Non-Confidential

Case No. – AD (SSR) – 04/2026

F. No. 7/08/2026-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

FINAL FINDINGS

Sunset Review Anti-Dumping Investigation concerning imports of "Seamless Tubes, Pipes & Hollow Profiles of Iron, Alloy or Non-Alloy Steel" originating in or exported from China PR.



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4th Floor, Jeevan Tara Building, 5, Parliament Street, New Delhi – 110001

Dated: 23rd October, 2026

Subject: Sunset Review Anti-Dumping Investigation concerning imports of "Seamless Tubes, Pipes & Hollow Profiles of Iron, Alloy or Non-Alloy Steel" originating in or exported from China PR.

F. No. 7/08/2026-DGTR - Having regard to the Customs Tariff Act, 1975 as amended from time to time (hereinafter referred to as the 'Act') and the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, framed thereunder, as amended from time to time (hereinafter referred as the "AD Rules, 1995"):

A. BACKGROUND OF THE CASE

1. Jindal Saw Limited, Kirloskar Ferrous Industries Limited and Maharashtra Seamless Limited (hereinafter referred to as the 'applicants' or the 'domestic industry') filed an application before the Authority in accordance with the Customs Tariff Act, 1975, as amended (hereinafter referred to as the 'Act') and the Rules, seeking initiation of sunset review of the anti-dumping duty in force on imports of "Seamless Tubes, Pipes & Hollow Profiles of Iron, Alloy or Non-Alloy Steel (other than cast iron and stainless steel), whether hot finished or cold drawn or cold rolled of an external diameter not exceeding 355.6 mm or 14" OD" (hereinafter referred to as the 'subject goods' or the 'product under consideration') originating in or exported from China PR (hereinafter referred to as the 'subject country'). The applicants have also sought modification of the form of duty and enhancement of the quantum of duty.

2. The original anti-dumping investigation concerning imports of the subject goods from China PR was initiated vide notification dated 8th July 2015. The Authority recommended provisional duties vide preliminary findings dated 31st March 2016, which were imposed vide Notification No. 18/2016-Customs (ADD), dated 17th May 2016. The Authority issued its final findings on 9th December 2016, recommending definitive anti-dumping duty, which was imposed vide Notification No. 7/2017-Customs (ADD), dated 17th February 2017.

3. The first sunset review was initiated on 19th February 2021. Pending its conclusion, the duties were extended up to 31st October 2021 vide Notification No. 29/2021-Customs (ADD), dated 7th May 2021. The Authority, vide final findings dated 30th July 2021, recommended continuation of the duties for a further period of five years, and the duties were continued vide Notification No. 64/2021-Customs (ADD), dated 28th October 2021.

4. On the basis of the duly substantiated application filed by the applicants, and having satisfied itself on the basis of the prima facie evidence of likelihood of continuation or recurrence of dumping and injury, the Authority initiated the present sunset review vide Initiation Notification No. 7/08/2026-DGTR, dated 20th March 2026, in terms of Section 9A(5) of the Act read with Rule 23(1B) of the Rules. Pending the conclusion of the present sunset review, the duties have been extended for a period of 3 months, vide Notification No. 16/2026-Customs (ADD), dated 6th July 2026. The duties are now set to expire on 27th January 2027.

B. PROCEDURE

5. The procedure described below has been followed by the Authority in the present investigation:

5.1. Initiation

i. Prior to initiation of the investigation, the government of the subject country was notified through its embassy in India about the receipt of the present anti-dumping application.

ii. In accordance with Rule 5 read with Rule 6(1) and Rule 23(1B), upon examination of the application and finding *prima facie* evidence of dumping, injury, likelihood and causal link, the Authority issued Notification No. 7/08/2026-DGTR dated 20th March 2026 published in the Gazette of India, Extraordinary, initiating the subject investigation on imports from China PR.

iii. In accordance with Rule 6(2), the interested parties were informed of the initiation of the investigation by sharing a copy of the initiation notification with the embassy of the subject country in India, known producers and exporters of the product under consideration in the subject country, known importers of the subject goods in India and other interested parties, as per the information made available in the application.

5.2. Period of Investigation and Injury Period

i. The period of investigation ('POI') for the purpose of the present review is 1st October 2024 to 30th September 2025. The examination of trends in the context of injury analysis covers the years 2022-23, 2023-24, 2024-25 and the period of investigation.

5.3. Import Data

i. A request was made to DG Systems to obtain transaction-wise import data of the subject goods for the injury period. The data received has been relied upon for the necessary analysis after due examination of the transactions.

5.4. Circulation of non-confidential version of the application

i. In accordance with Rule 6(3), a copy of the non-confidential version of the application was provided to the government of the subject country through its embassy in India, known exporters of the subject imports and to other interested parties who requested in writing for a copy of the application.

5.5. Participation by Exporters of Subject country

i. In accordance with Rule 6(4), a copy of the exporter's questionnaire was sent to the following producers and exporters to seek information regarding the normal value and net export price for the investigation.

a. Anhui Tianda Oil Pipe Co Ltd
b. Baoshan Iron & Steel Co., Ltd
c. Changbao Steel Tubes Jiangsu
d. China National Petroleum Corporation
e. Dalipal Pipe Company
f. Hebei Hongling Seamless Steel Pipes Co. Ltd.
g. Heilongjiang Jianlong Iron & Steel Co., Ltd
h. Inner Mongolia Baotou Steel Union Co Ltd.
i. Jiangsu Changbao Precision Steel Tube Co. Ltd.
j. Jiangsu Chengde Steel Tube Share Co Ltd.
k. Jiangsu Huacheng Industry Group Co. Ltd.
l. North China Petroleum Steel Pipe Co., Ltd
m. Pangang Group Chengdu Iron and Steel Co. Ltd.
n. Pangang Group Chengdu Steel & Vanadium Company Ltd.
o. Shandong Molong Petroleum Machinery Co., Ltd
p. Shengli Oil Field Freet Petroleum Steel Pipe Co Ltd.
q. Suzhou Seamless Steel Tube Works
r. Taicang Xinbaoyi Steel Pipe Manufacture Co. Ltd.
s. Tianjin Pipe (Group) Corporation
t. Wuxi Dexin Steel Tube Co. Ltd.
u. Wuxi Dongwu Pipe Industry Co. Ltd.
v. Xigang Seamless Steel pipe Company Limited
w. Yangzhou Longtrin Steel Tube Co. Ltd.
x. Yantai Lubao Steel Pipe Co.
y. Zhangjiangyiyang Pipe Producing Co. Ltd.
z. Hengyang Valin MPM Co. Limited
aa. Changbao Precision and Special Steel Tube Co., Ltd.
bb. Taizhou Chengde Steel Tube Co. Limited

ii. The questionnaire was also sent to the government of the subject country through its embassy in India. The government of the subject country was requested to forward the Initiation Notification and the questionnaire to the producers of the subject goods and advise them to respond to the questionnaire within the prescribed time limit.

iii. In response to the above, Jiangsu Chengde Steel Tube Share Co Ltd. (hereinafter also referred to as "JSC") filed a response to the exporter's questionnaire.

5.6. Participation by Importers/Users

i. In accordance with Rule 6(4) of the Rules, a copy of the importer / user questionnaire was also sent to the following known importers/users of the product under consideration in India calling for necessary information.

a. Bharat Earth Movers Limited
b. Bharat Enterprises
c. Bharat Petroleum Corporation Limited
d. Endurance Technologies Private Limited
e. FAG Bearings India Ltd (Schaeffler India Limited)
f. Gajanan Tubes
g. Gandhi Special Tubes Limited
h. G.B. Engineering Enterprises Private Limited
i. Himel
j. Hi-tech Engineering Corporation India Private Limited
k. Industrial Metal Corporation
l. Indian Oil Corporation Limited (Refinery Division)
m. JR Seamless Private Limited
n. Kishore Vadilal Private Limited
o. Madras Steel & Tubes
p. Maha Fitting Private Limited
q. Marathwada Auto Compo Private Limited
r. Metallica Metal India
s. Murugan Steels & Tubes
t. Northern Steel Traders Private Limited
u. Praveen Industries Private Limited
v. Rane (Madras) Private Limited
w. Reliance Industries Limited
x. RSB Transmissions (I) Limited
y. Samir Metal & Tubes
z. Shree Shyam Trading Company
aa. Sitson India Private Limited
bb. S.S. Engineers
cc. Technotrack
dd. Tubes India
ee. Vibhor Steel Tubes Private Limited
ff. Vinayak Tubes

gg. Wipro Limited

ii. In response to the above, none of the importers/users have responded and participated in the present review.

5.7. Registered Interested Parties

i. A list of all interested parties that registered themselves within the prescribed timeline was uploaded on the website. All registered interested parties were directed to circulate the non-confidential version of all their submissions in the present proceedings with all other interested parties.

5.8. Economic Interest Questionnaire

i. An economic interest questionnaire was issued to all the known producers and exporters, importers, and the domestic industry. The economic interest questionnaire was also shared with the Ministry of Steel being the administrative line ministry. Response to the economic interest questionnaire was filed by the domestic industry and Jiangsu Chengde Steel Tube Share Co Ltd.

5.9. Oral Hearing

i. In accordance with Rule 6(6), the Authority provided an opportunity to the interested parties to present their views orally in a hearing held on 9th June 2026. The parties presenting their views in the oral hearing were directed to make written submissions of the views expressed orally, followed by rejoinder submissions.

5.10. Other procedure

i. Foreign producers, exporters and other interested parties who have not responded, or have not supplied information relevant to this investigation, have been treated as non-cooperating interested parties.

ii. Non-confidential version of submissions filed by the various interested parties were made available to all participating interested parties. A list of all the interested parties was uploaded on the DGTR website along with the request therein to all of them to make the non-confidential version of their submissions available to all the other interested parties.

iii. In accordance with Rule 6(8), wherever an interested party refused access to or otherwise did not provide necessary information in a timely manner during the course of the present proceedings, or significantly impeded the investigation, such parties have been considered as non-cooperative and the findings with respect to such parties have been recorded on the basis of the facts available.

iv. In accordance with Rule 7, the information provided by the interested parties on confidential basis was examined with regard to the sufficiency of such confidentiality claims. On being satisfied, the confidentiality claims have been accepted wherever warranted and such information has been considered as confidential and not disclosed to the 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.

v. Wherever an interested party has claimed information as confidential, the Authority has not disclosed the same in the present final findings. Further, any information that has been processed by the Authority from confidential information provided by interested parties has also been considered confidential in the present final findings and has not been disclosed on actual basis, as, disclosure of such information on actual basis in the present final findings shall lead to disclosure of information confidentiality of which has been protected by the rules.

vi. In accordance with Rule 8, verification of the data provided by the domestic industry and other interested parties was conducted to the extent considered necessary for the present proceedings. The Authority has considered the verified data of the interested parties in its analysis in the present case.

vii. The non-injurious price has been calculated based on the optimum cost of production and cost to produce & sell the domestic like article in India, based on the information furnished by the applicants and having regard to the Generally Accepted Accounting Principles (GAAP) and as per the principles laid down in Annexure III of the Rules.

viii. All the arguments raised and information provided by all the interested parties to the extent the same is supported with evidence and considered relevant to the present investigation have been considered.

ix. "***" in the present final findings represents information furnished by an interested party on a confidential basis and so considered under the Rules.

x. The exchange rate adopted by the Authority for the subject investigation is 1 US$ = ₹ 86.76, being the average of the exchange rates notified by the Central Board of Indirect Taxes and Customs under Section 14 of the Customs Act, 1962 for conversion of the value of imported goods, in force during the period of investigation. The same rate has been applied throughout this document.
Source: https://foservices.icegate.gov.in/#/services/viewExchangeRate

C. PRODUCT UNDER CONSIDERATION AND LIKE ARTICLE

C.1. Submissions by other interested parties

6. JSC has submitted that the domestic industry has itself conceded that there is no likelihood of dumping or injury in respect of OCTG products and has modified the scope of the product under consideration selectively in order to present a favourable picture. JSC further pointed out, that the domestic industry's comments on the PUC omitted the phrase "and casing and tubing of a kind used in drilling for oil and gas exploration" from the inclusion clause, and sought clarity on the final scope and PCN methodology.

