin table below:

#### **Dumping Margin**

60. Considering the normal value and the export price for the subject goods, the dumping margin for the subject goods from the subject country is determined as follows:

#### **Dumping margin table**

Producer's/ exporter's name	CNV (USD/MT)	Net Export Price (USD/ MT)	Dumping margin (USD/ MT)	Dumping margin %	Dumping margin % range
Wuhan Iron & Steel Co., Ltd.	***	***	***	***	55-65
Baosteel Zhanjiang Iron & Steel Co., Ltd.	***	***	***	***	60-70
Baoshan Iron & Steel Co., Ltd.	***	***	***	***	40-50
<b>Weighted Average Baosteel Group</b>	***	***	***	***	<b>50-60</b>
All others	***	***	***	***	75-85

## **H. EXAMINATION OF INJURY AND CAUSAL LINK**

### **H.1. Submissions made by the domestic industry**

61. The following submissions have been made by the domestic industry with regard to injury and causal link:

- Domestic industry has filed the petition with the import data available with it as per market intelligence. Authority has already considered the transaction wise import data from DG System at the time of initiation of the subject investigation.
- The information submitted by the domestic industry clearly demonstrates that
  - There has been a significant increase in the dumped imports of subject goods, both in absolute terms and relative to production and consumption in India.
  - The dumped imports are significantly undercutting the prices of the domestic industry and causing significant price suppression and depression.
  - The economic parameters of the domestic industry have significantly deteriorated due to dumped imports of subject goods from China PR.
- Grant of 22% return on capital employed is the consistent practice of the Authority. This issue has been settled by various judgments of the CESTAT. CESTAT in *Merino Panel Products Ltd. v. Designated Authority*, Final Order No. AD/A/53541/2015-CU[DB] dated 27 November 2015 had permitted the 22% rate of return on capital employed as standard practice. CESTAT had reaffirmed the same principle in *Eximcorp India Pvt. Ltd. v. Designated Authority*, Final Order No. AD/A/53462/2016-CU[DB] dated 12 September 2016.

## H.2. Submissions made by the other interested parties

62. The following submissions have been made by the other interested parties with regard to injury and causal link:

- i. The import data filed by the domestic industry is incorrect, therefore, examination of volume effect and price effect may not provide a true picture.
- ii. The imports from China PR have not caused any injury to the domestic industry during the injury investigation period.
- iii. The Authority should adopt ROCE earned by the industry when there was no allegation of dumping as reasonable profit margin and not 22% ROCE. Providing 22% return on capital employed is old practice and should be changed.
- iv. In the case of Bridge Stone Tyre Manufacturing & others vs. Designated Authority, where the issue of reasonableness of 22% return on capital employed adopted by the Authority has been examined shows that adoption of 22% ROCE coloured the injury determination. It has inflated the price underselling and injury margin. It is submitted that Authority should adopt the actual profit earned by the domestic industry during the period when there was no allegation of dumping as a basis for calculating reasonable return.
- v. In case of T-210/95 European Fertilizer Manufacturer's Association (EFMA) v Council [1999] ECR II-3291, the EU Court held that the profit margin to be used by the Council when calculating the target price that will remove the injury in question must be limited to the profit margin which the Community industry could reasonably count on under normal conditions of competition, in the absence of the dumped imports.

## H.3. Examination by the Authority

63. Rule 11 of the Rules read with Annexure II provides that an injury determination shall involve an examination of factors that may indicate injury to the domestic industry, “..... *taking into account all the 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 the 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.

64. 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, inventory, profitability, net sales realization, the magnitude and

margin of dumping, etc. have been considered in accordance with Annexure II to the Rules.

65. The Authority has taken note of the various submissions made by the domestic industry and the other interested parties on injury. The submissions made by interested parties with regard to injury and causal link, which have been considered relevant by the Authority are examined and addressed as under.
66. The Authority notes that it is not necessary that all parameters of injury show deterioration. Some parameters may show deterioration, while some others may not show deterioration. The Authority considers all injury parameters and, thereafter, determines whether the domestic industry has suffered injury or is likely to suffer injury due to dumping. The Authority has examined the injury parameters objectively considering the facts and arguments submitted by the domestic industry and other interested parties.

#### **H.3.1. Volume effect of the dumped imports**

##### **a) Assessment of Demand**

67. The Authority has determined the demand or the apparent consumption of the product in India, as the sum of domestic sales of the domestic producers and imports from all sources. The demand so assessed is given in the table below.

<b>Particulars</b>	<b>Unit</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>	<b>POI</b>
Sales of domestic industry	MT	***	***	***	***
<i>Trend</i>	Indexed	100	119	113	121
Sales of other Indian Producers	MT	***	***	***	***
<i>Trend</i>	Indexed	100	128	114	124
Imports from China PR	MT	9,503	40,246	42,132	99,211
<i>Trend</i>	Indexed	100	424	443	1,044
Imports from other countries	MT	29,348	25,235	18,967	20,080
<i>Trend</i>	Indexed	100	86	65	68
Total Demand	MT	***	***	***	***
<i>Trend</i>	Indexed	100	126	117	138

68. From the above, it can be seen that:

- The demand during the injury investigation period has increased. Demand of subject goods has increased in the POI as compared to 2020-21.
- The imports of subject goods from the subject country have increased by more than 10 times in the POI as compared to 2020-21.
- The Imports from the subject country have predominantly captured the increase in demand.

**b) Import volume and share of the subject country**

69. With regard to the volume of the dumped imports, the Authority is required to consider whether there has been a significant increase in the dumped imports, either in absolute terms or in relation to production or consumption in India. For the purpose of the injury analysis, the Authority has relied upon the transaction-wise import data from DG Systems. The import volumes of the subject goods and share of the same during the injury investigation period are as follows:

SN	Particulars	UOM	2020-21	2021-22	2022-23	POI
1.	Imports from China PR	MT	9,503	40,246	42,132	99,211
	<i>Trend</i>	Indexed	100	424	443	1,044
2.	Total Imports	MT	38,851	65,481	61,099	1,19,291
	<i>Trend</i>	Indexed	100	169	157	307
3.	Production of the domestic industry	MT	***	***	***	***
	<i>Trend</i>	Indexed	100	128	114	124
4.	Demand	MT	***	***	***	***
	<i>Trend</i>	Indexed	100	126	117	138
<b>5. Subject imports in relation to</b>						
a.	Total imports	%	24%	61%	69%	83%
	<i>Trend</i>	Indexed	100	251	282	340
b.	Production of the domestic industry	%	***	***	***	***
	<i>Trend</i>	Indexed	100	331	390	841
c.	Demand	%	***	***	***	***
	<i>Trend</i>	Indexed	100	335	380	756

70. From the above, it can be observed that:

- The imports of subject goods from subject country have increased in absolute terms from 2020-21 to the POI. Imports have increased consistently year on year and have increased by more than 10 times in the POI as compared to 2020-21.
- Share of imports of subject goods from subject country in total imports has increased from 24% in 2020-21 to 83% in the POI.

