

**Government of India
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Anti-Dumping & Allied Duties**

Investigation Termination Notification

New Delhi, dated the 18th November, 2010

Sub: Anti-dumping investigation concerning imports of seamless tubes, pipes & hollow profiles of iron, alloy or non-alloy steel (other than cast iron), whether hot finished or cold drawn or cold rolled, of an external diameter not exceeding 273 mm or 10”, originating in or exported from China PR.

F.NO. 14/55/2009-DGAD:- Having regard to the Customs Tariff Act 1975 as amended in 1995 (hereinafter referred to as the Act) and the Customs Tariff (Identification, Assessment and Collection of Anti-Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, (hereinafter referred to as the Rules) thereof:

1. Whereas M/s ISMT Ltd., Pune (hereinafter referred to as the applicant) has filed an application before the Designated Authority (hereinafter referred to as the Authority), in accordance with the Act, and the Rules, alleging dumping of seamless tubes, pipes & hollow profiles of iron, alloy or non-alloy steel (other than cast iron), whether hot finished or cold drawn or cold rolled, of an external diameter not exceeding 273 mm or 10”, (hereinafter referred to as subject goods), originating in or exported from China PR, (hereinafter referred to as subject country) and requested for initiation of Anti-Dumping investigation for levy of anti dumping duty on import of the subject goods. The application is supported by M/s Maharashtra Seamless Ltd. and Jindal Saw Ltd.

2. AND WHEREAS, the Authority on the basis of sufficient evidence submitted by the applicants issued a public notice dated 12th January,2010 published in the Gazette of India, Extraordinary, initiating Anti-Dumping investigations concerning imports of the subject goods, originating in or exported from the subject country, in accordance with the sub-Rule 5(5) of the Rules, to determine the existence, degree and effect of alleged dumping and to recommend the amount of antidumping duty, which, if levied would be adequate to remove the injury to the domestic industry.

A. Procedure

3. Procedure described below has been followed with regard to this investigation after issuance of the public notice notifying the initiation of the above investigation by the Authority.

- (i) The Embassy of the subject country in New Delhi was informed about the initiation of the investigations in accordance with Rule 6(2).
- (ii) The Designated Authority sent copies of initiation notifications dated 12th January 2009 to the embassy of the subject country in India, known exporters from the subject country, known importers and other interested parties, and the domestic

industry, as per the information available with it. Parties to this investigation were requested to file questionnaire responses and make their views known in writing within prescribed time limit. Copies of the letter, petition and questionnaire sent to the exporter were also sent to the Embassy of subject country along with a list of known exporters/ producers with a request to advise the exporters/producers from the subject country to respond to the questionnaire within the prescribed time.