C.2. Submissions by the domestic industry

7. The following submissions have been made by the domestic industry with regard to the product under consideration and like article.
   i. The domestic industry has submitted that the scope of the product under consideration may be confirmed as that under the duties presently in force, excluding Oil Country Tubular Goods (OCTG) covered under PCNs A-1-1 to A-1-4.
   ii. It was submitted that, pursuant to the Public Procurement Policy on Preference to Domestically Manufactured Iron and Steel Products (DMI&SP), 2017 (as amended), OCTG products supplied for government procurement are required to be manufactured from steel melted and poured in India, as a result of which the government procurement market for OCTG is insulated from imports and there is no likelihood of injury in respect of such products.
   iii. There is no bar on narrowing the scope of the product under consideration in a sunset review, and reliance was placed on the sunset reviews concerning Viscose Staple Fibre (2021), Fully Drawn Yarn (2020) and Glass Fibre (2016).
   iv. The domestic industry has proposed the PCN methodology determined in the original investigation, excluding PCNs A-1-1 to A-1-4.
   v. The goods produced by the domestic industry and that imported into India are like article. There is no known difference in the product produced by the applicants and those imported from the subject country.

C.3. Examination by the Authority

8. The product under consideration in the original investigation was "Seamless tubes, pipes & hollow profiles of iron, alloy or non-alloy steel (other than cast iron and stainless steel), whether hot finished or cold drawn or cold rolled of an external diameter not exceeding 355.6 mm or 14" OD", including boiler pipes or line pipes used in hydrocarbon industry and casing and tubing of a kind used in drilling for oil and gas exploration., subject to the following exclusions –
   i. Seamless pipes and tubes made of cast iron and stainless steel
   ii. Seamless alloy-steel pipes, tubes and hollow profiles of specifications ASTM A213/ASME SA 213 and ASTM A335/ASME SA 335 or equivalent
   iii. Non-API and Premium Joints/Premium Connections/Premium Threaded Tubes & Pipes as prescribed under Customs Notification No. 12/2012 dated 17th March 2012 at S. No. 356
   iv. All 13 Chromium (13CR) grade tubes and pipes
   v. Drill collars
   vi. High pressure seamless steel pipe/tube used for manufacturing gas cylinders by producers approved by the Chief Controller of Explosives, PESO.

9. At the request of the applicants, the Authority, at the stage of initiation itself, restricted the scope of the product under consideration for the purpose of the present review by excluding (i) seamless tubing, (ii) seamless casing, of a kind used in drilling for oil or gas, (iii) seamless mother hollows, coupling stock, blanks/pup joints, and (iv) seamless drill pipes, of an external diameter not exceeding 355.6 mm or 14" OD (i.e., OCTG

products covered under PCNs A-1-1 to A-1-4 in the original investigation). The phrase "casing and tubing of a kind used in drilling for oil and gas exploration" in the original description stands consequentially excluded by the express exclusion of such goods, and the omission in the domestic industry's comments does not enlarge or otherwise alter the scope as notified.

10. The Authority notes that neither the Act nor the Rules bar the curtailment of the scope of the product under consideration in a sunset review, particularly where the domestic industry itself does not seek continuation of protection in respect of certain product types. The curtailment reduces, rather than enlarges, the coverage of the measure and causes no prejudice to the exporters or users. The Authority has consistently followed this approach in past sunset reviews. The contention of JSC is, therefore, not accepted.

11. Accordingly, the product under consideration in the present review, as also notified at the stage of initiation vide Notification No. 7/08/2026-DGTR, dated 20th March 2026, is as below. Further, the Authority also notified the same product scope as notified at the time of initiation along with an additional clarification vide notice dated 7th May 2026 following submissions received from all interested parties on the issue of product scope and PCN.

"The product under consideration in the present investigation is "Seamless tubes, pipes & hollow profiles of iron, alloy or non-alloy steel (other than cast iron and stainless steel), whether hot finished or cold drawn or cold rolled of an external diameter not exceeding 355.6 mm or 14" OD". It includes boiler pipes or line pipes used in hydrocarbon industry.

The following products are excluded from the scope of product under consideration:

i. Seamless pipes & tubes made of cast iron and stainless steel.
ii. Seamless alloy-steel pipes, tubes and hollow profiles of specifications of ASTM A213/ASME SA 213 and ASTM A335/ ASME SA 335 or equivalent BIS/DIN/BS/EN or any other equivalent specifications.
iii. Non - API and Premium Joints / Premium Connections / Premium Threaded Tubes & Pipes as prescribed under Customs Notification No. 12/2012, dated 17th March 2012 at serial number 356.
iv. All 13 Chromium (13CR) Grade Tubes and Pipes.
v. Drill Collars.
vi. High pressure seamless steel pipe/tube used for manufacturing gas cylinders by producers approved by the Chief Controller of Explosives, Petroleum and Explosives Safety Organisation, Government of India.
vii. Seamless Tubing, of a kind used in drilling for oil or gas, Carbon/ Non- Alloy/ Alloy, hot finished or cold drawn or cold rolled of an external diameter not exceeding 355.6 mm or 14" OD.

viii. Seamless Casing, of a kind used in drilling for oil or gas, Carbon/Non -Alloy/ Alloy, hot finished or cold drawn or cold rolled of an external diameter not exceeding 355.6 mm or 14" OD.

ix. Seamless Mother Hollows, coupling stock, blanks/ Pup Joints, Carbon/ Non Alloy/ Alloy, hot finished or cold drawn or cold rolled of an external diameter not exceeding 355.6 mm or 14" OD.

x. Seamless Drill Pipes, of a kind used in drilling for oil or gas, Carbon/Non alloy, hot finished of an external diameter not exceeding 355.6 mm or 14" OD".."

12. The product under consideration is classified under heading 7304 of Chapter 73 of the First Schedule to the Customs Tariff Act, 1975. The customs classification is indicative only and not binding on the scope of the product under consideration.

13. With regards to the PCN methodology, the applicants requested adoption of the PCN methodology adopted by the Authority in previous investigations, with the exception of OCTG products as mentioned hereinabove. JSC has only sought clarity on the final scope and PCN methodology, which stands clarified hereinabove. Accordingly, the following PCN methodology, as notified at initiation, has been adopted for the purpose of fair comparison:

PCN	**Description**
A-1-5	Seamless tubes, pipes and hollow profiles including line pipes of carbon/non-alloy steel, hot finished, of an external diameter not exceeding 355.6 mm or 14" OD
A-1-6	Seamless tubes, pipes and hollow profiles of circular cross section including line pipes of carbon/non-alloy steel, cold drawn or cold rolled or cold reduced, of an external diameter not exceeding 355.6 mm or 14" OD
A-1-7	Seamless tubes, pipes and hollow profiles of circular cross section including line pipes and bearing tubes of alloy steel, hot finished, of an external diameter not exceeding 355.6 mm or 14" OD
A-1-8	Seamless tubes, pipes and hollow profiles of circular cross section including line pipes and bearing tubes of alloy steel, cold drawn or cold rolled or cold reduced, of an external diameter not exceeding 355.6 mm or 14" OD

14. As regards like article, the domestic industry has claimed that there is no known difference between the subject goods produced by it and those imported from the subject country in terms of physical and chemical characteristics, manufacturing process and technology, functions and uses, product specifications, pricing, distribution and marketing, and tariff classification. No comments were made by the other interested party in this regard. The Authority holds that the subject goods produced by the domestic industry are like article to the product under consideration imported from the subject country within the meaning of Rule 2(d) of the Rules.

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D. SCOPE OF DOMESTIC INDUSTRY AND STANDING

D.1. Submissions by other interested parties

15. JSC has submitted that the constitution of the domestic industry has changed across the original investigation, the first sunset review and the present review without explanation; that ISMT Limited has been dropped while Kirloskar Ferrous Industries Limited has been introduced for the first time and Maharashtra Seamless Limited re-introduced; and that such curation undermines the representativeness of the injury analysis. JSC has sought a reasoned justification for the exclusion of ISMT Limited.

D.2. Submissions by the domestic industry

16. The domestic industry has submitted that the applicants are the three largest producers of the subject goods in India, accounting for 93% of the Indian production, that they have neither imported the subject goods from the subject country nor are related to any exporter or importer of the subject goods. It was submitted that ISMT Limited, an applicant in the earlier proceedings, underwent liquidation and was acquired by Kirloskar Ferrous Industries Limited. Further, there is no legal obligation to maintain the same constitution of the domestic industry across proceedings, as held by the Authority in the first sunset review itself.

D.3. Examination by the Authority

17. Rule 2(b) of the Rules defines domestic industry as the domestic producers as a whole engaged in the manufacture of the like article, or those whose collective output constitutes a major proportion of the total domestic production, excluding producers related to exporters or importers or themselves importers of the alleged dumped article.

18. The Authority notes that there are six other known producers of the subject goods in India besides the applicants. The production of the applicants and other Indian producers during the POI is as follows:

Producer	Production (MT)	Share (%)
Maharashtra Seamless Limited	***	***
Jindal Saw Limited	***	***
Kirloskar Ferrous Industries Limited	***	***
Total – applicants	**6,17,542**	**93%**
Other Indian producers (6)	49,446	7%
Total Indian production	**6,66,989**	**100%**

19. The applicants have certified that they have not imported the subject goods from the subject country during the injury period and are not related to any exporter or importer of

the subject goods. The Authority notes that the applicants account for 93% of the total Indian production of the like article and therefore, constitute a major proportion of the total domestic production in India.

20. As regards the change in constitution of the domestic industry, the Authority notes that ISMT Limited, as submitted by the domestic industry, underwent liquidation after the first sunset review and was acquired by Kirloskar Ferrous Industries Limited. Thus, ISMT Limited is no longer in existence as a separate producer of the subject goods. Further, it is noted that there is no legal obligation on the Authority or the applicants to maintain the same constitution of the domestic industry in successive proceedings. The Authority is only required to ascertain that the applicants satisfy the requirements of Rule 2(b). In the present case, the applicants represent 93% of Indian production and thus, the question of selective curation does not arise. The contention of JSC is, therefore, not accepted.

21. In view of the above, the Authority finds that the applicants constitute the domestic industry within the meaning of Rule 2(b) of the Rules and that the application satisfies the criteria of standing under Rule 5(3) of the Rules.

E. CONFIDENTIALITY

E.1. Submissions by other interested parties

22. The sole responding exporter, JSC, has submitted response to exporter's questionnaire and made other submissions, wherein certain information has been claimed confidential after providing reasons for the same.

E.2. Submissions by domestic industry

23. The domestic industry has made various submissions during the investigation, and has claimed certain information as confidential after providing reasons for the same.

E.3. Examination by the Authority

24. The non-confidential version of the information provided by the interested parties was made available to all interested parties as per Rule 6(7) and Trade Notice 10/2018 dated 7th September 2018 read with Trade Notice 1/2013 dated 9th December 2013.

> *"Confidential information: (1) Notwithstanding anything contained in sub-rules (2), (3) and (7) of rule 6, sub-rule(2) of rule12,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 authorization of the party providing such information.