- Share of imports of subject goods from subject country in relation to demand has also increased from 100 indexed points in 2020-21 to 756 indexed points in the POI.
- Demand of the subject goods has increased by \*\*\* MT (38%) in the POI as compared to 2020-21 whereas sales of the domestic industry have increased by only \*\*\* MT (21%) during the same period. This shows that majority of the increase in demand has been captured by dumped imports of subject goods from China PR.
- Share of imports of subject goods from subject country in relation to production of domestic industry has increased from 100 indexed points in 2020-21 to 841 indexed points in the POI.

### **H.3.2. Price effect of the dumped imports**

71. With regard to the effect of the dumped imports on prices, it is required to be analyzed whether there has been a significant price undercutting by the alleged dumped imports as compared to the price of the like products in India, or whether the effect of such imports is otherwise to depress prices or prevent price increases, which otherwise would have occurred in normal course.
72. Accordingly, the impact on the prices of the domestic industry on account of dumped imports of the subject goods from the subject country has been examined with reference to price undercutting and price suppression/depression, if any. For the purpose of this analysis the cost of sales and the net sales realization (NSR) of the domestic industry have been compared with the landed price of the subject imports from the subject country.

#### **a) Price undercutting**

73. The price undercutting during the POI is noted below:

<b>Particulars</b>	<b>UOM</b>	<b>Price Undercutting</b>
Landed Price	Rs/MT	73,768
Net Sales Realization	Rs/MT	***
Price Undercutting	Rs/MT	***
Price Undercutting	%	***
Range	Range	5-15%

74. The Authority notes that the landed price of subject imports in the POI is below the selling price of the domestic industry and is undercutting the prices of the domestic industry.

**b) Price suppression / depression**

75. In order to determine whether the dumped imports are suppressing or depressing the domestic prices and whether the effect of such imports is to depress domestic prices to a significant degree or prevent increases in domestic prices which otherwise would have occurred to a significant degree, the Authority notes the changes in the costs and prices over the injury period.

Particulars	UOM	2020-21	2021-22	2022-23	POI
Cost of Sales	Rs/MT	***	***	***	***
<i>Trend</i>	Index	100	163	165	141
Net Sales Realisation	Rs/MT	***	***	***	***
<i>Trend</i>	Index	100	162	156	130
Landed Price	Rs/MT	54,872	1,10,973	93,757	73,768
<i>Trend</i>	Index	100	202	171	134

76. The Authority notes that the landed price of imports of subject goods from the subject country during the POI and 2022-23 was well below the cost of sales of the domestic industry. This has created significant price suppression effect on the domestic industry. The cost of sales of the domestic industry has increased by 41 indexed points in the POI as compared to 2020-21 whereas selling price of the domestic industry has increased only by 30 indexed points during the same period due to the price pressure exerted by the dumped imports from China PR.

**H.3.3. Economic parameters pertaining to the domestic industry**

77. Annexure - II of the Rules lays down that the determination of injury shall involve an objective examination of the consequent impact of dumped imports on the domestic producers of such products. The Rules further provide for an objective evaluation of all relevant economic parameters 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 margin of dumping actual and potential negative effects on cash flow, inventories, employment, wages, growth, ability to raise capital investments. Accordingly, various injury parameters relating to the domestic industry are discussed herein below.

**a) Capacity, production, capacity utilization and domestic sales**

78. The details of capacity, production, capacity utilization and domestic sales of the domestic industry over the injury period are as under:

Particulars	UOM	2020-21	2021-22	2022-23	POI
Installed Capacity	MT	***	***	***	***
<i>Trend</i>	Indexed	100	100	100	100
Production (PUC)	MT	***	***	***	***
<i>Trend</i>	Indexed	100	128	114	124
Capacity Utilisation	%	***	***	***	***
<i>Trend</i>	Indexed	100	128	114	124
Domestic Sales	MT	***	***	***	***
<i>Trend</i>	Indexed	100	119	113	121

79. The Authority notes as follows:

- i. Production, capacity utilisation and domestic sales of the domestic industry have increased in the POI as compared to 2020-21 owing to increase in demand during the same period. However, the increase in production and domestic sales is lower than the increase in demand of subject goods.
- ii. Capacity utilisation of the domestic industry has remained low during the injury investigation period despite significant increase in demand.

**b) Market Share**

80. Information with respect to market share over the injury period is as under:

Particulars	UOM	2020-21	2021-22	2022-23	POI
Imports from China PR	MT	9,503	40,246	42,132	99,211
<i>Trend</i>	Indexed	100	424	443	1,044
Imports from other countries	MT	29,348	25,235	18,967	20,080
<i>Trend</i>	Indexed	100	86	65	68
Sales of Domestic Industry	MT	***	***	***	***
<i>Trend</i>	Indexed	100	119	113	121
Total Demand	MT	***	***	***	***
<i>Trend</i>	Indexed	100	126	117	138
Market Share of Domestic Industry	%	***	***	***	***
<i>Trend</i>	Indexed	100	94	96	88
Market Share of Imports from China PR	%	***	***	***	***
<i>Trend</i>	Indexed	100	335	380	757

81. From the above, it can be seen that:

- i. Imports have increased consistently year on year and have increased by more than 10 times in the POI as compared to 2020-21.
- ii. Share of imports of subject goods from subject country in relation to demand has also increased from 100 indexed points in 2020-21 to 757 indexed points in the POI.
- iii. Market share of domestic industry has declined from 100 indexed points in 2020-21 to 88 indexed points in the POI.
- iv. Demand of the subject goods has increased by \*\*\* MT (38%) in the POI as compared to 2020-21 whereas sales of the domestic industry have increased by only \*\*\* MT (21%) during the same period. This shows that majority of the increase in demand has been captured by dumped imports of subject goods from China PR.

