

NON-CONFIDENTIAL

BEFORE THE HON'BLE
DESIGNATED AUTHORITY, DGAD,
4th FLOOR, JEEVAN TARA BUILDING,
5, PARLIAMENT STREET,
NEW DELHI-110001.

Petition

For initiation of anti- dumping investigation and
imposition of anti-dumping duties on imports of

Dimethylacetamide (DMAC)

Originating in or exported from

China PR and Turkey

Jointly Filed by

- a) M/s Balaji Amines Limited and
- b) M/s Rashtriya Chemicals and Fertilizers Ltd.

THROUGH

M/s M.S.POTHAL & ASSOCIATES,
F-12/4, 1st Floor, Malviya Nagar,
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Application for anti-dumping investigation concerning imports of
Dimethylacetamide (DMAC) originating in or exported China PR and
Turkey

CLAIM OF CONFIDENTIALITY

Serial No.	Issue/ data on which confidentiality is claimed	The reason /justification for claiming confidentiality	The pages of the NCV at which non-confidential summary is provided	Whether information is available in the public domain or with any Govt. authority from whom the same can be obtained by public with or without payment of fees.
1	Proforma IV-A part-II	Injury statement of domestic industry. Price and cost related information such as selling price, cost of sales, profit/loss, return on investment, cash flow, etc. are highly business sensitive information, disclosure of which would be of significant competitive advantage to our competitors and consumers. Further, stock, employment and wage information is also business sensitive. Indexed summary have been provided wherever possible.	42	NO
2	Proforma IV-B	Disclosure of Sales realization and quantum of price undercutting would be of significant competitive advantage to our competitors and consumers. Disclosure of this would lead to competitors and other consumers becoming aware of the prices quoted by the petitioner to particular customer. Information on prices charged by the petitioner can cause significant competitive disadvantage to the company in future price negotiations. In any case, range of price undercutting is provided.	43	NO

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3	Annexure 3.1	Information is related to cost of production of the domestic industry and the prices of the domestic industry which is highly business sensitive information, disclosure of which would be of significant competitive advantage to the competitors and consumers and disclosure of which would seriously impact the interest of company in the market. However, the petitioner has provided range of normal value.	69	NO
4	Annexure 3.2	Information related to actual dumping margin is highly business sensitive information, disclosure of which would be of significant competitive advantage to the competitors and consumers and disclosure of which would seriously impact the interest of DI in the market. However, the petitioner has provided range of dumping margin for each of the subject country.	70	NO
5	Costing Information, WC and policies	All annexures/enclosures are in the nature of information relating to costing information of the domestic industry and is not susceptible to summarization. Disclosure of information would cause serious prejudice to the interests of the domestic industry.	Summarization not possible	NO

DOMESTIC INDUSTRY

ANTI DUMPING DUTY INVESTIGATION CONCERNING IMPORT OF DIMETHYLACETAMIDE (DMAC)

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PART – I

IMPORTED PRODUCT INFORMATION

1. *Complete description of alleged dumped goods, including information on its size, quality, category and uses of such goods along with any applicable technical specifications or standards (national or international) and the ITC (HS) classification, customs classification, customs duty, import policy (including Advance Licensing provisions).*

a) Detailed Product Description along with technical specifications etc:

The product under consideration in the present application is 'Dimethylacetamide' [N, N-Dimethylacetamide] [hereinafter also referred to as "subject goods" or "PUC"] originating in or exported China PR and Turkey [hereinafter also referred to as "subject countries]. Dimethylacetamide is the organic compound with the formula $\text{CH}_3\text{C}(\text{O})\text{N}(\text{CH}_3)_2$ and bears the chemical nomenclature 'N, N-Dimethylacetamide'. Abbreviations like DMAC or DMA is also used to denote the product under consideration in the market parlance.

'Dimethylacetamide', which is also the medical subheading used to refer to the PUC, is a clear, colorless to yellow liquid soluble in water and other organic substances with a pale amine like or ammoniacal odor and bears the Chemical Abstract Service (CAS) number 127-19.5. The PUC is primarily declared under Customs subheading 29241900 at the time of imports. However, the subheading is indicative only and is not binding on the scope of the PUC since the imports of PUC are reported under numerous other subheadings also.

Applications & Uses:

The application and uses of the subject goods can be broadly categorized as follows;

- a) Use in Acrylic fibre industry -As a solvent in the manufacture of Acrylic fibre.
- b) Use in Polyester film industry -Solvent in the manufacture of polyester films.
- c) Paint Remover
- d) Used as a solvent in Paint stripping because of its very rapid removal action

- e) Use in the Drug Industry - Used both as a solvent as well as reactant in drug industry.

The product is a hazardous chemical and is generally packed in UN approved HDPE drums.

b) Unit of Measurement

It is seen that the imports of PUC have been predominantly been in terms of weight accounted in terms of KGs. Even the customs duties are chargeable in terms of the weight of the product as per the applicable tariff head. Thus, it can be easily ascertained that the unit of measurement normally used to report the product is weight in terms of Kilograms or Tones.

c) Category

Product under consideration is an organic chemical falling under Chapter 29 of the Customs Tariff Act, 1975. The import information shows that the imports have been taking place primarily under subheading of Chapter 29 only but the applicants do not rule out the chances of import of the same under other chapters also. A copy of the Chapter 29 as far as the PUC is concerned is enclosed as **Annexure 1.1**

d) Production and Manufacturing Process

A brief write upon on the production process along with the production flow chart that of the applicants is enclosed as **Annexure 1.2** for information purposes since the production and manufacturing process followed by the exporters are not readily available in the public domain. However, it is submitted that the production and manufacturing process adopted by the exporters and that followed by the applicants are comparable.

e) ITC (HS) Classification and Customs classification:

Product under consideration is an organic chemical falling under Chapter 29 of the Customs Tariff Act, 1975 and further under custom sub-heading no. 29241900. The description of the said Chapter to the extent relevant to the product concerned is given as under:

Chapter Heading /Sub-heading	Description
2924	Carboxamide-Function compounds; amide

	function compounds of onic acid.
29241900	Other

It is clear from the above that classification is not dedicated to the PUC and it is submitted that the customs classification is indicative only and in no way, binding upon the product scope.

Notwithstanding the above, it is seen that the imports of the PUC have been taking place under other subheadings also such as 29051990, 29110090, 29153990, 29211110, 29211190, 29225090, 29241900, 29242190, 29242990, 29420090, 38220090, 38249090 and 38259000. The Authority is, therefore, requested to consider imports of the product under consideration regardless of its ITC (HS) Classification and Customs classification.

f) Import Policy:

There are no restrictions on the imports of subject goods.

g) Customs Duty:

The rates of basic customs duty applicable on subject goods over the years are provided in the table given below:

	2012-13	2013-14	2014-15	2015-16
Basic Customs Duty ¹	7.5%*	7.5%	7.5%	7.5%

2. Country (ies) of origin of the alleged dumped goods:

The subject goods are being dumped in the Indian market from China PR and Turkey. These three countries together are referred to as "subject countries" in the present petition.

3. Since when such goods from the named country (ies) is (are) being imported in the Indian market and when did dumping start.

Imports of subject goods into India have been prevalent during the entire injury period and during the proposed POI. Any dumping in such earlier period also cannot be completely ruled out.