(2) The designated authority may require the parties providing information on a confidential basis to furnish a non-confidential summary thereof and if, in the opinion of a party providing such information, such information is not susceptible to summary, such party may submit to the designated authority a statement of reasons why summarization 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 generalized or summary form, it may disregard such information."

25. The claims made by the interested parties, to the extent considered relevant, were examined by the Authority and addressed accordingly. It is seen that the domestic industry has claimed confidentiality on various information, such as, production, capacity, capacity utilization, sales volumes, market share, stocks, selling price, costs, profits, cash profits, return on investment, non-injurious price, cost of production related information, normal value based on cost of production, dumping margin, injury margin, etc. It is also seen that wherever information is for the injury period, the same has been provided on an indexed basis. Information such as normal value, non-injurious price and price undercutting has been disclosed in the range. Further, the domestic industry has also claimed confidentiality on various supporting documents & information, wherever such information has not been publicly disclosed by them. The domestic industry has claimed that non-confidential summary of such information cannot be provided since these documents are not susceptible to summary. Similarly, the exporter has claimed confidentiality with respect to its sales volume, sales value, prices, cost of production and supporting documentation. Where possible, the exporter has provided information in indexed form.

26. The information provided by the interested parties on a confidential basis was examined with regard to sufficiency of such claims. 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, the interested parties were directed to provide sufficient non confidential versions of the information filed on a confidential basis.

F. MISCELLANEOUS SUBMISSIONS

F.1. Submissions by other interested parties

27. The following miscellaneous submissions have been made by the other interested parties.

i. Article 11.3 of the Anti-Dumping Agreement mandates expiry of duty after five years as the rule, and continuation is an exception requiring a rigorous examination based on positive evidence (Appellate Body in *US – Corrosion-Resistant Steel Sunset Review*; CESTAT in *All India Laminated Fabrics Manufacturers Association v. Designated Authority*). The duties have been in force for over ten years, and the growth of the Indian industry from 5 to 10 producers shows that the duty has served its purpose.

ii. Section 9A(5) of the Act only empowers the Central Government to 'extend' the existing duty and does not contemplate re-determination of the quantum or form of duty in a sunset review. In a number of recent sunset reviews (Faced Glass Wool, Methyl Acetoacetate, Flexible Slabstock Polyol, 2-Ethyl Hexanol, FKM, Flax Fabric, Aniline, Sodium Citrate, DOPP, EVA Sheet, etc.), the Authority continued the same duty for cooperating producers as determined in the original investigation, even though fresh margins were quantified.

iii. The request for enhancement of the reference price is a recycled argument that was rejected in the first sunset review and not challenged. The reference price is denominated in US$ at the instance of the domestic industry itself; owing to depreciation of the INR (₹ 61.59/US$ in the original POI to ₹ 87/US$ in the present POI), the reference price in rupee terms has already increased by about 55%. If the reference price is revisited, it should be reduced in US$ terms or fixed in INR.

iv. JSC, which has cooperated in the original investigation, the first sunset review and the present review, should be granted an individual rate, and the same rate and form of duty should be continued for it. A higher duty may be prescribed for 'all others'.

v. The allegations of over-invoicing and transshipment are unsubstantiated and sweeping and do not concern JSC.

F.2. <u>Submissions by the domestic industry</u>

i. Under Article 11.3 of the Anti-Dumping Agreement and Section 9A(5) of the Act, duties are to be continued where the Authority determines that expiry of duty is likely to lead to continuation or recurrence of dumping and injury. There is no requirement to establish any 'exceptional' circumstance.

ii. The CESTAT in All India Laminated Fabrics Manufacturers Association vs. DA held that the duties can be continued if the Authority, having conducted rigorous investigation, found likelihood of continuation or recurrence of dumping and injury.

iii. The Authority has continued duties in second, third and fourth sunset reviews in several cases, such as Acrylic Fibre, Caustic Soda, Phenol, Melamine, PTFE, Nylon Tyre Cord Fabric, etc. In fact, various other jurisdictions have also extended duties for more than 20 years, where warranted.

iv. The present duties are in the form of a reference price fixed on the basis of the cost and price conditions of January–December 2014. The landed price of the subject imports during the POI is above the reference price but below the current non-injurious price for PCNs A-1-5 and A-1-6, and as long as imports are priced

marginally above the reference price, they continue to cause injury. The reference price form has thus been rendered ineffective.

v. While the request for modification of form and quantum of duty was not accepted in the previous review, the facts and circumstances of the present case are different and warrant such modifications.

vi. The Authority has modified the form of duty from reference price to fixed duty in the past (Caustic Soda, CPVC, Measuring Tapes, Melamine, MDF, PTFE, Phenol, Sodium Nitrite, Viscose Filament Yarn). The Authority has also enhanced the quantum of duty in sunset reviews (Caustic Soda, PTFE, Atrazine (CVD), Glass Fibre).

vii. The exporters in the subject country are resorting to unfair selling practices in order to avoid payment of duties.

viii. Since the reference price duty is triggered only if the price of imports is lower than the fixed limit, the Chinese exporters are declaring an export price which is marginally higher than the benchmark determined by the Authority, in order to avoid paying the anti-dumping duties.

ix. However, such price is only being declared at the Customs port and is not the price which is offered to the customers. The actual price offered to the customers is much lower than the price declared at customs port.

x. Such low-priced imports are eventually entering the market and competing with the domestic industry.

xi. The Chinese exporters are also resorting to transshipment of subject goods through third countries such as the UAE and Singapore.

xii. Detailed market research reports submitted show that there are no production facilities in such countries and all exports are being made only through traders.

xiii. Significant volume of exports in absence of any production facilities clearly shows that the traders in third countries are selling Chinese goods to avoid duty payment.

xiv. The volume and price of such imports should be considered as part of subject imports.

xv. The duty should be denominated in US$/MT, since exporters transact in US$; duty in INR would be rendered ineffective with depreciation of the rupee.

xvi. The exchange rate has not protected the domestic industry against raw material price fluctuations.

xvii. Individual duty for the cooperating exporter may be determined upon verification, but on the basis of the dumping margin and injury margin for the present POI, and not by merely continuing the earlier duty. Any differential treatment whereby the old duty is continued for the cooperating exporter while duty is modified for others would be discriminatory.

F.3. <u>Examination by the Authority</u>

28. As regards the contention that continuation of duty is an exception, the Authority notes that Section 9A(5) of the Act and Rule 23(1B) of the Rules, consistent with Article 11.3 of the Anti-Dumping Agreement, provide that the duty shall cease after five years unless

the Authority, in a review, comes to the conclusion that the expiry of duty is likely to lead to continuation or recurrence of dumping and injury. Neither the statute nor the jurisprudence relied upon prescribes any limit on the number of reviews or require the establishment of circumstances beyond a positive likelihood determination based on an objective examination of positive evidence. The Authority has undertaken such an examination in the present case, as set out in the following sections. The Authority notes that even when anti-dumping duty has been in place for about 10 years, the volume of imports in the present period is significantly high in both absolute terms and in relation to production and consumption in India. Further, the capacity utilization of the domestic industry is quite low, thus showing gross underutilisation of production capacities because of presence of dumped imports in the country. Economic performance of the domestic industry has shown deterioration in the present period, as is examined in detail in relevant paragraphs herein.

29. The domestic industry has placed market research report on record, which shows (a) absence of production facilities in these countries, (b) name of the companies who have exported the product to India (based on market source data on imports), and (c) the nature of operations of the trading company. Further, the domestic industry has also placed on record a report of the U.S Trade Representative titled "The Great Transshipment Scam" where it is noted that various third countries exporting the subject goods to India are regularly engaging in transhipment of Chinese goods. The matter has been examined. As regards the claim of transhipment, the Authority notes that the import data procured from DG Systems records imports of the product under consideration declared as originating in UAE and Singapore. While the domestic industry has placed on record market research regarding the absence of production facilities in these countries and the trading nature of the exporters, the Authority notes that determination of origin of the goods at the transaction level is a matter falling within the domain of the Customs authorities under the Customs Act, 1962. The Authority has, for the purpose of the present determination, considered as subject imports only those imports recorded as originating in China PR. The domestic industry is at liberty to approach the Authority under Rule 25 of the Rules with duly substantiated evidence of circumvention.

30. The domestic industry has requested for change in the form of duty in order to remedy the continued injury being caused by the dumped imports. The anti-dumping duty presently in force is in the form of a reference price, whereby duty equal to the difference between the reference price and the landed value of the imports is levied where the landed value is below the reference price. The domestic industry has submitted that the present duties have been ineffective in remedying the continued imports in significant volume despite duties in place for 10 years. Further, the domestic industry has claimed that due to the benchmark form of the duty, the Chinese exporters have aligned their prices to the reference price notified by the Authority. As such, the import prices being declared at the Customs port is at the level or slightly above the reference price, while the actual re-sale price offered to customers in the market is much lower. As a result, the domestic industry has contended that it has continued to face injury due to presence of low-priced imports.

The other interested party has claimed that the form should not be modified since duties in the form of reference price was imposed at the request of the domestic industry. It has also been added that in case the duty is modified, JSC being the sole cooperative producer, should be given an individual rate.

31. The Authority notes that the reference price now in force was set on the cost and price conditions of the original period of investigation (January–December 2014). Those conditions are now more than a decade old. The record of the present review shows that most subject imports during the POI entered at landed values at or close to the reference price. This suggests that declared import prices may be gravitating towards the reference price rather than reflecting conditions in the market. At the same time, the domestic industry's performance has deteriorated during the injury period, and the volume of subject imports has risen significantly. These facts raise a question about whether the present form of duty is still effective in removing the injury.

32. The fact that the reference price form was adopted at the domestic industry's request in the original investigation does not bind the Authority in this review. The form of duty is to be decided on the record of the present proceedings, and in light of how the measure has actually worked over its life.

33. As regards the contention of JSC that the INR depreciation has increased the reference price by about 55% in rupee terms, the Authority notes that the exchange rate in the POI of the original investigation was 61.59, while the same was 73.17 in the POI of the previous sunset review. The exchange rate in the present POI is 86.76. Thus, the exchange rate is increased by 41% as compared to original investigation, and by 19% as compared to previous sunset review. It is thus incorrect that the change is 55%. Further, the relevant comparison is between the landed price of the imports and the current non-injurious price, both of which are determined afresh for the POI and in INR terms. Further, the majority of the imports in the present POI are at a price very close to the benchmark in place. The Authority also notes that duties denominated in US$ are consistent with its established practice, since the export transactions are in US$.

G. NORMAL VALUE, EXPORT PRICE AND DETERMINATION OF DUMPING MARGIN

G.1. Submissions by other interested parties

34. The other interested party has not made any submissions with reference to determination of normal value, export price and dumping margin.

G.2. Submissions by the domestic industry

35. The domestic industry has submitted that, in terms of Paragraphs 7 and 8 of Annexure-I to the Rules, the normal value for Chinese producers is required to be determined on the basis of the price or constructed value in a market economy third country, 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 to include a reasonable profit margin, unless the responding Chinese producers demonstrate that market economy conditions prevail. Since the sole cooperating producer / exporter has not claimed market economy treatment, normal value for the cooperating producer as well as all other producers / exporters should be determined as per Para 7 of Annexure-I of Anti-dumping Rules.

G.3. Examination by the Authority

G.3.1. Market economy treatment and normal value for China PR

36. Article 15 of China's Accession Protocol to the 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:*
>
> *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.*
> *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.

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.

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."

37. The applicants have cited and relied upon Article 15(a)(i) of China's Accession Protocol. The applicants have claimed that producers in China PR must be asked to demonstrate that market economy conditions prevail in their industry producing the like product with regard to production and sale of the product under consideration. It has been stated by the applicants that in case the responding Chinese producers are not able to demonstrate that their cost and price information are market-driven, the normal value should be calculated in terms of provisions of Para 7 and 8 of Annexure-I to the Rules.