**c) Profitability, Cash profits and return on investments**

82. Information with respect to profitability, return on investment and cash profits during the injury period is as under:

Particulars	UOM	2020-21	2021-22	2022-23	POI
Profit before Tax	Rs/MT	***	***	***	***
<i>Trend</i>	Indexed	100	148	(35)	(105)
Profit before Tax	Rs Lacs	***	***	***	***
<i>Trend</i>	Indexed	100	175	(40)	(127)
Profit before interest & tax	Rs/MT	***	***	***	***
<i>Trend</i>	Indexed	100	169	34	(11)
Profit before interest & tax	Rs Lacs	***	***	***	***
<i>Trend</i>	Indexed	100	201	38	(14)
Cash Profit	Rs/MT	***	***	***	***
<i>Trend</i>	Indexed	100	110	46	13
Cash Profit	Rs Lacs	***	***	***	***
<i>Trend</i>	Indexed	100	130	52	16
Return on Capital Employed	%	***	***	***	***
<i>Trend</i>	Indexed	100	182	35	(13)

83. From the above, it can be observed that:

- i. The domestic industry was earning profit in 2020-21 and 2021-22 when imports from China PR were coming in small quantities. However, the domestic industry started

incurring losses in 2022-23 and the losses increased significantly in the POI when imports from China PR increased in significant quantities.

- ii. Profit before interest and tax of the domestic industry has declined and domestic industry has incurred losses in the POI.
- iii. Cash profit per MT of the domestic industry has declined from 100 indexed points in 2020-21 to 16 indexed points in the POI.
- iv. Return on capital employed of the domestic industry has declined and has become negative in the POI.

**d) Inventory**

84. Information with respect to inventory over the injury period is as under:

<b>Particulars</b>	<b>UOM</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>	<b>POI</b>
Opening Inventory	MT	***	***	***	***
<i>Trend</i>	Indexed	100	50	82	83
Closing Inventory	MT	***	***	***	***
<i>Trend</i>	Indexed	100	164	164	206
Average Inventory	MT	***	***	***	***
<i>Trend</i>	Indexed	100	88	110	123

85. The Authority notes that the inventory of the domestic industry has declined in 2021-22 and has thereafter increased in 2022-23 and the POI.

**e) Productivity, employment and wages**

86. Information with respect to productivity, employment and wages over the injury period is as under:

<b>SN</b>	<b>Particulars</b>	<b>UOM</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>	<b>POI</b>
1.	Productivity Per day	MT	***	***	***	***
	<i>Trend</i>	Indexed	100	128	114	124
2.	Productivity per employee	MT	***	***	***	***
	<i>Trend</i>	Indexed	100	126	114	125
3.	No of employees	Nos.	***	***	***	***
	<i>Trend</i>	Indexed	100	101	100	99

87. The Authority notes that the productivity of the domestic industry has increased to some extent during the injury investigation period owing to increase in demand during the same period.

**f) Growth**

88. Information with respect to year-on-year growth over the injury period is as under:

Particulars	UOM	2021-22	2022-23	POI
Production	%	28%	-11%	9%
Domestic Sales	%	19%	-5%	8%
PBT (Per Unit)	%	48%	-124%	-198%
PBIT (Per Unit)	%	69%	-80%	-133%
Cash Profit (Per Unit)	%	10%	-58%	-72%
ROI	%	6%	-11%	-4%
Market Share of DI in Demand	%	-2%	0%	-3%

89. The Authority notes that the domestic industry has witnessed negative growth year on year in terms of profitability, cash profit, ROI and market share.

**g) Factors affecting domestic prices**

90. 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 imported material from the subject country is below the selling price of the domestic industry, causing price undercutting. The price undercutting has led to price suppression in the Indian market. The demand for the subject goods increased over the injury period and therefore it could not have been a factor affecting domestic prices. Therefore, the imports from the subject country are impacting the prices of the domestic industry.

**h) Ability to raise capital investments**

91. The Authority notes that the ability of the domestic industry to raise any further capital investment is significantly curtailed owing to the dumped imports of subject goods into India. The domestic industry is already incurring losses, and the domestic industry is not in a position to raise further capital investments.

**i) Magnitude of dumping margin**

92. It is seen that the dumping margin is above *de minimis* level and is significant.

**H.4. THREAT OF MATERIAL INJURY****H.4.1. Submissions made by the other interested parties**

93. The other interested parties have not made any submissions with regard to threat of material injury.

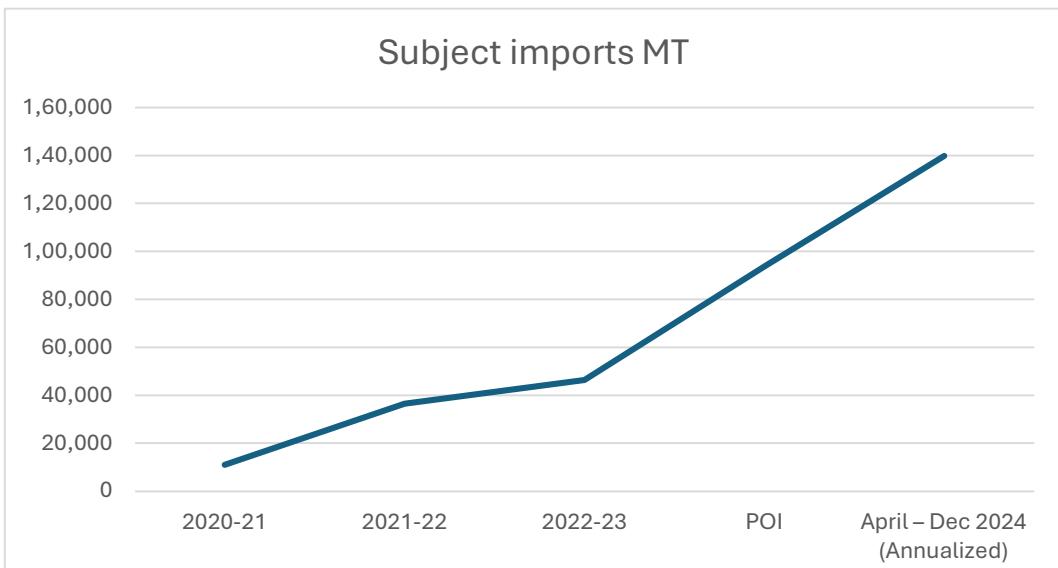
#### **H.4.2. Submissions made by the domestic industry**