Period of Investigation:

¹ Relevant notifications enclosed

Period of investigation proposed for the present application is from April 2015 to June 2016 (15 months). Information for previous three years i.e 2012-13, 2013-14 and 2014-15 is also provided.

4. *Whether such goods are shipped to India through third countries.*

As per the information of the domestic industry, subject goods are being directly shipped from subject countries. However, the possibilities of transshipment cannot be ruled out.

5. *Volume, value and avg. CIF value of such dumped goods imported into India from each country alleged to be dumping the goods for the past three years and current year to date and the source of information thereof.*

The import statistics has been obtained from:

International Business Information Services
104A, Raj Umang, Next to Maruti Nagar,
Ashokvan, Dahisar East,
Mumbai - 400 068

It is submitted that the product under consideration does not have a dedicated customs classification code since the eight digit level subheading pertains 'other' category under Carboxamide-Function compounds; amide function compounds of onic acid. The applicants has used the import data available from the abovementioned source for the purpose of this application, wherein the product description specifies the product involved in view of the fact that the DGCI&S transaction-wise import data is not available in the public domain. Nor the DGCI&S published data can be used as the subheading is for 'other' category as a whole. The description given in the import entries has been used to segregate imports data for product under consideration and others, if any. A statement showing country wise volume and value of imports from subject countries and other countries are enclosed as **Annexure 1.3**. A copy of the information received from the IBIS is also enclosed as **Annexure 1.4**.

There are some import transactions reported in terms of 'nos, gms, ltr, pac, pcs, unit, btl' etc which couldn't be converted into equivalents of weight correctly. Hence such transactions are identified as non PUC items and transactions reported in KG or MT alone is considered in the PUC looking at its description. It is also seen that around 18 transactions in total (about 1 MT in total) for the entire injury period has been reported in very abnormal and unrealistic prices and such transactions are also not included in the PUC for the sake of correctness. After the

above exercise, the volume and value of imports of PUC into India was determined.

Notwithstanding the above, it is submitted that IBIS is not reporting imports made through all Inland Container Depots in the country. Therefore, the petitioners request the Authority to provide transaction wise import data from DGCI&S for the proposed POI and previous three years for any further analysis of imports of PUC into the country.

The imports from all the subject countries are significant and are above the de-minimis level prescribed during the POI.

6. *Volume, value and avg. CIF value of such goods imported from other countries, not alleged to be dumping the goods, for the past three years and current year to date and the source of information thereof.*

The details of imports from other countries are also enclosed as part of **Annexure 1.3**.

7. *Name(s) and address(es) of known exporters and manufacturers of the alleged dumped goods.*

The name(s) and address(es) of known exporters and manufacturers of subject goods from subject countries are enclosed as **Annexure 1.5**.

8. *Name(s) and address (es) of known importers of the alleged dumped goods in India.*

The names and address(es) of known importers/users of the subject goods are enclosed as **Annexure 1.6**

9. *Name(s) and address (es) of the users of the alleged dumped goods in India.*

The names and address(es) of known users of the subject goods are also enclosed as part of **Annexure 1.6**

10. *Name(s) and address(es) of Association of the users of the alleged dumped goods in India.*

The users may be members of apex associations such as FICCI, ASSOCHAM, and CII etc. address of which are as under:

- (a) Federation of Indian Chamber of Commerce and Industry
Federation House,

Tansen Marg,
New Delhi 110 001
Phone: 23738760-70
Fax: 23320714/23721504

- (b) Confederation of Indian Industry
India Habitat Centre Core 4A
4th Floor, Lodhi Road
New Delhi 110 003
Phone: +91-11-24682230-35

- (c) The Associated Chambers of Commerce and Industry of India
147 B Gautam Nagar,
Gulmohar Enclave, New Delhi-110 049
Phone: 91-11-26512477-79, 91-11-51643407-10
Fax: 91-11-26512154

PART – II

INDIAN INDUSTRY

1. *(a) Name(s), address(es) of the Regd. Office, contact person, telephone numbers, and fax numbers of Indian producers of the subject goods who are lodging the complaint.*

The present application is being jointly filed by **Balaji Amines Ltd and Rashtriya Chemicals and Fertilizers Ltd.** [referred to as 'Applicants' or 'Petitioners' in this application] for imposition of appropriate anti-dumping duties on dumped imports of subject goods from China PR and Turkey. Rashtriya Chemicals and Fertilizers Ltd is a Government of India undertaking and Balaji Amines Ltd is a public limited company. The applicants have provided all the necessary information for the purpose of present application in the form and manner prescribed by the Designated Authority and also consents to provide additional/supplementary information as and when required by the Designated Authority during the course of the investigation. Further, the applicants have no objection to any verification which the Designated Authority may wish to carry out at its premises.

Complete address of the Petitioners, along with the contact details is provided herein below

- 1) Name of the Applicant: **Balaji Amines Ltd**
Contact Person: Mr. D. Ram Reddy
Designation: Joint Managing Director

Office Address

"Balaji Tower",
No. 9/1A/1, Hotgi Road,
Asara Chowk, Solapur,
Maharashtra, INDIA
Gat 537 & 538, Bhadhalwadi, Vill.-NavlakhUmbre,
Tal.-Maval, Pune 410507, Maharashtra, India.
0091-217-2451500

- 2) Name of the Applicant: **Rashtriya Chemicals and Fertilizers Ltd (A GOI undertaking)**
Contact Person: Mr. Ashok Ghasghase
Designation: Director, Marketing

Office Address

Rashtriya Chemicals and Fertilizers Ltd

Priyadarshini Building,
Eastern Express Highway, Sion,
Mumbai-400 022
Telephone: 022-2552-2020

Letter from the applicants requesting initiation of the investigation and imposition of anti-dumping duty on dumped imports of subject goods from subject countries is enclosed with this application as **Annexure 2.1**.

(b) Address(es) of contract person, telephone no. and fax numbers of the works/manufacturing unit of the petitioner(s).

Balaji Amines Ltd

Unit I Works

Tamalwadi village - 413623
Tq: Tuljapur, Dist: Osmanabad,
Maharashtra,
INDIA.
0091-2471-265013

Rashtriya Chemicals and Fertilizers Ltd

Administration Bldg, Thal Plant
Alibaug, Raigad
Maharashtra, India.

2. *Name(s), address (es), contact person, telephone numbers, and fax numbers of Delhi office, if any, of Indian producers of the subject goods who are lodging the complaint.*

The applicants do not have any office located in Delhi.

Petitioners have authorized M/s. M.S. Pothal & Associates to represent them in the present matter. They are authorized, inter alia, for the following

- to file the petition on their behalf;

- to make submissions on their behalf;
- to appear before the appropriate authority on their behalf;
- to receive communications on their behalf.

It is requested that all correspondences in the present matter may kindly be addressed to M/s. M.S. Pothal & Associates at their address as mentioned herein below:

M/s. M. S. Pothal & Associates,
F-12/4, 1st Floor,
Malviya Nagar
New Delhi-110 017

Contact Persons: Mr. M S Pothal, Yogesh Khandelwal, RatheeshMalottu
Telephones : +91-9650807635
Email : msp@pothal.in,

Relevant authorization in favor of M/s. M. S. Pothal & Associates by the applicants are also available in the enclosed Annexure 2.1 with this application.