38. In the present case, the only cooperating producer/exporter from China has not claimed market economy treatment. Accordingly, the normal value has been determined in accordance with paragraph 7 of Annexure I to the Rules, which states as follows:

"In case of imports from non-market economy countries, normal value shall be determined on the basis of the price or constructed value in the market economy third country, or the price from such a third country to other countries, including India or where it is not possible, on any other reasonable basis, including the price actually paid or payable in India for the like product, duly adjusted if necessary, to include a reasonable profit margin. An appropriate market economy third country shall be selected by the designated authority in a reasonable manner, keeping in view the level of development of the country concerned and the product in question, and due account shall be taken of any reliable information made available at the time of selection. Account shall 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

any unreasonable delay the aforesaid selection of the market economy third country and shall be given a reasonable period of time to offer their comments."

39. In the present case, there is no evidence of price or constructed value prevailing in a market economy third country brought forward by any interested party. Further, the product does not have a dedicated tariff code, to permit consideration of price of exports from a market economy third country to other countries, including India. The Authority has therefore, determined normal value as per the price payable in India, based on cost of production of the applicants, duly adjusted for selling, general and administrative expenses and reasonable profits.

G.3.2. Export price

40. Before proceeding to the determination of the export price of the individual cooperating producer/exporter, the Authority considers it appropriate to record the following. The sole cooperating producer, Jiangsu Chengde Steel Tube Share Co. Limited has exported [***] of the subject goods to India during the period of investigation. As against this, total imports of the subject goods from the subject country during the period of investigation are 1,53,069 MT, the exports of the cooperating producer constitutes about 5% of the total imports from the subject country, the balance having been exported by producers and exporters who have not responded to the Authority. Further, the Authority notes that producers / exporters that had participated in the previous investigations have continued to export the goods to India, but have chosen not to participate in the present review. The Authority accordingly notes that the export price of the cooperating producer is representative only of a very small volume exported by them, and cannot be regarded as representative of imports of the subject goods from the subject country as a whole.

Export price for Jiangsu Chengde Steel Tube Share Co. Limited.

41. Jiangsu Chengde Steel Tube Share Co. Limited ("JSC") is a producer and exporter of the subject goods in China PR. It has exported [***] of the product under consideration directly to unrelated customers in India. The producer has exported only 2 PCNs during the period of review.

JSC → Unrelated customers in India

42. JSC has claimed adjustments on account of ocean freight, marine insurance, inland freight and port handling, credit cost and bank charges. The adjustments have been verified with reference to the sample documents furnished pursuant to the desk verification. The Authority has calculated PCN-wise export price for exports of goods produced by Jiangsu Chengde and compared the same with the normal value for the respective PCN. A weighted average dumping margin was determined accordingly. The net export price and dumping margin so determined have been mentioned in the table below.

Export price for all other producers/exporters in China PR

43. For all other producers/exporters in China PR who have not cooperated in the present investigation, the export price has been determined on the basis of the facts available in terms of Rule 6(8) of the Rules. The net export price so determined has been reported hereinbelow.

G.3.3. Dumping margin

44. Considering the normal value determined as above, and export price as determined, the dumping margin determined for the subject country is as follows:

Dumping Margin Table

SN	Name of Producer	Normal Value	Export Price	Dumping Margin	Dumping Margin	Dumping Margin
		(USD/MT)	(USD/MT)	(USD/MT)	(%)	(Range)
1.	Jiangsu Chengde Steel Tube Share Co. Limited	***	***	***	***	5-15%
2.	Any other producer	***	***	***	***	65-75%

45. The Authority notes that the dumping margins determined for the responding exporter and for all other producers/exporters in the subject country are positive and above the de minimis level, despite the anti-dumping duties in force.

H. DETERMINATION OF INJURY AND CAUSAL LINK

H.1. Submissions by other interested parties

46. The following submissions have been made by the other interested parties with regard to injury, likelihood of recurrence or continuation of injury and causal link.

i. The volume parameters of the domestic industry have improved: production of the PUC increased from 5,29,771 MT to 6,19,096 MT (17%), domestic sales from 4,37,475 MT to 5,15,983 MT, capacity utilisation from 46% to 49%, productivity per day from 1,472 MT to 1,720 MT and per employee from 181 MT to 205 MT, while inventories declined from 33 to 28 days of production. The market share of the domestic industry remained stable.

ii. The low capacity utilisation is attributable to the domestic industry's own capacity expansion decisions and not to imports.

iii. Imports from other countries are 9-24% cheaper than imports from China PR and yet have not displaced Chinese imports, showing that demand for Chinese goods is driven by supply reliability and product range, and not by price.

iv. The export price of the domestic industry has declined by 33 index points, nearly twice the decline in its domestic price (18 index points), which shows that the price decline is due to global market conditions and not due to subject imports.

H.2. Submissions by the domestic industry

47. The following submissions have been made by the domestic industry with regard to the injury, likelihood of continuation of injury and causal link.

i. The volume of the subject imports has increased over the injury period and have almost doubled when compared to the previous sunset review, despite duties.

ii. The volume of subject imports has increased despite duties, while the volume of imports from other countries has declined.

iii. The domestic industry has been forced to reduce its price due to decline in landed price despite the presence of anti-dumping duty, resulting in decline in its profitability.

iv. Although cost of sales declined over the injury period, rate of decline in selling price of the domestic industry was higher than the decline in its costs.

v. Despite increase in demand for the subject goods over the injury period, the domestic industry was able to utilize only less than half of its capacity, despite having sufficient capacity, resulting in high fixed costs.

vi. The domestic industry suffered loss of market share despite large unutilised capacities and no demand supply-gap.

vii. Due to continued dumping, the domestic industry has suffered a sharp decline in its profitability.

viii. The profits earned by the domestic industry declined by 98% over the injury period, while the cash profits also declined by 81%.

ix. Despite operating on significantly depreciated plants established over 30 years ago, the domestic industry is unable to earn a reasonable return due to the adverse impact of dumped imports.

x. The current return recorded by the domestic industry falls even below the interest available on ordinary savings accounts.

xi. Profit margin of the domestic industry declined significantly due to reduction in price.

xii. Injury to the domestic industry has been caused by the dumped imports from the subject country.

xiii. No other factor has caused injury to the domestic industry, and such injury is attributable only to the subject imports.

xiv. Imports from other countries constitute mere 7% of the total imports into the country and hence, cannot cause injury to the domestic industry. In all likelihood, they have been produced in China and merely trans-shipped from third country to avoid duty.

xv. The decline in global prices does not negate dumping, as subject imports continue to enter India below the normal value and non-injurious price, forcing the domestic industry to reduce its prices and suffer injury.

H.3. Examination by the Authority

48. The Authority has taken note of the submissions of the interested parties. The injury analysis has been made in accordance with Rule 11 and Annexure-II to the Rules, having regard to the volume of dumped imports, their effect on prices in the domestic market for like articles, and the consequent impact on the domestic producers of such articles. In a sunset review, where the anti-dumping duty is in force, the Authority is required to examine whether injury has continued despite the duty, and whether there is likelihood of continuation or recurrence of injury if the duty were allowed to cease.

H.3.1. Assessment of demand/apparent consumption

49. The Authority has determined the demand or apparent consumption of the product under consideration in India as the sum of the domestic sales of the domestic industry and other Indian producers and imports from all sources. The domestic industry has not captively consumed the subject goods.

Particulars	Unit	2022-23	2023-24	2024-25	POI
Sales of domestic industry	MT	437,475	440,731	479,876	512,767
Sales of Other producers	MT	25,406	25,595	27,868	29,778
Subject imports	MT	100,118	168,986	138,913	153,069
Other imports	MT	46,010	76,315	66,577	54,003
Total demand	MT	609,009	711,627	713,234	749,617

50. The demand for the product under consideration has increased by 23% over the injury period.

H.3.2. Volume effect of dumped imports

51. With regard to the volume of dumped imports, the Authority is required to consider whether there has been a significant increase in dumped imports, either in absolute terms or relative to production or consumption in India. The import volumes from subject country during the injury period are as below.

Particulars	Unit	2022-23	2023-24	2024-25	POI
Subject imports	MT	100,118	168,986	138,913	153,069
Other imports	MT	46,010	76,315	66,577	54,003
Total imports	MT	146,128	245,301	205,490	207,072
Subject imports in relation to:					
– Total imports	%	69%	69%	68%	74%
– Indian production	%	18%	33%	25%	23%
– Indian consumption	%	16%	24%	19%	20%

52. The Authority notes that the volume of subject imports has increased in absolute terms by 53% over the injury period, in spite of the anti-dumping duty in force, and at a rate higher than the growth in demand (23%). The subject imports have also increased in relation to Indian production and consumption, and their share in total imports increased to 74% over the injury period. Despite no demand-supply gap in the country, production capacities by the domestic industry are significantly under-utilised, and domestic industry is selling the product materially below a price that would allow reasonable return on investment to the domestic industry (the returns earned by the domestic industry in the POI was quite low). While the sales of the domestic industry increased only by 17%, dumped imports increased by 53%. The domestic industry contended that the import prices are being aligned to the benchmark and imports are being made practically without payment of ADD, resulting in increase in imports.

H.3.3. Price effect of dumped imports

53. The price effect of the dumped imports has been examined in terms of Para (ii) of Annexure-II to the Customs Tariff (Identification, Assessment and Collection of Anti-Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, which provides as follows:

> *"While examining the volume of dumped imports, the said authority shall consider whether there has been a significant increase in the dumped imports either in absolute terms or relative to production or consumption in India, and with regard to the effect of the dumped imports on prices as referred to in sub-rule (2) of rule 18 the designated authority shall consider whether there has been a significant price undercutting by the dumped imports as compared with the price of like product in India, or whether the effect of such imports is otherwise to depress prices to a significant degree or prevent price increase which otherwise would have occurred to a significant degree."*

54. A reading of the above provision shows that the price effect of the dumped imports is to be examined with reference to three independent and disjunctive parameters, namely (a) significant price undercutting, (b) significant price depression, and (c) significant price suppression, i.e. prevention of price increases which would otherwise have occurred. The said parameters are connected by the disjunctive expression "or", and the existence of any one of them is sufficient to establish that the dumped imports have had an adverse effect on the prices of the domestic industry. The absence of price undercutting in a given period does not, therefore, preclude a finding of price depression or price suppression.

a. Price undercutting

55. The price undercutting has been determined by comparing the landed price of the subject imports with the net sales realisation of the domestic industry, PCN-wise, for the POI.

The landed price has been determined on the basis of the CIF value as per DG Systems data, with the addition of the applicable basic customs duty and social welfare surcharge.

PCN	Import volume (MT)	Landed price (₹/MT)	Net selling price (₹/MT)	Price undercutting (₹/MT)	Price undercutting (%)	Price undercutting (Range)
A-1-5	1,33,370	87,323	***	***	***	Negative
A-1-6	16,278	1,06,858	***	***	***	5-15%
A-1-7	2,031	1,67,556	***	***	***	Negative
A-1-8	1,390	1,28,160	***	***	***	10-20%
Total	1,53,069	90,850		***	***	Negative

56. The Authority notes that the weighted average landed price of imports is above the net sales realization of the domestic industry for PCNs A-1-5 and A-1-7. However, the subject imports are undercutting the prices of the domestic industry with respect to PCNs A-1-6 and A-1-8. Overall, the price undercutting is negative. The domestic industry has submitted that the import prices have been aligned to the benchmark and the imports are being made by traders who are reselling the imported product at a price lower than landed price of imports. The domestic industry contended that since the imported product is being resold at lower price, the domestic industry is being forced to sell at lower prices.

b. Price suppression and depression

57. In order to determine whether the dumped imports are depressing the domestic prices to a significant degree or whether the effect of such imports is to suppress price to a significant degree or prevent price increase which otherwise would have occurred in normal course, the Authority has examined the changes in the costs of sales and net sales realization of the domestic industry over the injury period.