94. The domestic industry has made following submissions with regard to threat of material injury:

i. Subject imports have continuously increased after the period of investigation also:

Particulars	Unit	2020-21	2021-22	2022-23	POI	April-December 2024 (Annualised)
Quantity	MT	11,081	36,500	46,350	93,634	139,820
	Indexed	100	329	418	845	1262
CIF Price	Rs/MT	49,397	109,241	81,582	68,150	64,278
	Indexed	100	221	165	138	130

ii. Imports have increased from 93,634 MT in the POI to 1,39,820 MT in the post-POI period of April-Dec 2024 (Annualized). Steep increase in imports is evident from the below graph:



iii. Imports in the post POI period have increased by more than 12 times as compared to the imports in the base years of 2020-21.

iv. The average import price from China PR has further declined in the post POI period as can be seen in the table below:

Particulars	Unit	2020-21	2021-22	2022-23	POI	Post-POI (Annualised)
CIF price	Rs/MT	49,397	109,241	81,582	68,150	64,278
	Indexed	100	221	165	138	130

v. The import price declined significantly in the POI as compared to 2021-22 and 2022-23. The import price has further declined in the post POI period. The quarter wise decline in post POI period is noted as follows:

Particulars	UoM	April 2024 to June 2024	July 2024 to September 2024	October 2024 to December 2024
CIF price	Rs/MT	66,127	65,114	63,000

vi. The consistent reduction in import price highlights the aggressive pricing strategies being employed by exporters from China PR, exerting significant pressure on the domestic industry's ability to compete in the market.

vii. The production capacity of subject goods in China PR has increased consistently over the last few years as tabulated below and the same is evidenced by the Report titled 'China's CRNGO Steel: An Industry Overview' of CUMIC Steel Limited:

Particulars	MT	2020	2021	2022	2023	2025/2026 (Projected)
Total Capacity in China PR	Million Tons	12.6	13.1	13.6	13.6	14.5 /16
	Index	100	104	108	108	115/127

viii. The total capacity of CRNO in China PR is approximately 20 times the total Indian demand.

ix. A number of countries have imposed trade remedy measures against exports of subject goods from China PR. The details of trade remedy measures imposed and currently in force against exports from China PR are given below:

Importing Country	Exporting Country	Product	Type of Measure	Rate of Duty (China PR)
Brazil	China PR, Taiwan and Korea RP	Non-oriented silicon steel	Anti-dumping	90 - 166.32%
United States	China PR, Sweden, Korea RP, Taiwan, Japan, Germany	Non-oriented electrical steel	Anti-dumping & Countervailing duty	158.88% (CVD) 407.52% (AD)
European Union	China PR	CRNO	Safeguard	25% exceeding quota
United States	China PR	CRNO	Section 232	25%
United States	China PR	CRNO	Section 301	25%

#### H.4.3. Examination by the Authority

95. Para. (vii) of Annexure II of the Anti-dumping Rules provides as follows:

*(vii) A determination of a threat of material injury shall be based on facts and not merely on allegation, conjecture or remote possibility. The change in circumstances which would create a situation in which the dumping would cause injury must be clearly foreseen and imminent. In making a determination regarding the existence of a threat of material injury, the designated authority shall consider, inter alia, such factors as:*

*(a) a significant rate of increase of dumped imports into India indicating the likelihood of substantially increased importation;*

*(b) sufficient freely disposable, or an imminent, substantial increase in, capacity of the exporter indicating the likelihood of substantially increased dumped exports to Indian markets, taking into account the availability of other export markets to absorb any additional exports;*

*(c) whether imports are entering at prices that will have a significant depressing or suppressing effect on domestic prices, and would likely increase demand for further imports; and*

*(d) inventories of the article being investigated.*

96. The Authority notes that for assessment of threat of material injury, Authority considers factors such as rate of increase of dumped imports into India, freely disposable capacity in subject country, increase in capacity in subject country, trend of import prices from subject country, inventory of PUC with producers/exporters in subject country. The Authority notes that it can also examine any other factor in addition the above factors for assessment of threat of material injury to the domestic industry.

**a) Significant rate of increase of dumped imports into India indicating the likelihood of substantially increased importation**

97. The import data in the table below shows that imports from China PR have increased significantly from 9,503 MT to 99,211 MT in the POI.

Imports	Unit	2020-21	2021-22	2022-23	POI
China PR	MT	9,503	40,246	42,132	99,211
<i>Trend</i>	Index	100	424	443	1,044
Demand	MT	***	***	***	***
<i>Trend</i>	Indexed	100	126	117	138

98. The Authority notes that imports from China PR have increased consistently and significantly during the injury investigation period. Imports from China PR increased by more than 10 times in the POI as compared to 2020-21. The domestic industry has furnished information for the post-POI period. However, the examination of the Authority is restricted to the POI only.

99. The Authority notes that comparison of trend in imports from China PR with the trend in demand shows that the rate of increase in imports is significantly higher than the rate of increase in demand during the injury investigation period.

**b) Sufficient freely disposable, or an imminent, substantial increase in, capacity of the exporter indicating the likelihood of substantially increased dumped exports to Indian markets, taking into account the availability of other export markets to absorb any additional exports**

100. Information submitted by participating producers/exporters shows that capacity available with the producers/exporters in China PR is higher than the domestic demand in China PR.