3. *Name(s), address(es) of all Indian producers including the complainant along with their production (volume and value) of subject goods during the last three years and the current year.*

There are only two producers in India who are engaged in the manufacture of subject goods and both the companies are participating in the present application. The details of production by these companies are provided in the proforma IV enclosed with this application.

4. *Whether viable substitute exists for the product, if so, please provide complete information about the substitutes and their degree of substitution.*

There are no viable substitutes available for the product under consideration.

5. *Subject goods (including size, type, range, models) that petitioner(s) produces. Details of articles that petitioner(s) is/are capable of producing. Details of goods the petitioner(s) may purchase to complement the product line.*

The applicant Companies are multiproduct companies and is into manufacturing of various products such as varieties of amines, various derivatives, specialty chemicals, pharma excipients, fertilizers etc apart from the subject goods. The specifications of

the subject goods produced by the applicants are enclosed as **Annexure 2.2** with this application. Also, no such product is purchased to complement the product line.

6. *(a) Do any of the petitioner(s) import the subject goods. If yes, please provide details of country wise volume and value of imports during the last three years and in the current year to date.*

The applicants did not import the subject goods from subject countries during such periods. The declaration for no imports by applicants is enclosed as **Annexure 2.3**

- (b) Are any of the petitioner(s) related to the exporters or importers of the alleged dumped article. If so, the nature of such relationship.*

The petitioners are not related to the exporters or importers of the alleged dumped article. Declaration by the applicants to this effect is also contained in the enclosed Annexure 2.4.

7. *What are the differences in the petitioner(s) product and the alleged dumped product, if any. To the extent feasible, differences in the imported product and petitioner' product may be quantified.*

Applicant submits that the PUC imported from the subject countries and that produced by the applicant are 'like article' within the meaning of Rule 2(d) of Anti-dumping rules. Rule 2(d) of AD Rules is reproduced below for ready reference;

"like article " means an article which is identical or alike in all respects to the article under investigation for being dumped in India or in the absence of such article, another article which although not alike in all respects, has characteristics closely resembling those of the articles under investigation;

There are no significant differences in subject goods produced by the applicant and subject goods produced/exported from subject countries. Subject goods produced by the Domestic Industry and exported/ imported from subject countries are comparable in terms of characteristics such as physical & chemical characteristics, manufacturing process & technology, functions & uses, product specifications, pricing, distribution & marketing and tariff classification of the goods etc. Also, product concerned produced by the Domestic Industry and that is imported from subject countries are technically and commercially substitutable and consumers have used the two interchangeably.

8. *Please indicate any difference in the production process employed by the petitioner(s) and the exporters. It would be appropriate to quantify the impact of such differences, if any, on prices.*

The production process adopted by the domestic industry and the producers from subject countries are not of any significant differences as per the best of knowledge of the applicants. However, manufacturers' tweaking their production lines and process so as to suit the circumstances and facilities available in a given production environment is not completely ruled out, but that cannot be of any material effect on the PUC.

9. *Volume of Indian production with a separate breakdown of petitioner(s) and of other Indian producers not party to this complaint for the last past two completed years and current year to date.*

As stated earlier, there are only two producers in India who are engaged in the manufacture of subject goods and both the producers are participating in the present application. Production by the applicants, thus, constitutes 100% of Indian production and satisfies the following requirements of Rule 2 (b) of AD Rules. Rule 2(b) of AD Rules is reproduced below for ready reference;

(b) "domestic industry" means the domestic producers as a whole engaged in the manufacture of the like article and any activity connected therewith or those whose collective output of the said article constitutes a major proportion of the total domestic production of that article except when such producers are related to the exporters or importers of the alleged dumped article or are themselves importers thereof in such case the term 'domestic industry' may be construed as referring to the rest of the producers";

It is also important to point out here the provisions of Rule 5 (3) of anti dumping rules which says as follows;

(3) The designated authority shall not initiate an investigation pursuant to an application made under sub-rule (1) unless -

(a) it determines, on the basis of an examination of the degree of support for, or opposition to the application expressed by domestic producers of the like product, that the application has been made by or on behalf of the domestic industry :

Provided that no investigation shall be initiated if domestic producers expressly supporting the application account for less than twenty five per cent of the total production of the like article by the domestic industry, and

(b) it examines the accuracy and adequacy of the evidence provided in the application and satisfies itself that there is sufficient evidence regarding -

(i) dumping,

(ii) injury, where applicable; and

(iii) where applicable, a casual link between such dumped imports and the alleged injury, to justify the initiation of an investigation.

Explanation. - For the purpose of this rule the application shall be deemed to have been made by or on behalf of the domestic industry, if it is supported by those domestic producers whose collective output constitute more than fifty per cent of the total production of the like article produced by that portion of the domestic industry expressing either support for or opposition, as the case may be, to the application.

It is clear from the facts of present application that;

- (a) the application fulfills the requirements of proviso to Rule 5 (3) of the anti-dumping rules that the domestic producers expressly supporting the application should account for not less than 25 per cent of total production of the like article by the domestic industry; applicants hold 100% share of Indian production of subject goods; thus
- (b) the “applicants” constitute a major proportion in Indian production;
- (c) the application has been made by or on behalf of the domestic industry.

The application, therefore, satisfies the requirement of standing under the Rules. Further, participating companies constitutes domestic industry within the meaning of Rule 2 (b) of the Anti- Dumping Rules.

PART – III

EVIDENCE OF DUMPING

1. ESTIMATES OF NORMAL VALUE

A. Normal value under the Rules (in case of Market Economy Countries)

Under Section 9A(1)(c) of the CTA, 1975, normal value in relation to an article means:

- (i) *the comparable price, in the ordinary course of trade, for the like article when destined for consumption in the exporting country or territory as determined in accordance with the rules made under sub-section (6); or*
- (ii) *when there are no sales of the like article in the ordinary course of trade in the domestic market of the exporting country or territory, or when because of the particular market situation or low volume of the sales in the domestic market of the exporting country or territory, such sales do not permit a proper comparison, the normal value shall be either-*
 - (a) *comparable representative price of the like article when exported from the exporting country or territory to an appropriate third country as determined in accordance with the rules made under sub-section (6); or*
 - (b) *the cost of production of the said article in the country of origin along with reasonable addition for administrative, selling and general costs, and for profits, as determined in accordance with the rules made under sub-section (6):*

Provided that in the case of import of the article from a country other than the country of origin and where the article has been merely transshipped through the country of export or such article is not produced in the country of export or there is no comparable price in the country of export, the normal value shall be determined with reference to its price in the country of origin.

It may be noted that China PR is one of the subject countries in the present application. It is also submitted that what is relevant while determining Normal Value in case of China PR is the relevant provisions of Annexure I of the anti-dumping rules and the same is elaborated herein below as China PR is a Non Market Economy as admitted in its Accession Treaty itself that WTO Members could use an NME antidumping methodology till December 11, 2016 against them and this presumption succeeds until rebutted otherwise by the Chinese producer/exporters.