Particulars	Unit	2022-23	2023-24	2024-25	POI
Cost of sales	₹/MT	***	***	***	***
Trend	Indexed	100	96	91	92
Net selling price	₹/MT	***	***	***	***
Trend	Indexed	100	95	83	82
Landed price	₹/MT	102,242	92,446	91,910	90,850
Trend	Indexed	100	90	90	89

58. The Authority notes that the cost of sales and selling price of the domestic industry have declined over the period. However, the selling price declined at a much higher rate than the decline in the cost of sales, due to the presence of significantly low-priced imports. It is seen that whereas cost of sales declined by 8%, selling price of the domestic industry declined by 18%, as a result of decline in import price. It is also noted that the domestic industry contended that the import prices in the POI were aligned to the benchmark in

order to avoid payment of ADD and the imported product has been resold in the market at a price lower than the import prices. The subject imports have thus depressed the prices of the domestic industry, as a result of which the margin between the selling price and cost of sales of the domestic industry fell sharply.

H.3.4. Economic parameters of the domestic industry

59. Annexure-II to the Rules requires that the determination of injury shall involve an objective examination of the consequent impact of these imports on domestic producers of such products, including an evaluation of all relevant economic factors and indices having a bearing on the state of the industry, including actual and potential decline in sales, profits, output, market share, productivity, return on investments or utilisation of capacity; factors affecting domestic prices; the magnitude of the margin of dumping; actual and potential negative effects on cash flow, inventories, employment, wages, growth, and ability to raise capital investments. The economic parameters of the domestic industry are analysed hereunder.

a. Production, capacity, capacity utilisation and sales

Particulars	Unit	2022-23	2023-24	2024-25	POI
Installed capacity	MT	17,65,000	17,65,000	17,65,000	17,65,000
Production (PUC + NPUC)	MT	792,470	748,415	828,577	851,440
Capacity utilisation	%	45%	42%	47%	48%
Production – PUC	MT	526,959	489,681	538,121	617,542
Domestic sales	MT	437,475	440,731	479,876	512,767
Export sales	MT	95,000	51,344	64,212	91,311

60. The Authority notes that the capacity of the domestic industry remained unchanged over the injury period. However, the domestic industry holds capacities sufficient enough to meet the present and potential demand in the Country. Profile of the imports shows that majority (88%) of imports are of the most basic product in the industry (hot rolled line pipe). This product is being offered by all the domestic producers forming part of the domestic industry.

61. The production and domestic sales of the domestic industry increased over the injury period. However, whereas the demand for the product increased by 23%, the production and domestic sales of the domestic industry increased only by 17%. Further, the domestic industry has operated at less than 50% of its installed capacity throughout the injury period. The contention of other interested parties that underutilisation is on account of capacity expansion by the domestic industry is not supported by information on record. The installed capacity of the domestic industry has remained constant throughout the injury period. The capacity utilization of the domestic industry has remained low throughout the injury period.

b. Market share

Particulars	Unit	2022-23	2023-24	2024-25	POI
Domestic industry	%	72%	62%	67%	68%
Other Indian producers	%	4%	4%	4%	4%
Subject imports	%	16%	24%	19%	20%
Other imports	%	8%	11%	9%	7%

62. The market share of the domestic industry declined from 72% in the base year to 68% in the POI, while that of the subject imports increased from 16% to 20% over the same period, despite the domestic industry having adequate capacity to cater to the demand.

c. Profitability, cash profits and return on capital employed

63. Profits, cash profits and return on capital employed of the domestic industry over the injury period are as per the table below.

Particulars	Unit	2022-23	2023-24	2024-25	POI
Cost of sales	₹/MT	***	***	***	***
Trend	Indexed	100	96	91	92
Selling price	₹/MT	***	***	***	***
Trend	Indexed	100	95	83	82
Profit / (loss)	₹/MT	***	***	***	***
Trend	Indexed	100	88	21	6
Profit / (loss)	₹ Lacs	***	***	***	***
Trend	Indexed	100	89	23	6
Cash profits	₹ Lacs	***	***	***	***
Trend	Indexed	100	95	36	24
Return on capital employed	%	***	***	***	***
Trend	Indexed	100	95	31	17

64. The Authority notes that every profitability parameter of the domestic industry deteriorated steadily and sharply over the injury period:

a. Profit per MT fell from ₹*** in 2022-23 to ₹*** in the POI, a decline of about 94%. Total profits fell from ₹*** lacs to ₹*** lacs, a decline of about 94%.

b. Cash profits fell from ₹*** lacs to ₹*** lacs, a decline of about 76%. This has reduced the industry's internal resources for maintaining its operations and funding investment.

c. Return on capital employed fell from ***% to ***%, a decline of about 83%. A return of ***% is below any reasonable cost of capital and cannot sustain the industry's operations over the long term.

65. The domestic industry has submitted that its profit margin fell sharply because dumped imports in increasing volumes forced it to reduce its prices, and because the present form of the anti-dumping duty has been ineffective. It contends that importers aligned their declared import prices with the benchmark notified by the Authority but resold the imported product below those declared prices. This, it says, forced the domestic industry to sell at injurious prices. The domestic industry's profit margin on net sales realisation fell from ***% in 2022-23 to a negligible ***% in the POI, as shown below.

Particulars	Unit	2022-23	2023-24	2024-25	POI
Net Sales Realisation	₹/MT	***	***	***	***
Profit before Tax	₹/MT	***	***	***	***
Profit margin	%	***	***	***	***
Profit margin	Indexed	100	93	25	7

d. Employment, wages and productivity

66. The Authority has examined the information relating to employment, wages and productivity, as given below:

Particulars	Unit	2022-23	2023-24	2024-25	POI
No. of employees	No.	2,930	2,882	2,814	3,018
Salaries & Wages	₹ lakhs	21,979	22,655	22,686	24,804
Productivity per day	MT/Day	1,464	1,360	1,495	1,715
Productivity per employee	MT/No	180	170	191	205

67. The number of employees and wages paid by the domestic industry have increased over the injury period. The productivity of the domestic industry has also increased during this period due to increase in production. The domestic industry has not claimed injury on this account.

e. Inventories

68. Inventories of the domestic industry over the injury period are as per the table below.

Particulars	Unit	2022-23	2023-24	2024-25	POI
Opening inventory	MT	53,401	48,258	45,335	37,762
Closing inventory	MT	48,258	45,335	38,604	52,125
Average inventory	MT	50,829	46,796	41,969	44,943
Trend	Indexed	100	92	83	88

69. It is seen that the inventories of the domestic industry have declined over the injury period.

f. Growth

70. The growth of the domestic industry in terms of volume and profitability parameters is as under.

Particulars	Unit	2022-23	2023-24	2024-25	POI
Installed Capacity	%	-	0%	0%	0%
Production	%	-	-7%	10%	15%
Domestic sales	%	-	1%	9%	7%
Profit / (loss) per unit	%	-	-12%	-77%	-73%
Cash profits	%	-	-5%	-62%	-33%
Return on capital employed	%	-	-5%	-68%	-46%

71. It is seen that the subject imports have impacted the growth of the domestic industry. While the growth in volume parameters is positive, the imports have increased in absolute terms, thus showing that the continued dumped imports have adversely impacted the growth of the domestic industry. Further, the growth in price parameters is negative. The domestic industry has faced significant decline in profits earned and has recorded very low returns on its capital employed.

g. Ability to Raise Capital Investment

72. It is seen that the profitability of the domestic industry has declined significantly and the domestic industry has earned significantly low profits and cash profits in the period of investigation. Thus, the imports have adversely impacted the ability of the domestic industry to raise capital investment in future.

h. Magnitude of dumping

73. The dumping margins determined for the subject country are positive and significant, as set out in Section G above.

H.3.5. Magnitude of injury margin

74. The Authority has determined the non-injurious price for the domestic industry on the basis of the principles laid down in Annexure-III to the Rules, as amended. The NIP of the product under consideration has been determined by adopting the verified information/data relating to the cost of production for the POI. The NIP has been considered for comparison with the landed price of the subject imports for calculating the injury margin. For determination of the NIP, the best utilisation of 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; and a reasonable return (pre-tax @ 22%) on the average capital employed for the product under consideration has been allowed, as prescribed in Annexure-III.

75. The landed price for JSC has been determined on the basis of its verified CIF export price, with the addition of basic customs duty and social welfare surcharge at the effective rates applicable to its transactions as recorded in DG Systems data. The landed price for all other producers/exporters has been determined on the basis of DG Systems data.

76. Based on the landed price and non-injurious price determined as above, the injury margin has been determined by the Authority and the same is provided in the table below:

Injury Margin

SN	Name of Producer	Non-Injurious Price	Landed Price	Injury Margin	Injury Margin	Injury Margin
		(USD/MT)	(USD/MT)	(USD/MT)	(%)	(Range)
1.	Jiangsu Chengde Steel Tube Share Co. Limited	***	***	***	***	Negative
2.	Any other producer	***	***	***	***	30-40%

77. The Authority notes that the injury margin is marginally negative for the cooperating exporter, and positive for the non-cooperating producers/exporters.

H.3.6. Analysis of injury

78. The Authority notes that the volume of subject imports has increased in absolute terms and in relation to production and consumption in India despite the anti-dumping duty in force. The imports are largely of hot finished line pipe, which is the majority product for the domestic industry. The price undercutting on the basis of weighted average landed price of imports is negative. The domestic industry has however contended that the imports have been made primarily by the traders, import prices have been aligned to the benchmark notified by the Authority and the imported product has been resold at a price lower than the import price. Resultantly, the domestic industry has been forced to sell the product at lower prices. The subject imports have depressed the prices of the domestic industry, with the domestic industry forced to reduce its prices at a rate much higher than the decline in its costs. Although the domestic industry has registered growth in production and sales, it has lost market share and has operated at less than 50% capacity utilisation throughout the injury period even when domestic industry could have catered to this demand in the Country. Performance of the domestic industry has very sharply deteriorated in respect of profits, cash profits and return on capital. The return on capital employed is at unsustainable levels for long term operations of the domestic industry. Thus, the Authority concludes that the domestic industry has continued to suffer injury

during the POI despite the anti-dumping duty in force and its performance has deteriorated in the current injury period.

I. LIKELIHOOD OF CONTINUATION OR RECURRENCE OF DUMPING AND INJURY

I.1. Submissions by other interested parties

79. The submissions made by the other interested parties are as below.
   i. JSC's exports to India have not increased over the injury period.
   ii. JSC's installed capacity and utilization has remained stable, leaving no meaningful surplus capacity for diversion to India.
   iii. JSC's export price to India is about 30% higher than its domestic price in China PR, and India is a premium market for JSC.
   iv. The data relied upon by the domestic industry is aggregate, macro-level data which does not address the conduct of JSC. The projected loss scenario is speculative and premised on unsubstantiated assumptions.