Producer/Exporter from China PR	Particulars (in index points)	2020-21	2021-22	2022-23	POI
Baoshan Iron & Steel Company Limited	Installed Capacity	100	100	140	152
	Capacity Utilisation	100	93	88	87
	Export Sales to India	100	88	731	393
Wuhan Iron & Steel Co., Ltd.	Installed Capacity	100	100	100	100
	Capacity Utilisation	100	94	98	100
	Export Sales to India	100	40	272	376
Baosteel Singapore Pte Ltd.	Export Sales to India	100	47	316	735
Shougang Zhixin Electromagnetic Materials (Qian'an) Co., Ltd.	Installed Capacity	100	99	115	121
	Capacity Utilisation	100	99	93	91
	Export Sales to India	100	1,830	1,534	1,105
Shougang Holding Trade Hong Kong Limited	Export Sales to India	100	1430	1,391	1339
Shagang International Trade Co. Ltd	Export Sales to India	-	-	100	150
Cumic Steel Limited	Export Sales to India	-	100	341	385
Welong Resources Limited	Export Sales to India	-	-	100	377

101. The Authority notes that the examination of information provided by participating producers/exporters from China PR shows that producers/exporters have sufficient freely disposable capacity of subject goods and/or have increased their capacity and export sales to India during the injury investigation period.

102. Thus, Authority concludes that there is sufficient freely disposable, or an imminent, substantial increase in, capacity with the Chinese producers indicating the likelihood of substantially increased dumped exports to Indian markets

c) **Whether imports are entering at prices that will have a significant depressing or suppressing effect on domestic prices, and would likely increase demand for further imports**

103. The Authority notes that landed price of imports from the subject country during the injury investigation period is well below the cost of sales and selling price of the domestic industry except in 2021-22. This is creating significant price depression/suppression effect on the domestic industry.

## **H.5. CAUSAL LINK AND NON – ATTRIBUTION ANALYSIS**

### **H.5.1. Submissions made by the domestic industry**

104. The domestic industry has made following submission with regard to causal link:

- Imports from subject country constitute majority of the total imports into India. Barring imports from the subject country, imports from other countries are either in low volumes and/or at higher prices. Therefore, imports from other countries cannot be a cause of injury to the domestic industry.
- Interested parties have not identified any other causes of injury to the domestic industry.

### **H.5.2. Submissions made by the other interested parties**

105. The other interested parties have not made any submissions with regard to causal link.

### **H.5.3. Examination by the Authority**

106. As per the AD Rules, 1995, the Authority, inter alia, is required to examine any known factors other than the dumped imports which at the same time are causing injury to the domestic industry, so that the injury caused by these other factors may not be attributed to the dumped imports. Factors which may be relevant in this respect include, inter alia, the volume and prices of imports not sold at dumped prices, contraction in demand or changes in the patterns of consumption, trade restrictive practices of and competition between the foreign and domestic producers, developments in technology and the export performance and the productivity of the domestic industry. It has been examined below

whether factors other than dumped imports could have contributed to the injury to the domestic industry.

**a) Volume and price of imports from third countries**

107. The Authority notes that the imports of the product under consideration from non-subject countries are not in significant quantity. Also, the price at which imports of the PUC were made from non-subject countries is significantly higher than price of the subject country.
108. Apart from China PR, imports of subject goods from Japan and Korea RP are above de minimis level. However, landed price of subject goods from Japan and Korea RP is much higher than landed price from China PR as can be seen from below table:

<b>Particulars</b>	<b>UOM</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>	<b>2023-24</b>
China PR	Rs/MT	54,872	1,10,973	93,757	73,768
Japan	Rs/MT	84,814	1,19,951	1,37,372	96,635
Korea RP	Rs/MT	85,981	1,15,241	1,11,634	1,13,014

**b) Contraction in Demand**

109. There has been constant increase in the demand of the product concerned throughout the injury period. Therefore, contraction in demand cannot be a cause of injury to the domestic industry.

**c) Export Performance and Captive Consumption**

110. The Authority has considered the data for domestic operations only for its injury analysis. The injury information examined hereinabove relates only to the performance of the domestic industry in terms of its domestic market.

**d) Development of Technology**

111. There has been no change in technology which can cause injury to the domestic industry.

**e) Performance of other products of the company**

112. The Authority has only considered information related to the PUC for the purpose of injury analysis.

**f) Trade Restrictive Practices and Competition between the Foreign and Domestic producers**

113. There are no trade restrictive practices that can be considered reason to the material injury suffered by the domestic industry.

**g) Changes in pattern of consumption**

114. The pattern of consumption in India has not changed with respect to the PUC.

**H.6. CONCLUSION ON INJURY AND CAUSAL LINK**

115. Analysis of the information shows existence of material injury and threat of further aggravated material injury to the domestic industry. The causal link between dumped imports and injury is also established. The Authority concludes that:

- i. The imports of subject goods from the subject country have increased by more than 10 times in the POI as compared to 2020-21. Share of imports of subject goods from subject country in relation to demand has also increased from 100 indexed points in 2020-21 to 757 indexed points in the POI. Share of imports of subject goods from subject country in relation to production of domestic industry has increased from 100 indexed points in 2020-21 to 841 indexed points in the POI.
- ii. Landed price of imports of subject goods from the subject country in the POI is below the selling price of the domestic industry and is undercutting the prices of the domestic industry.
- iii. Landed price of imports of subject goods from the subject country during the POI and 2022-23 was well below the cost of sales of the domestic industry. This has created significant price suppression effect on the domestic industry.
- iv. Capacity utilisation of the domestic industry has remained low during the injury investigation period despite significant increase in demand.
- v. Market share of domestic industry has declined from 100 indexed points in 2020- 21 to 88 indexed points in the POI.
- vi. The domestic industry started incurring losses in 2022-23 and the losses increased significantly in the POI when imports from China PR increased in significant quantities.
- vii. Return on capital employed of the domestic industry has declined and has become negative in the POI.

- viii. The domestic industry has witnessed negative growth year on year in terms of profitability, cash profit, ROI and market share.
- ix. The domestic industry has suffered material injury as a result of dumped imports from China PR.
- x. Capacity available with the producers/exporters in China PR is higher than the domestic demand in China PR.
- xi. Information submitted by cooperating producers/exporters shows that producers/exporters have sufficient freely disposable capacity of subject goods and/or have increased their capacity and export sales to India during the injury investigation period.
- xii. There is also threat of further aggravated injury to the domestic industry if anti-dumping duty is not imposed on imports of subject goods from China PR.
- xiii. No other factor appears to have caused injury to the domestic industry. The Authority concludes that the injury to the domestic industry has been caused by the dumped imports of the subject goods from the subject country.
- xiv. The injury margin from subject country is not only positive but significant.

116. The above analysis indicates that the domestic industry is suffering material injury as well as threat of further aggravated material injury due to increased dumped imports of the product under consideration into India from the subject country. There exists a causal relation between the increase in dumped imports of the subject goods originating in or exported from the subject country and the material injury suffered by the domestic industry.