B. Normal value in case of non marketeconomy countries (China PR)

a. Legal Provisions

Kind attention of the Designated Authority is drawn to Para 7 of Annexure I of the AD Rules² which states as under -

Para 7- " In case of imports from non-market economy countries, normal value shall be determined on the basis of the price or constructed value in a market economy third country, or the price from such a third country to other countries, including India, or where it is not possible, on any other reasonable basis, including the price actually paid or payable in India for the like product, duly adjusted if necessary, to include a reasonable profit margin. An appropriate market economy third country shall be selected by the designated authority in a reasonable manner [keeping in view the level of development of the country concerned and the product in question] and due account shall be taken of any reliable information made available at the time of the selection. Account shall also be taken within time limits; where appropriate, of the investigation if any made in similar matter in respect of any other market economy third country. The parties to the investigation shall be informed without unreasonable delay the aforesaid selection of the market economy third country and shall be given a reasonable period of time to offer their comments."

Kind attention of the Designated Authority is also drawn to Para 8 of the Annexure I of the AD Rules which says as follows;

² Inserted vide Notification No. 44/99-Cus (NT) dated 15th July 1999.

- (1) *The term "non-market economy country" means any country which the designated authority determines as not operating on market principles of cost or pricing structures, so that sales of merchandise in such country do not reflect the fair value of the merchandise, in accordance with the criteria specified in sub-paragraph (3)*
- (2) *There shall be a presumption that any country that has been determined to be, or has been treated as, a non-market economy country for purposes of an anti-dumping investigation by the designated authority or by the competent authority of any WTO member country during the three year period preceding the investigation is a nonmarket economy country.*

Provided, however, that the non-market economy country or the concerned firms from such country may rebut such a presumption by providing information and evidence to the designated authority that establishes that such country is not a non-market economy country on the basis of the criteria specified in sub-paragraph (3).

(3) The designated authority shall consider in each case the following criteria as to whether:

- (a) the decisions of the concerned firms in such country regarding prices, costs and inputs, including raw materials, cost of technology and labor, output, sales and investment, are made in response to market signals reflecting supply and demand and without significant State interference in this regard, and whether costs of major inputs substantially reflect market values;*
- (b) the production costs and financial situation of such firms are subject to significant distortions carried over from the former non-market economy system, in particular in relation to depreciation of assets, other write-offs, barter trade and payment via compensation of debts;*
- (c) such firms are subject to bankruptcy and property laws which guarantee legal certainty and stability for the operation of the firms, and*
- (d) the exchange rate conversions are carried out at the market rate.*

Provided, however, that where it is shown by sufficient evidence in writing on the basis of the criteria specified in this paragraph that market conditions prevail for one or more such firms subject to anti-dumping investigations, the designated authority may apply the principles set out in paragraphs 1 to 6 instead of the principles set out in paragraph 7 and in this paragraph".

(4) Notwithstanding, anything contained in sub-paragraph (2), the designated authority may treat such country as market economy country which, on the basis of

the latest detailed evaluation of relevant criteria, which includes the criteria specified in sub paragraph (3), has been, by publication of such evaluation in a public document, treated or determined to be treated as a market economy country for the purposes of anti dumping investigations, by a country which is a member of the World Trade Organization.”

It is submitted that China PR should be treated as Non Market Economy country for the purpose of present application and Normal Value in case of Chinese producers should be determined as per the provisions of Annexure I Para 7.

A combined reading of Para 7 and 8 of Annexure I of the AD Rules clearly demonstrates methods for determination of normal value in case of non-market economy country which is applicable in case of China PR. AD Rules provide enough liberty to the Chinese producers to establish that they satisfy market economy status, after meeting the detailed criteria laid down under the AD Rules. Without prejudice, petitioners submit that none of the Chinese producers would be able to satisfy market economy status with the market situations prevalent China PR. None of the WTO Member countries have granted market economy status to Chinese producers on the basis of the latest detailed evaluation of relevant criteria, which includes the criteria specified in sub paragraph 8(3).

Chinese producers have been denied MET status in several investigations including recently concluded investigations by both Indian Authority and other countries like EU, USA, Australia etc as a part of various anti dumping investigations. This factual position alone is sufficient to deny MET for Chinese producers in the event of any initiation of AD investigation by the Authority in India in the present petition also. Information on a few such cases for the sake of brevity for the purpose of reference is as follows;

Certain recent Cases by EU against China PR

- Commission Implementing Regulation (EU) 2015/519 of **26 March 2015** imposing a definitive anti-dumping duty on imports of certain iron or steel fasteners originating in the People's Republic of China, as extended to imports of certain iron or steel fasteners consigned from Malaysia, whether declared as originating in Malaysia or not, following an expiry review pursuant to Article 11(2) of Regulation (EC) No 1225/2009

- Commission Implementing Regulation (EU) 2015/763 of **12 May 2015** imposing a provisional anti-dumping duty on imports of certain grain-oriented flat-rolled products of silicon-electrical steel originating in the People's Republic of China, Japan, the Republic of Korea, the Russian Federation and the United States of America
- Commission Implementing Regulation (EU) 2015/787 of **19 May 2015** imposing a provisional anti-dumping duty on imports of acesulfame potassium originating in the People's Republic of China as well as acesulfame potassium originating in the People's Republic of China contained in certain preparations and/or mixtures.
- Commission Implementing Regulation (EU) 2015/865 of **4 June 2015** imposing a definitive anti-dumping duty on imports of certain pre- and post-stressing wires and wire strands of non-alloy steel (PSC wires and strands) originating in the People's Republic of China following an expiry review pursuant to Article 11(2) of Council Regulation (EC) No 1225/2009.
- Commission Implementing Regulation (EU) No 360/2014 of 9 April 2014 imposing a definitive anti-dumping duty on imports of ferro-silicon originating in the People's Republic of China and Russia, following an expiry review pursuant to Article 11(2) of Council Regulation (EC) No 1225/2009
- Council Implementing Regulation (EU) No 1238/2013 of 2 December 2013 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of crystalline silicon photovoltaic modules and key components (i.e. cells) originating in or consigned from the People's Republic of China
- Council Implementing Regulation (EU) No 875/2013 of 2 September 2013 imposing a definitive anti-dumping duty on imports of certain prepared or preserved sweet corn in kernels originating in Thailand following an expiry review pursuant to Article 11(2) of Regulation (EC) No 1225/2009

Certain recent cases by USA against China PR

- 77 FR 73018, December 7, 2012- DEPARTMENT OF COMMERCE, International Trade Administration [A-570-979]- Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, From the People's Republic of China.

- 78 FR 13019, February 26, 2013 DEPARTMENT OF COMMERCE, International Trade Administration, [A-570-983], Drawn Stainless Steel Sinks From the People's Republic of China
- 78 FR 11146, February 15, 2013, DEPARTMENT OF COMMERCE, International Trade Administration, [A-570-981], Utility Scale Wind Towers From the People's Republic of China.

Certain recent cases by India against China PR

- Anti-dumping investigation concerning imports of USB Flash Drives, originating in or exported from China PR, Taiwan and Republic of Korea. F.No.14/22/2012-DGAD
- Sunset review of anti- dumping duty imposed on imports of Cable Ties from China PR and Chinese Taipei- Final findings No.15/20/2013-DGAD
- Anti-dumping investigation concerning imports of 4, 4 DiaminoStilbene 2, 2 Disulphonic Acid (DASDA) originating in or exported from China PR, NO. 14/1/2012-DGAD

b. China should be treated as non-market economy country for the purpose of determination of normal value and dumping margins concerning subject goods.

China is a non-market economy as brought herein above. It has been treated as non-market economy by European Union and United States in the past three years. EU and USA are seen as major users of anti dumping provisions to protect their industrial base against trade distorting phenomenon called dumping.