I.2. Submissions by the domestic industry

80. The submissions made by the domestic industry are as below.
   i. The exporters in China have a history of dumping, evident from the significant dumping margins calculated in the original investigation and the first sunset review.
   ii. The rate of increase in volume of imports has outpaced the rate of increase in the demand in the country, which indicates that in case of expiry of duties, the subject imports would flood the Indian market.
   iii. Cessation of duty will lead to significant increase in dumping of subject goods in the Indian market since the producers in China have large production capacities.
   iv. The producers in China have significant underutilised capacities. Even a small increase in the capacity utilization of idle capacities can capture the entire demand in India and thus, cessation of duty will likely lead to diversion of subject goods into India.
   v. The producers in China are largely export oriented with half of the total production capacity intended for exports due to limited demand in China.
   vi. Various countries such as USA, European Union, Canada, Brazil, Mexico and Ukraine have imposed trade remedial measures against imports from China, which has restricted market access for Chinese goods.
   vii. Countries including USA, European Union and Canada have also imposed other tariff and non-tariff measures leading to further restriction of available market for the Chinese producers.
   viii. Despite anti-dumping duties, the domestic industry is facing intense price pressure and declining profitability and returns, which is likely to aggravate if the duty is allowed to expire.

ix. Given the landed price of imports, in the event of cessation of duty, the domestic industry would be forced to reduce its price and would incur losses, with a negative return on investment.

x. Expiry of duties is likely to intensify dumping and cause severe injury to the already fragile domestic industry.

xi. Likelihood analysis cannot be done solely based on the limited information of one producer which accounts for ~5% of exports from China, unless it provides information for the subject country as a whole.

I.3. Examination by the Authority

81. The present investigation is a sunset review, wherein the Authority is required to examine whether the expiry of the anti-dumping duty is likely to lead to continuation or recurrence of dumping and injury. The Rules do not prescribe a specific methodology for the likelihood analysis. The Authority has examined the likelihood having regard to the factors in Article 11.3 of the Anti-Dumping Agreement and Section 9A(5) of the Act, and the factors referred to in Article 3.7 of the Agreement, namely the rate of increase of dumped imports, freely disposable capacity of the exporters, prices of imports and inventories, to the extent relevant. The Authority has examined all the relevant information brought on record by the domestic industry and the other interested parties and has noted as below.

82. With regards to the arguments that JSC has not witnessed any large capacity expansions, does not have any idle capacities and its exports realization is higher than its domestic prices, the Authority notes that the likelihood determination is made with respect to the subject country as a whole. The data of a single exporter accounting for about 5% of the subject imports cannot by itself negate the likelihood established on the basis of the country-level evidence.

I.3.1. Continued dumping despite duties

83. The dumping margins determined for the POI are positive and significant, both for the responding exporter and for the other producers/exporters. The dumping margins in the original investigation and first sunset review were also significant. The exporters have thus continued to export at dumped prices over a prolonged period, and it is likely that dumping would continue, or intensify, in the absence of duty.

Investigation	Dumping margin (Range)
Original investigation	20 - 30%
First sunset review	25 - 35%

I.3.2. Increase in volume of subject imports

84. The volume of subject imports increased by 53% over the injury period, at a rate higher than the growth in demand. Further, the volume of imports in the POI exceeded the entire volume of subject imports in the POI of the first sunset review, which covered a wider product scope. The subject imports have thus continued to enter in increasing volumes, indicating a likelihood of further increase upon cessation of ADD.

Investigation	Period	Volume of imports (MT)
First sunset review with wider product scope	Apr 2019 - Sept 2020	73,628
Second sunset review	Oct 2024 – Sept 2025	1,53,069

85. It is also seen that 88% of total imports are of hot finished pipes. These are the majority products for the domestic industry. Thus, there is increased likelihood of increase in imports in a short duration in the event of cessation of ADD.

I.3.3. Rate of increase in imports

86. It is seen that the volume of imports has continued to increase over the period. Further, such increase in the volume of imports is higher than rate of increase in demand. Whereas demand for the product increased by 23%, imports increased by 53%. In case duties are allowed to expire, the volume of imports would not only continue to increase, but also would intensify significantly and would further erode the market share of the domestic industry. It is noted that the exporters from the subject country have continued to dump the subject goods in India despite anti-dumping duties. Further, as can be seen from above, the dumping margin for the exporters was significant in the original investigation and the first sunset review, indicating a tendency to dump. Thus, in the event of cessation of duties, the dumping is likely to continue and / or intensify.

Particulars	Unit	2022-23	2023-24	2024-25	POI
Demand	MT	609,009	711,627	713,234	749,617
Trend	Indexed	100	117	117	123
Subject imports	MT	1,00,118	1,68,986	1,38,913	1,53,069
Trend	Indexed	100	169	139	153

I.3.4. Surplus capacities available with Chinese producers

87. The applicants have reported that producers in the subject country have large production capacities, to the tune of 25.65 million MT as per market research agency report. Further, the applicants have submitted that certain producers have individual capacities higher than the demand in India. It is noted that the production capacities in the subject country are much higher than the demand in India. Such capacities can be used to dump the subject

goods in case of expiry of duties. The Authority notes the argument of JSC that its export realisations are better than domestic market realisation, showing that Indian market is a lucrative market for the Chinese producers. Thus, cessation of ADD would not only allow the Chinese producers to utilise their production capacities, but also divert their current sales to the Indian market.

I.3.5. Significantly underutilized capacities

88. The applicants have further submitted that the production volume of the Chinese producers is much lower than the capacities available with them. It is seen that the producers in the subject country have large idle capacities which can be utilized for increasing exports to India.

Figures in millions MT

Particulars	**2024**
Capacity	25.65
Production	17.37
Idle capacity	8.28
Idle capacity (%)	32%
Idle capacity in relation to demand in India (%)	1103%

Source: Market research agency report

I.3.6. Capacities set up predominantly for exports

89. The applicants have also claimed that in view of limited demand of the subject goods in China, the capacities installed are largely intended for exporting the subject goods. As can be seen from the table below, almost half of the total production capacities in the country are intended for exports. The applicants have also relied upon the report of Global Steel Trade Monitor to show that China is the highest exporter of steel and steel products globally. Further, JSC contended that its export realisations are better than domestic realisations. Thus, in case of cessation of duties, the exports can be diverted to India.

Figures in millions MT

Particulars	**2024**
Capacity	25.65
Consumption	13.30
Capacity intended for exports	12.35
Capacity intended for exports (%)	48%
Exportable capacity in relation to Indian demand (%)	1646%

Source: Market research agency report

I.3.7. Trade remedial measures in third countries

90. The Authority notes that exports of the subject goods from China PR face anti-dumping and/or countervailing measures in the EU, Canada, Brazil, Mexico, Ukraine and the USA. As a result of such duties, the third country markets are limited for the producers, making India a lucrative market.

S.N.	Country	Product	Date of imposition of Measure	Duty
1.	EU	All seamless pipes and tubes of iron	May 2017	ADD – 29.2 to 54.9%
2.	Canada	Seamless line pipes	March 2016	ADD – Upto 351.4% CVD – 12.10 to 989.97 RMB/MT
3.	Brazil	Non-alloy carbon seamless steel pipes seamless	July 2016	ADD – 1009.29 to 1356.90 USD/MT
		Seamless carbon steel pipes for conduits	September 2011	ADD – 743 USD/MT
4.	Mexico	Seamless pipes and tubes	January 2014	ADD – 1568.92 USD/MT
5.	Ukraine	Hot-deformed seamless steel pipes	June 2020	ADD - 51.52%
6.	USA	Seamless Carbon and Alloy Steel Line, and Pressure Pipe	November 2010	ADD – Upto 98.37% CVD – 13.66 to 57.67%

I.3.8. Other measures imposed by third countries

91. In addition to the above, it is noted that the USA has imposed tariffs of 50% on steel and steel products under Section 232, the EU has introduced the Carbon Border Adjustment Mechanism, and Canada has introduced additional steel tariffs. With the major import markets restricted, India, with a growing demand, is an attractive market for diversion of Chinese exports in the event of cessation of duties.

I.3.9. The situation of the domestic industry continues to remain fragile

92. It is seen that the subject goods have continued to be dumped in the Indian market despite duties. The dumped goods account for significant share in the market. As a result, the profitability parameters of the domestic industry have very significantly declined over the injury period. Further, the domestic industry is faced with significant under utilisation of its production capacities. Thus, if the duties are allowed to expire, the subject imports will have a further adverse impact on the performance of the domestic industry.

I.3.10. Likely impact on the domestic industry

93. The applicants have claimed that despite anti-dumping duties, the subject imports have created a strain on the prices of the domestic industry, forcing it to sell its product at the cost of its profitability. However, domestic industry contended, if the duties expire, the domestic industry would be forced to further reduce prices, given that imported product is being sold significantly at lower prices than the imported price. This would further deteriorate the profitability of the industry. It is seen that considering the current prices of the domestic industry, reduction of even 1% in prices shall lead to financial losses to the domestic industry.

I.3.11. Analysis of likelihood of continuation / recurrence of dumping, and injury in the event of cessation of ADD

94. On the basis of the above, the Authority concludes that there is a likelihood of continuation of dumping and injury to the domestic industry in the event of cessation of the anti-dumping duty on imports of the subject goods from China PR. The domestic industry is already suffering deterioration in its performance despite existing ADD. The performance of the domestic industry is likely to deteriorate further.

J. CAUSAL LINK AND NON-ATTRIBUTION ANALYSIS

95. As per the Rules, the Authority is required to, inter alia, examine any known factors other than dumped imports which are injuring or are likely to cause injury to the domestic industry, so that the injury caused by these other factors may not be attributed to the dumped imports. While the present investigation is a sunset review investigation and causal link has already been examined in original investigation, the Authority has examined whether other known factors listed under the Rules could have contributed to the injury to the domestic industry, so that injury caused by such factors is not attributed to the dumped imports.

J.1 Non-attribution analysis

96. It was examined whether other factors listed under the Rules could have contributed or are likely to contribute to the injury suffered by the domestic industry. The following is noted in this regard.

i. **Volume and price of imports from third countries**

97. Other than imports from China PR, there are imports from UAE, Saudi Arabia, Singapore and USA are above de-minimis levels. Imports from rest of the other countries are below de-minimis levels.

98. The Authority notes that the present investigation is a sunset review under Section 9A(5) of the Customs Tariff Act, 1975, read with Rule 23 of the Anti-Dumping Rules and Article 11.3 of the Anti-Dumping Agreement. Its scope is set by the measure under review: the anti-dumping duty in force on imports of the subject goods from the subject country, China PR. The Authority is required to determine whether expiry of that duty would be likely to lead to continuation or recurrence of dumping and injury.

99. The Authority notes that during the POI, the subject goods were also imported in significant volumes from USA, Saudi Arabia, Singapore and UAE at prices below those of the subject imports. These countries are not covered by the measure under review or by the present investigation. No application has been filed before the Authority on imports from them. The Authority therefore has not examined, and makes no determination on, whether imports from these countries are dumped or injurious. If the domestic industry considers that imports from any of these countries are dumped and are causing injury, it may file a duly substantiated application under Rule 5 of the Rules. Any such application will be considered separately on its merits.