- (iii) Copy of the non-confidential version of the petition filed by the domestic industry was made available to the known exporters and the Embassy of the subject country in accordance with Rules 6(3) supra.
- (iv) Questionnaires were sent to the known producers/exporters from subject country in accordance with the rule 6(4) to elicit relevant information. Responses to exporter's questionnaire have been received from the following producers/exporters of the subject goods from the subject country:
 - a. M/s. Hengyang Valin Steel Tube Co., Ltd.
 - b. M/s. Hengyang Steel Tube Group International Trading Inc.
 - c. M/s. Hengyang Valin MPM Co. Ltd.
 - d. M/s. Wuxi Seamless Special Pipe Co., Ltd.
 - e. M/s. Xigang Seamless Steel Pipe Co. Ltd.
 - f. M/s. Jiangsu Chengde Steel Tube Share Co. Ltd.
 - g. M/s. Yangzhou Chengde Steel Tube Co., Ltd.
 - h. M/s. Kirtanlal International Dmcc., Dubai
 - i. M/s. Venus International Fze, Dubai
 - j. M/s. Pangang Group Chengdu Steel & Vanadium Co. Ltd.
 - k. M/s. Baoshan Iron and Steel Co Ltd.
 - l. M/s. Baosteel Singapore Pte. Ltd.
 - m. M/s. Yantai Lubao Steel Pipe Co Ltd.
 - n. M/s. Jiaxing Metal Trade Co . Ltd.
 - o. M/s. Mertex UK Limited, UK
 - p. M/s. Shandong Molong Petroleum Machinery Co Ltd.
 - q. M/s. Yangzhou Lontrin Steel Tube Co Ltd.
 - r. M/s. Linyi Sanyuan Steel Pipe Industry Co. Ltd.
 - s. M/s. Ningbo Yongxin Steel Tube Co Ltd.
 - t. M/s. Ningbo Yongxin Import & Export Co Ltd.
 - u. M/s. Changshu Seamless Steel Tube Co Ltd.
 - v. M/s. Zhangjiagang City Yiyang Pipe Producing Company Ltd
 - w. M/s. Zhangjiagang City Yiyang Import And Export Trading Company Ltd
 - x. M/s. Zhangjiagang Yichen Steel Tube Co., Ltd
 - y. M/s. Tianjin Pipe International Economic And Trading Corporation
 - z. M/s. Tianjin Pipe Group Corporation
 - aa. M/s. Hubei Xinyegang Steel Company Ltd
 - bb. M/s. Wenzhou Jiangnan Steel Pipe Manufacturing Co. Ltd.
 - cc. M/s. Huadi Steel Group Co. Ltd.
 - dd. M/s. Zhejians Tsingshan Steel Pipe Co. Ltd.
 - ee. M/s. Baofeng Steel Group Co. Ltd.
 - ff. M/s. Zhejiang Jinxin Stainless Steel Manf. Co. Ltd.
 - gg. M/s. Huzhou Jiuli Piercing Co. Ltd.
 - hh. M/s. Zhejiang Jiuli Hi-tech Metals Co. Ltd.

- ii. M/s. Huzhou Jiuli Hot-extrusion Co. Ltd.
 - jj. M/s. Jiuli Group Co. Ltd., China
 - kk. Jiangsu Huacheng Pipes Making Industry Corporation, China
- (v) Submissions were also made by The China Iron and Steel Association in response to the initiation notification.
- (vi) Questionnaires were sent to the known importers and consumers of subject goods in India calling for necessary information in accordance with Rule 6(4). Responses to the Importer's questionnaire have been received from M/s. Rama Cylinders Pvt. Ltd., M/s. BHEL, Tiruchirapalli and M/s. G.B. Engineering Enterprises Pvt. Ltd., Tiruchirapalli.
- (vii) Submissions were also made by the following importers/users of the subject goods in India:
- a. M/s. Pranali Industrial Services Pvt. Ltd., Ahemdabad
 - b. M/s Metal & Stainless Steel Merchant's Association, Mumbai
 - c. M/s. Krystal Steel Manufacturing Pvt. Ltd., Mumbai
 - d. M/s. Rama Cylinders Pvt. Ltd., Mumbai
 - e. M/s. Maruti Koatsu Cylinders Ltd., Mumbai
 - f. M/s. PTC Alliance Precision Products (Asia) Private Ltd., Chennai
 - g. M/s. Sainest Tubes Pvt. Ltd., Ahemdabad
 - h. M/s. L&T Komatsu Ltd., Mumbai
 - i. M/s. Ratnadeep Metal & Tubes Ltd., Mehsana
 - j. M/s. Gujarat Infrapipes Pvt. Ltd., Baroda
 - k. M/s. Cethar Vessels Ltd., Tiruchirapalli
 - l. M/s. Heavy Metal & Tubes Ltd., Ahemdabad
 - m. Tamilnadu Boilers and Components Manufacturers' and Users Association, Tiruchirapalli
 - n. M/s. G.B. Engineering Enterprises Pvt. Ltd., Tiruchirapalli
 - o. M/s Bharat Petroleum Corporation Limited, Kochi Refinery
 - p. M/s ISGEC, Yamunanagar, Haryana
- (viii) Request was made to the Directorate General of Commercial Intelligence and Statistics (DGCI&S) to arrange details of imports of subject goods for the past three years, including the period of investigation;
- (ix) The Authority made available non-confidential version of the evidence presented by various interested parties in the form of a public file kept open for inspection by the interested parties;
- (x) The Authority initiated the investigation with Non-Market Economy presumptions in respect of People's Republic of China in terms of para 8 of Annexure I to the Rules and provided an opportunity to the country concerned and the exporters from the subject country to rebut the said presumption under the said Rule.
- (xii) The domestic industry by letter dated 10th Feb. 2010 has submitted that product scope does not include stainless steel pipes & tubes. The same information was made available in the public file maintained by the Authority.