The Designated Authority has treated China as non-market economy in practically all the investigations initiated against China after the amendment dated 4th June, 2002. Moreover, it has been agreed by China PR also, under its Accession Treaty, that WTO Members could use an NME antidumping methodology till December 11, 2016.

MET status can be given only in the event of fulfillment of all the MET conditions by the responding producers/exporters and not otherwise. Thus, requirements of para 8 (3) of Annexure I of AD rules has to be fulfilled holistically to obtain MET status which hasn't been often fulfilled by Chinese producers in several recent

investigations. Even if one of the conditions is not satisfied, the exporter cannot be granted Market Economy Treatment.

c. Market Economy Treatment: Determining Standards

Based on various pronouncements relating to examination of market economy status by India as per the standards of Para 8 (3) of Annexure I of AD Rules and other investigating authorities, following jurisprudence has clearly emerged. Market economy status cannot be granted unless the responding exporters satisfy each & every of the following conditions.

1. **Market economy status cannot be given in a situation where one of the major shareholders is a State owned/controlled entity:** The Designated Authority and the EC has consistently held that possibilities of State interference cannot be ruled out in such cases. It is being held that it is not only the question of past interferences alone, but also possibilities of potential State interference in the future after the imposition of anti dumping duties that is relevant to market economy treatment.
2. **Market economy status cannot be given unless the responding Chinese exporters establish that the prices of major inputs substantially reflect market values:** The expression “substantially reflect market values” has been widely interpreted to mean that the price of these inputs must be comparable to the prices prevailing in the international market. The fact that such prices are comparable to the price prevailing in China is grossly insufficient.
3. **Market economy status cannot be given unless the responding exporter establish that their books are audited in line with international accounting standards:** Market economy treatment must be rejected in such situations where Chinese exporters are unable to establish that their books are consistent with International Accounting Standards (IAS). The requirement on insisting compliance with International Accounting Standards is to ensure accuracy and adequacy of revenues and expenses, assets and liabilities expressed in the annual report.
4. **Market economy status cannot be granted even if one of the parameters is not satisfied:** Market economy status cannot be granted unless the responding

Chinese exporters pass the test in respect of each and every parameter laid down under the rules.

5. **Onus/obligations:** It is not the obligation for the Authority to establish that the responding companies are operating under market economy environment and are entitled for market economy treatment. Rather it is for the responding Chinese exporters to establish that they are operating under market economy conditions after satisfying all the conditions mentioned in AD Rules.
6. **Response from the Group as a whole:** Market economy status cannot be granted unless the responding company and its group as a whole make the claim. If one or more companies forming part of the group have not filed the response, market economy status must be rejected, irrespective of the fact that the other companies of the group involved in production or sale of the product under consideration have filed the response. Any evaluation of MET would be incomplete without response from the group as a whole irrespective of their exports to India.
7. **Transformation:** In a situation where the current shareholders have not set up their production facilities themselves but have acquired the same from some other party, market economy status cannot be granted unless process of transformation has been fully transparent and completely established through documentary evidence.

d. *Determination of Normal Value in case of China PR*

After determination that China is a non-market economy, the Designated Authority may follow Para 7 for determination of normal value in case of China PR. According to these Rules, the normal value in China can be determined on any of the following basis:

- (a) *the price in a market economy third country,*
- (b) *constructed value in a market economy third country,*
- (c) *the price from such a third country to other country, including India.*
- (d) *the price actually paid or payable in India, duly adjusted to include a reasonable profit margin.*

Petitioners submit that normal value could not be determined on the basis of price or constructed value in a market economy third country for the reason that the relevant information is not available to the petitioners. It should be noted that such normal value must be “comparable price in the ordinary course of trade for the like article when meant for consumption in such market economy third country”. In order to arrive at normal value on this basis, the Hon’ble Designated Authority shall require complete verifiable information on all domestic sales made by a cooperating producer in such third country, along with its cost of production and all other associated information and evidences (including all information in the ordinary course of trade). Principles of fair comparison as laid down under Article 2.4 of the Agreement are also relevant in this respect. Petitioners have also not been able to procure such information from a producer in market economy third country.

Petitioners submit that India is an appropriate surrogate country for Chinese producers. Not only consideration of India as a surrogate country would result in access to accurate and adequate information, there is no factual basis to consider that India would not be a proper surrogate country vis-à-vis Chinese producer of subject goods. India has been considered as an appropriate surrogate country by the Hon’ble Authority in many investigations earlier concerning other products.

Therefore, Normal Value has been determined on the basis of cost of production in India, duly adjusted. The calculations of Normal Value are enclosed as **Annexure 3.1** and the same are relied upon for the purpose of present application.

e. Determination of normal value in case of Turkey

As provided herein above Section 9A(1)(c) of the CTA, 1975 defines normal value. Normal value in case of Turkey which is market economy country would mean the price of the subject goods in the domestic market of this country in the ordinary course of trade. The act also provides for alternative methodologies such as export price to appropriate third country or the cost of production of the said article with due adjustments as provided in the act and read with Annexure I to the AD rules if such prices do not permit a proper comparison.

Efforts have been made to get evidence of normal value in any of the above form, predominantly the domestic prices of the subject product in Turkey. Lot of researches and web surfing has been made to get some reliable information about the price of PUC in Turkey including information from sources such as published trade journals,

websites of producers etc. But no reliable information could be traceable in the public domain. Since the petitioners could not get any information as provided herein above the normal value in case of Turkey is constructed based on cost of production, consumption norms, S&GA of the domestic industry with due adjustments for reasonable profit. The normal value determined so is provided in the Annexure 3.1 to this application.

2. *Estimates of Export Price*

According to Section 9A(1)(b) of the Customs Tariff Act, 1975, 'export price' in relation to an article means:

(b) "export price", in relation to an article, means the price of the article exported from the exporting country or territory and in cases where there is not export price or where the export price is unreliable because of association or a compensatory arrangement between the exporter and the importer or a third party, the export price may be constructed on the basis of the price at which the imported articles are first resold to an independent buyer or if the article is not resold to an independent buyer, or not resold in the condition as imported, on such reasonable basis as may be determined in accordance with the rules made under sub-section (6);

Methodology followed for determination of volume and value of imports has been explained in Part I of this Petition. Export price has been determined considering volume and value of imports for the proposed period of investigation as per data released by secondary source i.e. International Business Information Service, Mumbai.

It is to be noted that the Export Price is calculated at the CIF level. According to the WTO Agreement on Anti Dumping and Indian Anti dumping Rules, comparison of Normal Value and Export Price should be done at same level of trade. Therefore, the Export Price has been adjusted for the following expenses, which may have been incurred by the exporter for exporting the material to India –

- (a) Ocean Freight
- (b) Marine Insurance
- (c) Port Expenses and Handling Charges

(d) Inland Freight

Detailed calculations of net ex- factory export price, after adjustment of the above expenses are enclosed as **Annexure 3.2** with this petition. Export price so determined has been expressed in US\$ for calculating dumping margin. Exchange rate has been considered on the basis of the notifications issued by Ministry of Finance. Petitioners have considered exchange rate as per the rates notified by the Ministry of Finance in respect of imports of the goods. (Calculation of exchange rate is also enclosed along with **Annexure 3.2**) Further, various adjustments have been claimed by the Petitioners based on market information and reasonable estimates as no actual information is available with the petitioners.