100. The domestic industry has submitted that neither Singapore nor the UAE has facilities to produce the subject goods. It contends that imports declared as originating from these countries are in fact Chinese goods transshipped through them to avoid the duty in force. The Authority notes that whether imports from these countries circumvent the duty in force is a separate matter, governed by Rule 25 of the Rules.

ii. **Contraction in demand**

101. The demand for the subject goods has increased by 23% over the injury period and is not expected to decline. Injury to the domestic industry is, therefore, not likely to be caused due to any contraction in demand.

iii. **Changes in the pattern of consumption**

102. There is no evidence on record of any change in the pattern of consumption of the subject goods, which has caused or is likely to cause injury to the domestic industry.

iv. **Trade restrictive practices and competition between domestic and foreign producers**

103. There is no trade restrictive practice which could have contributed, or is likely to contribute, to the injury. The import of the subject goods is freely permissible.

v. **Developments in technology**

104. No interested party has submitted evidence of any significant change in technology that could have caused injury to the domestic industry.

vi. **Export performance of the domestic industry**

105. The injury analysis has been carried out with reference to the domestic operations of the domestic industry only. JSC has contended that the export price of the domestic industry declined faster than its domestic price, indicating global price trends. The Authority notes that the information on injury relates to domestic operations, and that even with the decline in global prices, the landed price of the subject imports was below the cost of sales of the domestic industry in India during the POI. The fall in export prices cannot explain the price depression suffered in the domestic market.

vii. **Performance of other products**

106. The data considered by the Authority relates only to the product under consideration.

viii. **Productivity**

107. The productivity of the domestic industry has improved over the injury period and cannot be a cause of injury.

J.2 <u>Causal link</u>

108. The following parameters establish causal link between the dumped imports and injury to the domestic industry.
    a. Despite anti-dumping duties in force, the subject imports have continued to enter the domestic market at dumped prices.
    b. The subject imports have increased in absolute terms and in relation to domestic production and consumption over the injury period.
    c. As a result, the market share of the domestic industry has declined over the injury period, while that of the subject imports has increased over the period.
    d. The domestic industry was forced to reduce its selling price at a rate higher than decline in costs, in order to compete with the dumped imports.
    e. As a result, the domestic industry faced significant decline in its profits and its cash profits declined.
    f. This resulted in the domestic industry earning very low returns on its investment.
    g. While the capacities have remained stable and production has increased, the domestic industry operated at very low capacity utilisation.

109. In view of the above, the Authority concludes that the injury suffered by the domestic industry is on account of the dumped imports from the subject country, and that the other known factors have not caused injury to the domestic industry.

K. INDIAN INDUSTRY'S INTEREST AND OTHER ISSUES

K.1. Submissions of other interested parties

110. No submissions have been made by any importer / user / consumer with regard to the Indian industry's interest.

K.2. Submissions of domestic industry

111. The following submissions have been made in this regard.

i. The continuation of anti-dumping duty is in public interest and will have no adverse impact on downstream users or end-consumers.

ii. The absence of participation by users or consumers indicates that the anti-dumping duties have not had any significant adverse impact on them and that continuation of duties remains in the public interest.

iii. The subject goods are majorly used in large scale refineries or boilers which are greenfield or brownfield capacity establishments, wherein they constitute only a negligible share in the total cost of such large-scale projects.

iv. Continuation of duties would have a minuscule impact of about 0.01% on the total project cost.

v. The subject goods have a long lifespan of 25-30 years, and the impact of continued duties would be negligible when spread over the life of the project.

vi. The domestic industry holds a total capacity of 17,65,000 MT as against a demand of 7,95,620 MT. Hence, there is no demand-supply gap in the country.

vii. Rashmi Seamless Limited has announced capacity additions of 1,50,000 MT in their second phase and a further addition of 2,50,000 MT in their third phase. Expiry of anti-dumping duties would discourage investment and jeopardize planned capacity expansions by the Indian industry.

viii. A strong and financially healthy domestic seamless pipe industry is critical to support India's energy security, infrastructure development, and strategic national priorities.

ix. The domestic industry has made substantial investments in capacity expansion and import substitution in line with Atmanirbhar Bharat and Make in India initiatives. The domestic industry has developed and indigenized several critical high-value products. Hence, it requires continued support.

x. Expiry of duties would undermine the substantial investments made by the domestic industry in capacity expansion, product development, and obtaining critical technical approvals.

xi. Preservation of a healthy domestic industry will support substantial direct and indirect employment across the value chain and ensure fair competition among domestic producers who are unable to compete with unfairly low-priced imports.

xii. Continuation of duties would create a level playing field by ensuring that imports compete at fair prices and would promote forex savings by reducing dependence on unfairly priced imports and supporting domestic production.

K.3. Examination by the Authority

112. The Authority notes that the primary objective of anti-dumping duties is to rectify the injury inflicted upon the domestic industry by the unjust trade practices of dumping, thereby fostering an environment of open and equitable competition in the Indian market. This is not merely a regulatory measure, but a matter of national interest. The imposition of anti-dumping measures is not designed to curtail imports. Rather, it is a mechanism to ensure a level playing field. The Authority acknowledges that the continuation of anti-dumping duties may influence the price levels of the product in India. However, it is crucial to note that the essence of fair competition in the Indian market will remain unscathed by the continuation of these measures. Far from diminishing competition, anti-dumping measures serve to prevent the accrual of unfair advantages through dumping practices. They safeguard the consumers' access to a broad selection of the subject goods. Thus, anti-dumping duties are not a hindrance but a facilitator of fair-trade practices. In this regard, the Hon'ble Supreme Court in Reliance Industries Ltd. v. Designated Authority & Ors. observed that dumping may provide transitory benefits to consumers in the short term on account of lower prices, but in the long run may adversely affect domestic industry and competition in the market.

113. The Authority issued the initiation notification, inviting views from all interested parties including importers, users and consumers. An Economic Interest Questionnaire was also prescribed to allow various stakeholders, including the domestic industry, producers/exporters and importers/users/consumers to provide relevant information concerning the present investigation, including the possible effect of anti-dumping duty on their operations.

114. The Authority notes that no importer, user or consumer of the subject goods has participated in the present investigation or filed an economic interest questionnaire response.

115. The domestic industry has submitted that the subject goods are capital goods with a life of 25-30 years used predominantly by large corporations in hydrocarbon, refinery, power and boiler sectors. Further, the domestic industry has claimed that users are not part of the MSME sector, and are majorly large-scale corporations. It is noted that the product is purchased and used at the time of setting up large-scale refinery or boiler projects. The product under consideration accounts for a very negligible share in the total cost of such large-scale projects. Considering the same, continuation of duties would have negligible impact of only 0.09% on the costs of the downstream users, as can be seen from the table below. Further, since the goods have a life span of up to 30 years, the annual impact spread over 3 decades would be even less.

Particulars	Unit	Value	Remark
Cost of HPCL Rajasthan Refinery Limited project	₹ crores	79,459	A
Subject goods supplied	MT	50,000	B
Landed price	₹/MT	90,850	C
Total value of PUC supplied	₹ crores	454	D = B*C/10^7
Share of cost of PUC in total cost of project	%	1%	E = D/A
Anti-dumping duty claimed	₹/MT	***	F
Duty payable	₹ crores	***	G = F*B/10^7
Impact on total cost of project	%	<0.1%	H = G/A

Source: Domestic industry's written submission and injury annexures

116. It is noted that there is no demand-supply gap in the country necessitating dumped imports into the country. The Authority notes that the domestic industry has significant capacities which are sufficient to meet the entire present and foreseeable demand in the country. There are a number of producers of the subject goods in the country, providing sufficient choices to the users. Thus, continuation of duties would not hamper the availability of the subject goods in the market.

117. The Authority further notes that none of the users have participated in the present review to claim / demonstrate that imposition of duties in the past has negatively impacted their operations. It is noted that present duties have not adversely impacted the user industry, which is evident from the absence of any user participation. Thus, continuation of duties is also not likely to have any adverse impact on the downstream users. In contrast, the anti-dumping duties have created a fair market condition in the country, which has enabled the Indian industry to sustain its production and sales volumes. Thus, continuation of duties would allow the Indian industry to remain healthy and further improve its economic parameters, in absence of any unfairly priced imports in the market creating pressure on the domestic prices.

L. POST-DISCLOSURE COMMENTS

118. The Authority circulated the disclosure statement containing all essential facts under consideration for making the final recommendations to the Central Government, to all interested parties on 14th October 2026. The Authority has examined all the post-disclosure comments made by the interested parties in these final findings to the extent deemed relevant. Any submission which was merely a reproduction of the previous submissions, and which had been adequately examined by the Authority has not been repeated for the sake of brevity.

L.1. Submissions by the other interested parties

119. The other interested parties have made the following submissions post issuance of the disclosure statement:
   a. The Authority should confirm the dumping margin in range of 5-15% and negative injury margin determined for Jiangsu Chengde Steel Tube Share Co. Limited in the final findings.
   b. Section 9A(5) of the Customs Tariff Act, Rule 23 and 17 of the Anti-Dumping Rules and Paragraph 17.29 of the Manual of Operating Practices clearly provided that duties can be modified or revised in a review.
   c. Simply extending the original duty without giving effect to the margins found in this review would make the review pointless.
   d. The CESTAT has, in various cases, held that the Authority may recommend a duty higher or lower than the original duty in a sunset review to remedy the injury, or else, the purpose of a review would be defeated, which includes (a) Robin Resources vs. Designated Authority (2016 (342) E.L.T. 118); (b) Shanghai Fortune Chemical Company Ltd. vs. Designated Authority (2016 (342) E.L.T. 578); and (c) Indian Graphite Mfrs. Assn. vs. Designated Authority (2006 (199) E.L.T. 722). This has also been the practice of the Authority in many cases.
   e. Continuing the original rate and form of duty for Jiangsu Chengde, despite the fresh margins found in this review, would over-protect the domestic industry, and would go beyond what is "necessary" to remove injury under Rule 23(1) read with Rule 17.

L.2. Submissions by the domestic industry

120. The domestic industry has made the following submissions post issuance of the disclosure statement:
   a. There is a need to modify the quantum and form of current duties in place since the reference price duty is based on the cost and price data for the period of investigation in the original investigation, which is more than 10 years old. The duties have been ineffective in providing relief to the industry.
   b. The volume of imports has increased in the current period, despite anti-dumping duties in place, particularly of hot-rolled line pipes which is the most basic product.
   c. Chinese exporters have aligned their prices to the reference price. The exporters have quoted a price in the range of USD 650–850/MT, which is well below the current NIP, as can be seen from the price quotations of Chinese producers as well as the invoices of re-sale of products by traders in the market. However, the import prices declared to Indian customs are at or just above the reference price.
   d. The domestic industry's current NIP is higher than the reference price as well as landed price, and thus, as long as the landed price stays just above the reference price, imports will keep causing injury.
   e. The prices of steel billets declined over the injury period and were lowest during the period of investigation but increased thereafter, as can be seen from the break-

up of costs submitted. A benchmark based on such prices would not reflect the domestic industry's current costs or fair price, and would again become ineffective.

f. Despite anti-dumping duties, the domestic industry has continued to suffer injury and its profitability has declined.

g. The domestic industry earlier filed an application for mid-term review for a change in the form and amount of the duty, which was not accepted. If the duty is not changed in this sunset review either, the domestic industry will be left without a remedy.

h. Section 9A(5) read with Rules 23(1B), 23(3) and 17(1)(b) of the Anti-Dumping Rules, allow the Authority to modify duties in a sunset review and recommend a duty that would remove the injury to the domestic industry. The CESTAT has upheld this position in various cases, such as (a) Association of Synthetics Fibre Industry vs. Union of India (2010 (256) E.L.T. 745); (b) Thai Acrylic Fibre Co. Ltd. vs. Designated Authority (2010 (253) E.L.T. 564); (c) Robin Resources vs. Designated Authority (2016 (342) E.L.T. 118); (d) Shanghai Fortune Chemical Company Ltd. vs. Designated Authority (2016 (342) E.L.T. 578); and (e) Indian Graphite Mfrs. Asscn. vs. Designated Authority (2006 (199) E.L.T. 722).

i. The Authority has, in various past investigations, modified the quantum and form of duties in sunset reviews based on the facts and circumstances of each case.

j. The subject goods are mainly used in refinery boiler systems, heat exchangers, mechanical, structural and general engineering applications. Even if duties upto 10% are imposed, the impact of such duties in individual equipment would be no more than 3% and would be even lower when seen over the 30-year lifespan of the equipment.

k. The Authority should confirm its observations with respect to product under consideration, domestic industry and standing, dumping, injury and likelihood of continuation of dumping and injury in case duties are allowed to expire.