## **H.7. MAGNITUDE OF INJURY MARGIN**

117. The Authority has determined the NIP for the domestic industry on the basis of principles laid down in the Rules read with Annexure III, as amended. The NIP of the product under consideration has been determined by adopting the information/data relating to the duly verified cost of production provided by the domestic industry for the POI. The NIP has been compared with the landed price of subject goods from the subject country for calculating injury margin. For determining the NIP, the best utilisation of the raw materials and utilities has been considered over the injury period. The best utilisation of production capacity over the injury period has been considered. Extraordinary or non-recurring expenses have been excluded from the cost of production. A reasonable return (pre-tax @ 22%) on average capital employed (i.e., average net fixed assets plus average

working capital) for the product under consideration was allowed as pre-tax profit to arrive at the NIP as prescribed in Annexure III to the Rules.

118. Based on the landed price and the NIP determined as above, the injury margin as determined by the Authority is provided in the table below:

**Injury Margin Table**

Producer's/ exporter's name	NIP/MT (US\$)	Landed Value/MT (US\$)	Injury margin/MT (US\$)	Injury margin %	Injury margin % range
M/s Wuhan Iron & Steel Co., Ltd.	***	***	***	***	25-35
M/s Baosteel Zhanjiang Iron & Steel Co., Ltd.	***	***	***	***	30-40
M/s Baoshan Iron & Steel Co., Ltd.	***	***	***	***	10-20
<b>Weighted Average Baosteel Group</b>	***	***	***	***	<b>20-30</b>
All others	***	***	***	***	45-55

## **I. INDIAN INDUSTRY'S INTEREST AND OTHER ISSUES**

### **I.1. Submissions made by the domestic industry**

119. The domestic industry has made following submissions with regard to public interest issues:

- None of the importers/users in India have filed importers/users questionnaire response and/or provided any quantifiable impact of anti-dumping duty on them by filing economic interest questionnaire. This itself shows that imposition of anti-dumping duty on PUC has no material bearing on their business.
- Domestic industry has provided calculation showing that the impact of imposition of anti-dumping duty on various user industries will be minimal as follows:

Particulars	UOM	Transformers (Invertor)	Pumps (Submersible- 1HP)	Automobiles (Magneto-Pulsar 200RS)	Home Appliances (1T AC compressor)	Home Appliances (BLDC Fan)
Landed Price of CRNO	Rs/MT	73,772	73,772	73,772	73,772	73,772
<b>Grade Considered</b>		<b>50C470</b>	<b>50C1000</b>	<b>50C700</b>	<b>35C360</b>	<b>50C1000</b>
Landed Price of CRNO for Product Grade	Rs/MT	***	***	***	***	***
Anti-dumping Duty @10%	Rs/MT	***	***	***	***	***
Consumption Norms of CRNO in Final Product	MT/No	***	***	***	***	***
Selling Price of Final Product	Rs	***	***	***	***	***
Impact on Final Product Cost due to Anti-dumping duty	Rs/No	***	***	***	***	***
Impact on Final Product Price due to Anti-dumping duty	%	***	***	***	***	***
Range	%	0-1%	0-1%	0-1%	0-1%	0-1%

## I.2. Submissions made by other interested parties

120. The other interested parties have made following submissions with regard to public interest issues:

- Consumers will have to import even with the addition of duties to ensure constant availability of goods for which an exorbitant price will be charged by the domestic producers.

- ii. The domestic industry lacks adequate quality required by the downstream users of the subject goods in India, thereby necessitating imports.
- iii. If duties are imposed, it will adversely affect downstream producers and lead to inability to source the subject goods with good product quality, lead times, and impact the ability of downstream producers to meet the customer's demands.

### **I.3. Examination by the Authority**

- 121. The Authority issued a gazette notification inviting views on the subject anti-dumping investigation from all the interested parties, including importers, users and other interested parties. The Authority also prescribed a questionnaire for the importers/users to provide relevant information with regard to the present investigation, including possible effect of anti-dumping duty on their operations. The Authority sought information on *inter-alia*, interchangeability of the product supplied by various suppliers from different countries, ability of the consumers to switch sources, effect of anti-dumping duty on the users etc.
- 122. The Authority notes that the purpose of imposition of anti-dumping duty, 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 does not aim to restrict imports from the subject country in any way. Trade remedial investigations are intended to restore equal competitive opportunities in the domestic market by ensuring a level playing field for domestic producers by the imposition of appropriate duties against trade distorting imports. At the same time, the Authority is aware that the impact of such duties is not limited to only the domestic producers of the PUC but also affects the users and consumers of the PUC.
- 123. The opposing interested parties have not provided any quantifiable and/or verifiable information on the likely impact of anti-dumping duty on the downstream industry and end customers. However, the domestic industry has submitted quantifiable and verifiable information on the impact of duty to end consumers. On an average for different end users, the impact is ranging from 0-1%.
- 124. The Authority notes that the volume of imports from the subject country has increased significantly in the POI. The increase in imports from the subject country has adversely impacted the market share of the domestic industry. Further, it is also noted that the Indian Industry hold sufficient capacity to meet the demand in the country and there is no demand supply gap. It is also in the interest of the user industry to have sources of supply of subject goods within the Indian territory for prompt and short-term delivery of the subject goods. It is also in the long-term interest of the user industry to maintain multiple sources of supply.