3. *Estimates of Dumping Margin:*

Considering the normal value and export price determined as discussed above, dumping margins have been determined, details of which can be seen in enclosed **Annexure 3.2**. It may be seen that the dumping margin is not only significant, but also substantial from all the subject countries.

PART – IV

EVIDENCE OF INJURY

Segregation of injury information

With regard to effect of dumped imports, Annexure II (iv) to the Rules states as under:

(iv) The effect of the dumped imports shall be assessed in relation to the domestic production of the like article when available data permit the separate identification of that production on the basis of such criteria as the production process, producers' sales and profits. If such separate identification of that production is not possible, the effects of the dumped imports shall be assessed by the examination of the production of the narrowest group or range of products, which includes the like product, for which the necessary information can be provided.

Applicants submit that information has been provided in respect of like article to the extent feasible. For the purpose of current injury analysis, the applicant has examined the volume and price effects of dumped imports of the subject goods from the subject countries on the domestic industry and its effect on the volume, prices and profitability to examine the existence of injury and causal link between dumping and injury. Accordingly the volume and price effects of dumped imports have been examined as herein below.

Scope of Domestic Industry

Rule 2(b) as amended from time to time defines domestic industry as under:-

(b) "domestic industry" means the domestic producers as a whole engaged in the manufacture of the like article and any activity connected therewith or those whose collective output of the said article constitutes a major proportion of the total domestic production of that article except when such producers are related to the exporters or importers of the alleged dumped article or are themselves importers thereof in such case the term 'domestic industry' may be construed as referring to the rest of the producers."

It may be noted that Applicants constitute domestic industry within the meaning of the AD Rules as brought out herein above as the applicants hold 100% share of Indian production. Also, the Domestic Industry has furnished the injury information as per Proforma IVA prescribed in the application proforma. An analysis of the injury parameters shows that the domestic industry has suffered material injury on account of dumping during the proposed POI and the situation is continuing aggravated needing immediate anti- dumping measures.

Cumulative Assessment

Annexure II (iii) to the Anti- Dumping Rules provides that in case imports of a product from more than one country are being simultaneously subjected to anti- dumping investigations, the Designated Authority will cumulatively assess the effect of such imports, in case it determines that:-

- (a) The margin of dumping established in relation to the imports from each country is more than two percent expressed as percentage of export price and the volume of the imports from each country is more than three percent of the imports of the like article or where the export of the individual countries less than three percent, the imports cumulatively accounts for more than seven percent of the imports of like article, and
- (b) Cumulative assessment of the effect of imports is appropriate in light of the conditions of competition between the imported article and the like domestic articles.

The petitioners in view of the reasons mentioned below, submits that it would be appropriate to assess injury to the domestic industry cumulatively from subject countries:-

- A. The margins of dumping from each of the subject countries are more than the limits prescribed,
- B. The volume of imports from each of the subject countries is more than the limits prescribed; thus
- C. Cumulative assessment is appropriate in view of the following factors :-
 - i. The goods involved are like article and are competing in the same market;
 - ii. The imported products are being sold through the comparable channel of distribution and to comparable category of customers;

- iii. Import price from subject countries are in direct competition with the domestic prices;
- iv. Imports from subject countries cumulatively have injured the domestic industry.

Hence, for the purpose of current injury analysis the petitioners have examined the volume and prices effects of dumped imports of the subject goods from the subject countries on the domestic industry and its effect on the prices and profitability to examine the existence of injury and causal link between dumping and injury. Accordingly the volume and price effects of dumped imports have been examined as follows:

1. *Volume Effect*

i) *Assessment of demand*

Applicants have defined, for the purpose of the present application, demand or apparent consumption of the product in India as the sum of domestic sales of Indian producers and imports from all sources. The demand so assessed can be seen in Proforma-IV-A enclosed with the petition and also in the table below for ready reference;

Particulars	Unit	2012-13	2013-14	2014-15	POI Annualized
Demand	MT	6,992	6,922	7,415	6,697
Indexed	Trend	100	100	106	96

It would be seen that demand for the product has shown increasing trend till 2014-15 and there was a slight decline in demand thereafter in the proposed POI. However, such decline cannot be seen as a material decline and the demand has still been in the strong area. Thus, demand per se was not any cause of injury to the domestic industry. In any case, as submitted herein above the import data collected as per IBIS do not cover the entire ports in India and collecting import data as per DGCI&S may show higher imports meaning there by more demand.

ii) *Import volumes and market share*

With regard to volume of the dumped imports, the Hon'ble Designated 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. Annexure II (ii) of the anti dumping rules provides as under:

“While examining the volume of dumped imports the said authority shall consider whether there has been significant increase in the dumped imports either in absolute terms or relative in production or consumption in India.....”

Imports from subject countries have increased in absolute term as also in relation to total imports, production and consumption in India and the same is provided in the Proforma IV and also in the table below;

Particulars	Unit	2012-13	2013-14	2014-15	POI Annualized
Imports from Subject Countries	MT	2,082	2,730	4,629	2,598
Imports from other countries	MT	1,641	1,186	198	425
Total Imports	MT	3,724	3,916	4,828	3,023
Production	MT	3,410	3,149	2,879	3,821
Demand	MT	6,992	6,922	7,415	6,697
Domestic sales of DI	MT	3,269	3,006	2,588	3,674
Import from subject country in Relation to					
Total Imports	%	56%	70%	96%	86%
Production of DI	%	61%	87%	161%	68%
Demand	%	30%	39%	62%	39%
Market Share of Domestic industry in Demand	%	47%	43%	35%	55%

It would be seen that;

- (i) Volume of dumped imports from subject countries has increased significantly in absolute terms over the injury period. Such increases in imports are in a precipitous manner by offering dumped prices.
- (ii) Imports from subject countries have increased in relation to total imports, production and consumption in the country triggering serious adverse effects on the domestic industry;

- (iii) The market share of dumped imports from subject countries significantly increased over the injury period and has been at significant level of about 39% during the proposed POI. Had there been no dumping, the market share of the domestic industry would have shown better growths in market share coincided with better and remunerative prices for the subject goods.
- (iv) Evidently, presence of dumped imports from subject countries have hampered growth of domestic industry in terms of market share and also better realization for the subject goods;
- (v) As a result of increase in imports in absolute term and relative to production and consumption, share of the domestic industry showed only a marginal increase.
- (vi) The significant volume of dumped imports from subject countries has put tremendous pressure on the domestic industry and its pricing decision is impacted by the presence of such dumped material. Though the undercutting was slightly negative, the dumped imports prohibited the domestic industry from achieving a fair price for the product in the Indian market and in fact it could not even pass on the costs to the customers resulting in financial losses. The domestic industry is under tremendous pressure to reduce the prices further so that the effects of sudden and huge volume losses are minimized and the plant remains operational. Thus, the volume effects have been significant and visible.

2. Price Effect

For the purpose of examining price effects, the petitioners have determined net sales realization considering selling price, excluding taxes & duties, rebates, discounts & commissions and freight & transportation. Landed price of imports has been determined considering weighted average CIF import price, with 1% landing charges and applicable basic customs duty.

a) Price Undercutting

With regard to the effect of the dumped imports on prices, the Designated Authority is required to consider whether there has been a significant price undercutting by the dumped imports as compared with the price of the like product in India. The comparison was done

between net sales realization and landed price of imports, which is given in the Proforma IV B enclosed with the petition.