L.3. Examination by the Authority

121. The Authority has examined the post-disclosure submissions made by the domestic industry and the other interested parties and notes that some of the comments have already been examined suitably and addressed adequately in the relevant paras of the final findings. The issues raised for the first time in the post-disclosure comments/submissions by the interested parties and the domestic industry, which are considered relevant by the Authority, and which have not been already examined above, are examined below.

122. The domestic industry has reiterated its request for change in the form of duties in order to remedy the continued injury being caused by the dumped imports. The domestic industry has submitted evidence in the form of price quotations, invoices issued by traders, consumption prices of the raw material, prescribed legal position and past practice of the Authority. Jiangsu Chengde Steel Tube Share Co. Limited has also sought modification of the form of duty and fixation of ADD based on dumping and injury margin found by the authority.

123. As noted above, the current duty in the form of reference price was determined on the basis of the cost and price conditions prevailing in the POI of the original investigation. (Jan-Dec 2014) Despite duties, the volume of imports has been increasing in the current injury period, as the subject imports have continued to enter at prices just above the reference price for the PCNs commanding predominant share in imports. Further, the performance of the domestic industry has deteriorated in respect of profits, cash profits and return on capital employed. The domestic industry is suffering from gross under-utilisation of production capacities, while imports have been increasing. The increase in import volumes is in respect of the product type which is not only being produced by all the three domestic producers, but also which constitutes majority share in the product profile of these domestic producers. Thus, considering the factual matrix of the case wherein the domestic industry is suffering deterioration in its price parameters and under-utilisation of production capacities, while import volumes are rising, the Authority deems it appropriate to modify the form of duty from reference price to a fixed duty expressed in US$ per MT, being the lesser of the dumping margin and injury margin determined in the present review, so as to remove the continued injury suffered by the domestic industry.

124. The domestic industry has submitted that continuation of duties would not adversely impact any downstream user. The domestic industry has submitted that even if duties upto 10% are imposed, the impact of such duties would be negligible on various downstream application. Further, since the goods have a life span of up to 30 years, the annual impact spread over 3 decades would be even less.

Application	Share in cost	Impact of duties on share	Impact per year (30 years)
		(Proposed duty * Share)	(Likely impact / 30)
Boiler	About 15-20%	2%	0.1%
Shell-and-tube heat exchanger	About 25-40%	3%	0.1%
Hydraulic cylinder	About 20-30%	2.5%	0.1%
Rolling bearing	About 5-10%	1%	0.03%
Construction equipment	About 2-4%	0.4%	0.01%
Capital goods overall	About 1-2%	0.2%	0.01%
Structural steelwork	Below 1%	0.1%	0.003%

Source: Comments to disclosure filed by domestic industry

125. The Authority notes that the subject goods are used in refinery, boiler systems, heat exchangers, mechanical, structural and general engineering applications. It is further noted that considering the duties recommended in these findings, the impact on the downstream users would still be negligible.

M. CONCLUSION

126. After examining the submissions made by the interested parties and issues raised therein; and considering the facts available on record, the Authority concludes that:

i. The product under consideration is Seamless tubes, pipes & hollow profiles of iron, alloy or non-alloy steel (other than cast iron and stainless steel), whether hot finished or cold drawn or cold rolled of an external diameter not exceeding 355.6 mm or 14" OD. It includes boiler pipes or line pipes used in hydrocarbon industry, subject to exclusions noted by the Authority.

ii. The scope of the product under consideration has been curtailed in the present investigation and whereas duties were earlier in force on imports of Oil Country Tubular Goods (OCTG) covered under PCNs A-1-1 to A-1-4, the same has been excluded from the scope of the duty in the present review.

iii. The domestic industry has produced like article to the imported product under consideration.

iv. The application for initiation of the sunset review of anti-dumping duty was filed by Jindal Saw Limited, Kirloskar Ferrous Industries Limited and Maharashtra Seamless Limited.

v. The applicants account for 93% of the total Indian production, and thus, constitute domestic industry for the like article.

vi. Considering the normal value and export price determined, the dumping margin for the subject goods from the subject country is above de minimis level and is significant.

vii. The demand for the product has increased over the injury period. The domestic industry holds sufficient capacity to meet the present and potential demand for the product. Despite the same, the volume of imports have increased over the injury period.

viii. Despite anti-dumping duties in force, the volume of subject imports has increased in absolute terms and in relation to production and consumption in India.

ix. The imports are predominantly of those categories which forms majority share of the Indian industry production profile.

x. The domestic industry has suffered injury during the current period -

   a. The subject imports have depressed the prices of the domestic industry in the market. The domestic industry has been forced to reduce its prices at a rate much higher than the decline in its costs.

   b. The domestic industry has lost market share and has operated at less than 50% capacity utilisation throughout the injury period.

   c. The profitability of the domestic industry has steeply deteriorated over the period. Its profits, cash profits and return on capital employed have declined steeply over the years. The return on capital employed earned by the domestic industry is quite low and unsustainable for any business to operate in long run.

xi. Expiry of anti-dumping duties is likely to result in intensified dumping and consequent injury to the domestic industry which is evident from the following.

a. The volume of imports has continued to enter in increasing volumes despite duties.
b. The exporters from China PR have continued to export the subject goods at dumped prices over a prolonged period.
c. The subject imports have increased at a rate higher than increase in demand, despite duties.
d. The exporters in China PR have large surplus capacities, which is higher than Indian demand.
e. Despite limited domestic demand, the Chinese exporters have established capacities much beyond domestic demand. Resultantly, the exporters have no option but to look for global market.
f. China PR is also the largest exporter of steel and steel products globally.
g. The exporters in the subject country are facing significant trade remedial measures and other tariff measures in various third countries, such as EU, Canada, Brazil, Mexico, Ukraine and the USA.
h. Exports are being made at a price that is having significant depressing effect on the prices in the market. This is likely to intensify in the event of cessation of ADD.
i. As a result of depressing effects on prices felt by the domestic industry, performance of the domestic industry has already deteriorated in respect of profits, cash profits and return on investment. The performance is likely to deteriorate further in the event of cessation of ADD.

xii. Continuation of anti-dumping duty is in the interest of the public and would have no adverse impact on the interests of public at large.
xiii. The product under consideration is not a raw material used in the manufacturing process of any downstream product.
xiv. Continuation of duties would result in negligible increase in the prices of downstream applications and would not be a measurable burden for the end-consumers.
xv. The Indian industry comprises of multiple producers, who have sufficient capacities to meet the current and future demand in the country. Thus, continuation of duties would not result in any demand-supply gap.
xvi. Absence of participation by any of the users in the present investigation demonstrates that the anti-dumping duties have not adversely impacted the performance of any downstream user.

N. RECOMMENDATIONS

127. The Authority notes that the investigation was initiated and notified to all interested parties and adequate opportunity was given to the domestic industry, exporters, importers and other interested parties to provide positive information on the aspect of continuation / recurrence of dumping and injury in the event of cessation of duties. Having concluded that there is likelihood of continuation of dumping and injury to the domestic industry if the anti-dumping duties are allowed to cease, the Authority is of the view that continued

imposition of measures is necessary on imports of the product under consideration from the subject country.

128. With regard to duty structure, keeping into account factual matrix of the case and having regard to contentions raised, information provided and submissions made by interested parties, it is deemed appropriate to recommend a fixed form of anti-dumping duty. Accordingly, anti-dumping duty equal to the amount indicated in Column (7) of the duty table given below is recommended to be imposed from the date of notification to be issued in this regard by the Central Government, on all imports of the product under consideration, from the subject country for a further period of five (5) years.

Duty Table

S.N	Heading	Description	Country of Origin	Country of Export	Producer	Amount	Unit	Currency
1	2	3	4	5	6	7	8	9
1.	7304*	Seamless tubes, pipes & hollow profiles of iron, alloy or non-alloy steel (other than cast iron and stainless steel), whether hot finished or cold drawn or cold rolled of an external diameter not exceeding 355.6 mm or 14" OD**	China PR	Any country including China PR	Jiangsu Chengde Steel Tube Share Co., Ltd.	NIL	MT	USD
2.	-do-	-do-	China PR	Any country including China PR	Any producer other than at Sl. No. 1	268	MT	USD
3.	-do-	-do-	Any country other than China PR	China PR	Any	268	MT	USD

*The customs classification is only indicative and the determination of anti-dumping duty shall be made as per the description of the product under consideration.

**The product under consideration in the present investigation is "Seamless tubes, pipes & hollow profiles of iron, alloy or non-alloy steel (other than cast iron and stainless steel), whether hot finished or cold drawn or cold rolled of an external diameter not exceeding 355.6 mm or 14" OD". It includes boiler pipes or line pipes used in hydrocarbon industry. The following products are excluded from the scope of product under consideration:

i. Seamless pipes & tubes made of cast iron and stainless steel.

ii. Seamless alloy-steel pipes, tubes and hollow profiles of specifications of ASTM A213/ASME SA 213 and ASTM A335/ ASME SA 335 or equivalent BIS/DIN/BS/EN or any other equivalent specifications.

iii. Non - API and Premium Joints / Premium Connections / Premium Threaded Tubes & Pipes as prescribed under Customs Notification No. 12/2012, dated 17th March 2012 at serial number 356.

iv. All 13 Chromium (13CR) Grade Tubes and Pipes.

v. Drill Collars.

vi. High pressure seamless steel pipe/tube used for manufacturing gas cylinders by producers approved by the Chief Controller of Explosives, Petroleum and Explosives Safety Organisation, Government of India.

vii. Seamless Tubing, of a kind used in drilling for oil or gas, Carbon/ Non- Alloy/ Alloy, hot finished or cold drawn or cold rolled of an external diameter not exceeding 355.6 mm or 14" OD.

viii. Seamless Casing, of a kind used in drilling for oil or gas, Carbon/Non -Alloy/ Alloy, hot finished or cold drawn or cold rolled of an external diameter not exceeding 355.6 mm or 14" OD.

ix. Seamless Mother Hollows, coupling stock, blanks/ Pup Joints, Carbon/ Non Alloy/ Alloy, hot finished or cold drawn or cold rolled of an external diameter not exceeding 355.6 mm or 14" OD.

x. Seamless Drill Pipes, of a kind used in drilling for oil or gas, Carbon/Non alloy, hot finished of an external diameter not exceeding 355.6 mm or 14" OD".

129. The application of the individual duty rate specified for the company mentioned at Sl. No. 1 in the duty table above shall be conditional upon presentation to the Customs authorities of a valid commercial invoice on which shall appear a declaration dated and signed by an official of the entity issuing such invoice, identified by his/her name and function, drafted as follows:

"I, the undersigned, certify that the (volume) of Seamless tubes, pipes & hollow profiles of iron, alloy or non-alloy steel (other than cast iron and stainless steel), whether hot finished or cold drawn or cold rolled of an external diameter not exceeding 355.6 mm or 14" OD sold for export to India covered by this invoice was manufactured by (company name and address) in China PR. I declare that the information provided in this invoice is complete and correct."

130. If no such invoice is presented, the anti-dumping duty applicable to "Any", as specified in the duty table above, shall apply. This requirement is without prejudice to any verification procedures independently undertaken by the Customs authorities under the applicable customs laws and regulations.

O. FURTHER PROCEDURE

131. 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 / Rules.

Digitally signed by Amitabh Kumar
Date: 23-10-2026 16:35:07

Amitabh Kumar
Designated Authority