**J. POST DISCLOSURE COMMENTS**

**J.1. Submissions made by the domestic industry**

125. The domestic industry has made the following post disclosure submissions:

- i. The Authority has rightly noted the scope of PUC in the disclosure statement.
- ii. The Authority has rightly noted that the domestic industry has requisite standing and is eligible to constitute as domestic industry within the meaning of Rule 2(b) of the Anti-dumping Rules.
- iii. The observation of the Authority that questionnaire response filed by Shougang Group and Shagang Group is deficient and individual rate of anti-dumping duty should not be determined for them is based on correct factual and legal considerations.
- iv. The Authority has not examined the claim of domestic industry regarding delay in filing questionnaire response by Baosteel India Company Pvt Ltd. Domestic industry notes that absence of timely filing of questionnaire response by related entity should result in rejection of questionnaire response of all related entities and no individual rate of anti-dumping duty should be determined for Baosteel group. The Authority should at-least apply adverse facts available for quantity purchased and resold by Baosteel India Company Pvt Ltd.
- v. Domestic industry is in agreement with the Authority with regard to the determination of dumping margin and injury margin for producers/exporters from China PR subject to the objection noted regarding acceptance of questionnaire response of Baosteel India Company Private Ltd.
- vi. The observation of the Authority regarding increase in imports from China PR, decline in market share of domestic industry, decline in profitability of domestic industry, price undercutting and price suppression due to imports from China PR, increase in capacity in China PR, existence of freely disposable capacity in China PR clearly indicates that domestic industry is suffering material injury.
- vii. Examination of the Authority regarding causal link between imports from China PR and injury to the domestic industry is based on correct factual and legal considerations. The Authority has rightly observed that other factors have not caused injury to the domestic industry.
- viii. The only possible conclusion based on observations of the Authority is that the domestic industry is suffering material injury due to dumped imports from China PR and there is a causal link between dumping and injury.

- ix. The Authority has correctly examined the threat of material injury to the domestic industry and proposed conclusion of the Authority regarding threat of material injury is based on correct factual and legal considerations.
- x. The Authority has correctly examined the impact of anti-dumping duty on users/downstream industry.
- xi. The determination of non-injurious price of the domestic industry is based on correct factual and legal considerations.
- xii. The Authority should confirm the proposed conclusion regarding scope of PUC, standing of domestic industry, dumping margin and injury margin, material injury to the domestic industry, causal link between imports and injury to the domestic industry, threat of material injury and negligible impact of anti-dumping duty on importers and users in the final findings as well.
- xiii. The Authority should provide opportunity to the domestic industry to provide its comments if there is any change in the essential facts disclosed in the disclosure statement.

## **J.2. Submissions made by other parties**

126. The other interested parties have made following post disclosure submissions:

- i. Authority has determined export price and landed value for Baosteel group as per the information provided by Baosteel group but the export price and landed value is understated by 12% and 2%, respectively.
- ii. Shagang Group has provided all information in a timely manner and has extended full cooperating to the Authority. Non-filing of Appendix 3B by producer Yangtze River is excusable because it is not due to non-cooperation but due to lack of visibility about exports to India and nature of record maintenance.
- iii. Shagang voluntarily undertook a complex disaggregation exercise based on the FIFO method, and manually reconstructed the sales flows from domestic sales to final export to India.
- iv. Mismatch, if any, in PCN or quantity regarding exports to India at the time of verification can be attributed to the nature of the manual disaggregation exercise.
- v. The Authority's proposal to disregard Yangtze River's response entirely is excessive and disproportionate.
- vi. Export structure involving Zhixin, Shougang International (sales agent), and Shougang HK (exporter) has been fully and transparently disclosed during the investigation.

- vii. The rejection of the responses on the grounds that Shougang International did not submit Appendices 2 and 3B overlooks the core fact that Shougang International did not acquire ownership of the subject goods, nor did it act as an exporter or trader in commercial terms. It merely issued documentation as a sales agent under instructions from the producer, and its commission was properly reported in the producer's Appendix 3B.
- viii. Authority should reconsider its position and accept the responses filed by Shougang Zhixin and its related entities and grant individual rate of duty.

### **J.3. Examination by the Authority**

- 127. The Authority has examined the post-disclosure submissions made by the interested parties. It is observed that the majority of these submissions are reiterations of arguments and contentions that have already been examined and are therefore, addressed to the extent deemed necessary in the relevant paragraphs of these final findings. For the sake of brevity, the Authority has refrained from repeating responses to such issues in this post-disclosure examination. However, any new issues raised for the first time in the post-disclosure submissions, as well as those previously addressed but deemed necessary to examine further are addressed hereunder.
- 128. With regard to the submission that there was delay in filing questionnaire response by Baosteel India Company Pvt Ltd., the Authority notes that there is limited impact of questionnaire response of Baosteel India Company Pvt Ltd. on the overall data of Baosteel group. Authority also notes that minor delay in filing of questionnaire response by one of the related entity does not prejudice the information provided in the questionnaire response of Baosteel group.
- 129. With regard to the submission that Shagang Group has provided all information in a timely manner and has extended full cooperating to the Authority and non-filing of Appendix 3B by producer Yangtze River is excusable, Authority notes that producer/exporter is required to provide information as per prescribed format. Authority cannot conclusively determine the ex-factory export price of producer if information is not provided in Appendix 3B. The Authority also notes that information regarding profitability of trader is also required to be provided in Appendix 5 for determination of export price. Authority cannot determine ex-factory export price for producer without this information. Thus, non-submission of information in Appendix 3-B by the producer and in Appendix 5 by the trader means that the producers/exporters have not provided necessary information and in such case the Authority is required to apply facts available.
- 130. Moreover, with respect to Shagang Group, the Authority notes that the quantity and value reported in the questionnaire response is not reconcilable and/or verifiable with the supporting documents provided during verification. Also, the PCNs reported in

Appendix 3B and 4A are inaccurate and not reflective of the PCN prescribed by the Authority.

131. With regard to the submission that Shougang International acted only as sales agent, issued documentation at the instruction of producer and did not acquire ownership of goods, the Authority notes that Shougang International cannot be considered as ‘sales agent’ if it is issuing commercial invoices, custom declaration and other export related documents to Shougang HK. If Authority permits absence of information from Shougang International on the ground that it is ‘sales agent’ then in all cases the trader involved in exports to India can claim that it has acted as ‘sales agent’ and therefore there is no need to provide information as per Appendix 2 and Appendix 3B.
132. With regard to the submission that ex-factory export price and landed value of Baosteel group is understated, the Authority notes that it has determined ex-factory export price and landed value after considering facts available for export quantity exported through non-cooperating traders/exporters, namely, Tongyuan International (HK) Co., Limited and JFE.