It would be seen that, landed price of imports from subject countries have declined significant by the proposed POI. Though the price undercutting seems at slightly negative levels during the proposed POI, the pricing decision of the domestic industry has been significantly influenced by the presence of dumped material from subject countries at significant levels. It would further be seen that the domestic industry in the present case has been clearly prevented from increasing its price to a remunerative level which would have been possible if dumping had not been taking place from subject countries and as a result the domestic industry suffered financial losses. Thus, price prevention as envisaged in the anti-dumping Rule is apparent in the present case. Regrettably, the domestic industry's sale realization is much less than the cost. This clearly indicates that the domestic prices in the present petition are the suppressed price on account of dumping from subject countries and protection of domestic industry by way of anti- dumping duties are warranted to enable the domestic industry to increase its prices to the desirable levels. Moreover, price underselling is significantly positive in the present case which indicates that the domestic industry is not realizing a fair price for the product and such unfair price in the present case is the result of the unfair trade practice called dumping practiced by producers/exporters from subject countries.

b) Price suppression and depression effects of the dumped imports

With regard to the effect of the dumped imports on prices, the Designated Authority is also significant degree or prevent price increases, which otherwise would have occurred, to a significant degree.

Price suppression exists when dumping prevents price increases to legitimate and required levels that would otherwise take place due to increase in costs. As a result of imports from the subject countries, the domestic industry is not able to increase its prices in proportion with the increase in cost. Price depression exists when the selling prices are declining far beyond legitimate levels. It is evident from the Proforma IV A that the selling prices were showing sluggish growth whereas the cost of production has shown significant increases over the base year. It is evident that the landed price of imports was causing price suppression of a significant magnitude showing serious price effects on the sales realization of the domestic industry. Thus, the dumped imports were creating price suppression effect on the domestic industry.

ECONOMIC PARAMETERS RELATING TO THE DOMESTIC INDUSTRY

Annexure II to the Rules requires that a determination of injury shall involve an objective examination of the consequent impact of dumped imports on domestic producers of like product. With regard to consequent impact of these imports on domestic producers of such products, the Rules further provide that the examination of the impact of the dumped imports on the domestic industry should include an objective and unbiased 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 utilization 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, ability to raise capital investments. Petitioners submit that examination of performance of the domestic industry would reveal that the domestic industry has suffered material injury on account of dumping of subject goods from subject countries necessitating recommendation of counteractive measures to curb the same in the form of anti- dumping duties at the earliest by the Authority.

Various economic parameters of the domestic industry are discussed herein under.

1. Production, Capacity, Capacity utilization and Sales

Production, capacity, capacity utilization and sales of the domestic industry are provided in the Proforma IV-A enclosed with this petition. Capacity, Production, Sale and Capacity utilization showed increasing trend even though the domestic industry was left with significant unutilized capacity. Though the exports of the domestic industry also declined to some extent, the export volume was never significant. Thus, even after taking such export decline into consideration, the domestic industry was left with significant unutilized capacity. The capacity was increased looking at the overall demand for the product. However, presence of dumped imports prevented the domestic industry from increasing its market share and achieving moderate capacity utilization.

The applicant could have achieved much better capacity utilization and remunerative prices had there been no dumping from subject countries. Positive trend in these parameters do not show the actual adverse situation faced by the domestic industry and these parameters needs to be seen in light of adverse price parameters also to assess the factual position of injury to the domestic industry which clearly shows the domestic industry has suffered material injury.

2. Profitability

Information of profitability of the domestic industry is provided in the Proforma IV-A enclosed with this petition. The profitability of the domestic industry has been under serious pressure and the situation of the domestic industry turned into grave losses during the POI and immediate previous year from a slightly negative situation prior to that. The losses in POI are the direct result of dumping of subject goods from subject countries. The situation is getting aggravated and we request the Authority to recommend provisional duties pending further investigation considering the erosion in profits so that the domestic industry sustains through the investigation at minimal losses.

3. Market share

The information with regard to Market share is provided in the Proforma IV A which shows that the market share of dumped imports from subject countries in demand which was 30% in the base year increased to 39% in the POI. Thus, the growth in market share of dumped imports has been very significant and enough to create serious adverse effect on the domestic industry. The level of market share held by dumped imports has been very high and good enough to distort the sale of subject goods by the domestic industry. This shows that the preference for dumped imports has been significant and is increasing significantly which indicates that the domestic industry would continue to face sluggish growth in market share if anti- dumping duties are not imposed to establish a level playing field in the Indian market for the subject goods. Thus, adverse effects of dumped imports on market share are very visible in the present case.

4. Employment and Wages

Information with regard to Employment and Wages are provided in the enclosed Proforma IA. Employment showed serious stagnancy though wages per unit showed declines in per unit of production over the previous year and overall increase was also very minimal. Thus, there was not any adverse effect on account of any unusual increase in wages. However, had there been no dumping the domestic industry would have produced more and more production would have helped the domestic industry to offer more employment. Thus, dumping adversely affected the employability of the domestic industry.

5. Productivity

Productivity of the domestic industry is given in the enclosed Proforma IV-A. It can be seen that the productivity per day has shown significant increases, thus, any decline in productivity is not the cause of injury.

6. Return on investments and Cash Profit

Information regarding cash profits and return on investments considering profit before interest of the domestic industry is given in Proforma IV A. ROI has been negative during the proposed POI. This is a matter of grave concern. The domestic industry could not achieve any desirable and legitimate level of ROI which would have been achieved by the domestic industry in the absence of dumped imports.

The impact of dumped imports on ROI and Cash Profits of the domestic industry evidently suggests the graveness and enormity of dumping from subject countries. Such aggravated situation in fact negates the name sake volume increases achieved by the domestic industry in terms of domestic sales, production, capacity utilization etc whereas the overall injurious situation which is rightly reflected in the ROI and Cash profit trends which shows the overall situation of the domestic industry has been that of material injury on account of dumping from subject countries.

7. Inventories

The inventories with the domestic industry can be seen in Proforma-IV-A. The information clearly shows significant increase in inventory levels with the domestic industry. Inventory in terms of average stock has significantly increased over the years. In fact, such increases in inventories shows lower off take of subject goods produced by the domestic industry.

8. Growth

Information with respect to growth of various parameters is given in the enclosed Proforma IV-A. It can be seen that the growth of the domestic industry has been negative in terms of various parameters showing material injury to the domestic industry. Core parameters like profits, ROI, cash profit etc showed negative trends.

9. Ability to raise capital investments

Even though the demand for the product is increasing, the situation of aggravating losses do not suggest any favorable situation to pump in any further investment until a balancing situation is ensured in the market by way of imposing anti- dumping duties. The domestic industry is holding significant unutilized capacity when almost the entire Indian demand can be met by it. Thus, the current market situation is not conducive for fresh investments and there is a need for imposing anti-dumping duties to make the environment conducive for further investments in the subject goods.

10. Level of dumping & dumping margin

As discussed in section III of the petition, the dumping margin from subject countries is not only more than de-minimis levels but also very substantial. The impact of dumping on the domestic industry is significant. In fact, dumping is gradually intensifying.