- (xi) Request was made to M/s Maharashtra Seamless Ltd. to submit the costing and injury information of subject goods vide letter 26th April 2010, reminded vide letter dated 3.5.2010, 13.7.2010 and 17.8.2010. Request was also made to M/s Jindal Saw Ltd, the other supporter of the application, vide letter dated 3rd May 2010, 17.8.2010 and reminded vide letter dated 13.7.2010 to submit the costing and injury information of subject goods, but they failed to submit the required information in the prescribed format. The applicant was also requested to arrange for the data of their supporters vide letter 17.8.2010, reminded on 27.8.2010, they did not.
- (xii) M/s Maharashtra Seamless Ltd. vide their letter dated 23rd august 2010 provided only partial and limited information including costing data, but not in the prescribed format and without covering the entire injury period. Despite allowing additional time to M/s Jindal Saw Ltd, on their request, no data was received from them.
- (xiii) The confidentiality claims of various interested parties in respect of the data submitted by them have been examined. The information, which is by nature confidential or which has been provided on a confidential basis by the interested parties, along with non-confidential summary thereof, has been treated confidential.
- (xiv) Investigation period ranges from 1st April 2008 to 30th June, 2009 (POI). The examination of trends, in the context of injury analysis, covered the periods April 2005-March 2006, April 2006-March 2007, April 2007-March 2008 and the POI.
- (xv) ***in this notification represents information furnished by an interested party on confidential basis, and so considered by the Authority under the Rules.

B. Examination by the Authority

4. The application for imposition of anti-dumping duty on the imports of the subject goods originating in or exported from the subject country was filed by M/s ISMT Ltd, Pune. The domestic industry had furnished support letter from M/s Maharashtra Seamless Ltd and M/s Jindal Saw Ltd, claiming their support for the application. The applicant domestic industry M/s ISMT Ltd, Pune holds only about 27% of the share of the domestic production and the majority balance by the supporting companies, at the time of initiation of subject investigation. The supporters have not submitted complete costing and injury information in the prescribed format for the entire injury period including the POI and other required information/data/documents despite repeated requests by the authority.

5. Due to non-submission of complete costing and injury information by the major producers of the subject goods in the country, any analysis by the Authority basing on such information may not reflect the actual injury to the domestic industry and the causal link between the alleged dumping of the subject goods from the subject country and the alleged injury to the domestic industry cannot be established.

6. After repeated reminders, M/s Maharashtra Seamless Ltd, the major producer of the subject goods in the country and supporter of the subject application, has provided some limited and partial information including costing data.

7. The analysis of limited and partial data submitted by M/s Maharashtra Seamless Ltd, the major producer of the subject goods in India and supporter of the application, does not show any injury from the alleged dumped imports of the subject goods from the subject country. In absence of complete information for the injury period including POI from the major producers of the subject goods in the country, the combined analysis for determination of injury over the injury period for the established industry for the subject goods in India, cannot be carried out. In view of the above position the Authority observes that sufficient evidence of material injury cannot be established to justify continuation of the subject investigation as per the Rules.

C. Recomendation

8. Therefore, under the Provisions of Rule 14(b) supra the Designated Authority hereby terminates the subject investigation which was initiated vide Notification No. F.NO. 14/55/2009-DGAD dated 12th January, 2010.

**P.K.Chaudhery
Designated Authority**