## **K. CONCLUSION**

133. Having regard to the contentions raised, information provided, and submissions made by the interested parties and facts available before the Authority, as recorded in the above findings, and on the basis of above analysis of the dumping, injury and causal link, the Authority concludes as follows:
  - i. The product under consideration is Cold Rolled Non-Oriented Electrical Steel (CRNO). It includes cold-rolled flat steel products of silicon-electrical steel, whether or not in coils, regardless of width and thickness. CRNO is also referred to as Non-Oriented Electrical Steel (NOES), Non-Grain Oriented Steel (NGO), Non-Oriented Steel (NO), Cold-Rolled Non-Grain Oriented Steel (CRNGO) etc. These terms are used interchangeably. It includes all kinds of CRNO whether or not it is coated (e.g., with enamel, varnish, natural oxide surface, phosphate surface, or chemically treated with other materials).
  - ii. The goods produced by the domestic industry and imported from the subject country are like articles in terms of the Rules.
  - iii. The applicant companies constitute ‘domestic industry’ within the meaning of Rule 2(b) of the Rules, and that the application satisfies the criteria of standing in terms of Rule 5(3) of the Rules.

- iv. The dumping margin from subject country is not only positive but also significant
- v. The imports of subject goods from the subject country have increased by more than 10 times in the POI as compared to 2020-21. Share of imports of subject goods from subject country in relation to demand has also increased from 100 indexed points in 2020-21 to 757 indexed points in the POI. Share of imports of subject goods from subject country in relation to production of domestic industry has increased from 100 indexed points in 2020-21 to 841 indexed points in the POI.
- vi. Landed price of subject goods in the POI is below the selling price of the domestic industry and is undercutting the prices of the domestic industry.
- vii. Landed price of imports of subject goods from the subject country during the POI and 2022-23 was well below the cost of sales of the domestic industry. This has created significant price suppression effect on the domestic industry.
- viii. Capacity utilisation of the domestic industry has remained low during the injury investigation period despite significant increase in demand.
- ix. Market share of domestic industry has declined from 100 indexed points in 2020- 21 to 88 indexed points in the POI.
- x. The domestic industry started incurring losses in 2022-23 and the losses increased significantly in the POI when imports from China PR increased in significant quantities.
- xi. Return on capital employed of the domestic industry has declined and has become negative in the POI.
- xii. The domestic industry has witnessed negative growth year on year in terms of profitability, cash profit, ROI and market share.
- xiii. The domestic industry has suffered material injury as a result of dumped imports from China PR.
- xiv. Capacity available with the producers/exporters in China PR is higher than the domestic demand in China PR.
- xv. Information submitted by cooperating producers/exporters shows that producers/exporters have sufficient freely disposable capacity of subject

goods and/or have increased their capacity and export sales to India during the injury investigation period.

- xvi. There is also threat of further aggravated injury to the domestic industry if anti-dumping duty is not imposed on imports of subject goods from China PR.
- xvii. No other factor appears to have caused injury to the domestic industry. The Authority concludes that the injury to the domestic industry has been caused by the dumped imports of the subject goods from the subject country.
- xviii. The injury margin from subject country is not only positive but significant.
- xix. None of the importers/users have provided any quantifiable and/or verifiable information on the likely impact of anti-dumping duty on the downstream industry and end customers.
- xx. Quantifiable and verifiable information submitted by domestic industry shows that impact of anti-dumping duty is negligible.
- xxi. It is noted with regard to public interest that anti-dumping duty will have negligible impact on the downstream products. Also, the anti-dumping duty does not restrict imports but only ensures that the imports enter the market at fair prices.

134. In view of the above, the Authority, finds that there is sufficient evidence that the product under consideration has been exported to India from the subject country at dumped prices and such dumping of the subject product from the subject country has caused material injury to the domestic industry.

**L. RECOMMENDATION**

- 135. The Authority notes that the investigation was initiated and notified to all interested parties and adequate opportunity was given to the domestic industry, embassy of the subject country, exporters, importers and the other interested parties to provide positive information on the aspect of dumping, injury and causal link.
- 136. Having initiated and conducted the investigation into dumping, injury and causal link in terms of the provisions laid down under the Rules, the Authority is of the view that imposition of anti-dumping duty is required to offset dumping of the subject goods from subject country and the consequent injury to the domestic industry. Therefore, the Authority considers it necessary to recommend imposition of definitive anti-dumping

duty on the imports of the subject goods from the subject country in the form and manner described hereunder for a period of five (5) years.

137. Having regard to the provision contained in Rule 4(d) and Rule 17(1)(b) of the Rules, the Authority recommends imposition of the anti-dumping duty equal to the lesser of margin of dumping and the margin of injury so as to remove the injury to the domestic industry. Accordingly, definitive anti-dumping duty equal to the amount mentioned in Column 7 of the duty table below is recommended to be imposed for five (5) years from the date of the notification to be issued by the Central Government, on imports of the subject goods described at column 3 of the duty table originating in or exported from China PR.

**Duty Table**

SN	Heading/ subheading	Description of the goods	Country of origin	Country of export	Producer	Amount	UOM	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1.	7210, 7225 and 7226*	Cold Rolled Non- Oriented Electrical Steel**	China PR	Any Country including China PR	Wuhan Iron & Steel Co., Ltd.	223.82	MT	USD
2.	-do-	-do-	China PR	Any Country including China PR	Baosteel Zhanjiang Iron & Steel Co., Ltd.	223.82	MT	USD
3.	-do-	-do-	China PR	Any Country including China PR	Baoshan Iron & Steel Co., Ltd.	223.82	MT	USD
4.	-do-	-do-	China PR	Any Country including China PR	Any producer other than SN 1, 2 and 3	414.92	MT	USD
5.	-do-	-do-	Any country other than China PR	China PR	Any	414.92	MT	USD

\*The Customs classification is indicative only and not binding on the scope of the product under consideration.

*\*\* Cold Rolled Non-Oriented Electrical Steel (CRNO) includes cold-rolled flat steel products of silicon-electrical steel, whether or not in coils, regardless of width and thickness. Cold Rolled Full Hard Silicon Electrical Steel (CRFH) used for manufacturing of CRNO is excluded from the scope of PUC.*

138. The landed value of imports for the purpose of this notification shall be assessable value as determined by the Customs under the Customs Act, 1962 (52 of 1962) and includes all duties of customs except duties under Sections 3, 8B, 9, 9A of the said Act.

**M. FURTHER PROCEDURE**

139. An appeal against the determination of the Designated Authority in these final findings shall lie before the Customs, Excise and Service Tax Appellate Tribunal in accordance with the relevant provisions of the Act.



**(Siddharth Mahajan)  
Designated Authority**