CONCLUSIONS ON INJURY

The information herein above shows that, although some injury indicators such as production volumes, capacity utilization and sales followed a positive trend, a number of other indicators relating to the financial situation of the domestic industry, namely profitability, return on investment, cash profit etc. has been negative during the proposed POI. Thus, the domestic industry has faced financial losses on account of aggressive dumping adopted by producers/exporter from subject countries.

An objective and holistic evaluation of various economic parameters would clearly demonstrate that dumped imports from subject countries have caused material injury to the domestic industry. The price effect of the dumped imports has been significant on the basis of per unit losses, price suppression and price depressions as a result of which profitability of the domestic industry has deteriorated and situation of the domestic industry became loss making with negative returns and negative growths in various parameters, thus, the domestic industry has suffered material injury. The increase in volume parameters, however, remained irrelevant and not of any material positive effect on the overall situation of the domestic industry as the domestic industry was forced to sell at a price which is not remunerative and, in fact, below its cost of production. The domestic industry has thus suffered material injury.

PART – V

EVIDENCE OF CAUSAL LINK

1. *Volume and value of imports from country other than the subject country and explanation on why imports from these countries are not causing injury to the domestic industry.*

Apart from subject countries, the imports from Japan and Belgium had been at above de minimis threshold. However, price from these countries were much higher than landed price from subject countries. Thus, imports of product under consideration from other countries are either negligible or the export prices are fair/very high and explicable. It cannot, therefore, be said that the imports from other countries have also caused injury to the Domestic Industry. Should the prices from these countries also turn to be of causing injurious effects on the domestic industry, it shall seek anti dumping duties on such sources also at appropriate times.

2. *Demand of the product for the past three years including the current year. In case the demand has undergone substantial change, an explanation on why changes in the demand has not caused injury to the domestic industry.*

As it can be observed from Proforma IV-A enclosed herewith that the demand of the product concerned has shown significant positive trend during the POI though there have been a slight decline over the base year. Therefore, possible decline in demand cannot be considered as a reason of injury to the Domestic Industry.

3. *Provide explanation on whether trade restrictive practices of and competition between the foreign and domestic producers, developments in technology, the export performance or the productivity of the domestic industry or any other known factors have not caused injury to the domestic industry.*

Before examining upon the effect of factors, other than dumped imports, causing injury to the Domestic Industry, it would be relevant to refer to Article 3.5 of the AD Agreement dealing with injury to the Domestic Industry. It states -

“3.5 It must be demonstrated that the dumped imports are, through the effects of dumping, as set forth in paragraphs 2 and 4, causing injury within the meaning of this Agreement. The demonstration of a causal relationship between the dumped imports and the injury to the domestic industry shall be based on an examination of all relevant evidence before the authorities. The

authorities shall also examine any known factors other than the dumped imports, which at the same time are injuring the domestic industry, and the injuries caused by these other factors must not be attributed to the dumped imports. Factors which may be relevant in this respect include, inter alia, the volume and prices of imports not sold at dumping prices, contraction in demand or changes in the patterns of consumption, trade restrictive practices of and competition between the foreign and domestic producers, developments in technology and the export performance and productivity of the domestic industry.”

It is submitted that none of the ‘other factors’ as mentioned in the above referred provision have caused injury to the Domestic Industry. Injury, if any, due to other factors has been segregated by the Petitioners, as under -

- (a) **Changes in the patterns of consumption:** The pattern of consumption with regard to the product under consideration has not undergone any adverse changes. Consumers are using both the indigenous and imported product. Therefore, changes in the pattern of consumption cannot be considered to have caused injury to the Domestic Industry.
- (b) **Trade restrictive practices of and competition between the foreign and domestic producers:** There is no trade restrictive practice, which could have contributed to the injury to the Domestic Industry.
- (c) **Developments in technology:** Technology for production of the product concerned has not undergone any change. Thus, developments in technology cannot be regarded as a factor of causing injury to the domestic injury.
- (d) **Export performance:** Domestic industry submits that the injury to the Domestic Industry is solely on account of domestic operations. The information pertaining to exports were segregated and information pertaining to exports does not come into the ambit of present application at all. The details of exports over the years are available in the Proforma IVA enclosed with this petition. It can be seen that the domestic industry did not have any significant exports of subject goods.

As already demonstrated in the preceding paragraphs, none of the ‘other factors’ listed above establish that injury has been caused by these other factors. In light of

the foregoing, the only inescapable conclusion is that the injury to the Domestic Industry has been caused by the dumped imports from the subject countries and not on account of any other factors.

Factors establishing Causal Link:

While the above parameters establish that injury to the Domestic Industry has not been caused by the other factors, Petitioners submits that the following parameters establish that the injury to the Domestic Industry has been caused only due to the dumped imports.

- (i) The price at which the product under consideration is imported into India are below its normal value resulting in significant dumping margin;
- (ii) The landed price from subject countries have been declining over the years and have been creating serious suppression and underselling effect on the domestic industry. Thus, the landed price of imports from subject countries had a direct and consequential impact on the price and performance of the domestic industry;
- (iii) The domestic industry has been compelled to offer sub-optimal prices resulting in losses and to the level which is unviable to continue production even though there were some increases in volume parameters;
- (iv) Presence of import at dumped price are preventing domestic industry to increase their price to the extent of increase in input cost, thus, imports are suppressing the selling prices of the domestic industry and also causing depressing effect;
- (v) Reduction in profits directly resulted in deterioration in return on capital employed and cash profits and both become negative. The domestic industry has not been able to cover the cost of capital. Thus, losses, negative return on capital employed and also cash profit is directly due to dumped imports.
- (vi) Thus, the injury caused to the domestic industry is on account of dumped imports from subject countries only.
- (vii) Had there been no dumping the situation of the domestic industry would have been that of better performance and profitability with significant market share and moderate capacity utilization.

Volume Effect: Decline in landed price and price underselling → consumers preferring imported/dumped material → significant levels of dumped material vis-à-vis domestic material → dumped imports maintaining significant market share making the situation of domestic industry very vulnerable → inventory levels increasing.

Price effect: Price underselling and fear of further volume losses to dumped imports → Domestic Industry prevented from effecting price increases → decline in profitability/losses → decline in gross profits earned in the product/losses → decline in cash profits/losses → decline in return on capital employed/negative returns; result material injury on account of dumping from subject countries.

In the absence of measures to arrest this unfair practice of dumping into India, domestic industry will face further irreparable losses on account of dumping from subject countries. Thus, initiation of anti-dumping investigation at the earliest and recommendation of provisional duties pending investigation and recommendation of definitive measures is very inalienable in the present case

PART – VI

COSTING INFORMATION

1. **Production Process: Stage wise process of manufacturing and various routes of manufacture. Process flow chart indicating cycle time taken at each process.**
 - Please refer to annexure-1.2 provided herein above.
2. **Raw materials and packing materials consumption and reconciliation statement as per Format 'A'.**
 - Enclosed as annexure-6.1
3. **Raw materials consumption norms and comparison with actual as per Format 'B'.**
 - Enclosed as annexure-6.2
4. **A statement showing cost of production as per Format "CI and CII". A statement classifying expenses shown in Format "CI" into Fixed, Variable and Semi-variable. The semi-variable expenses may further be classified into Fixed and Variable. The basis of classification may be clearly mentioned.**
 - Enclosed as annexure-6.3 & 6.4
5. **Utilities consumption statement as per Format "D" for the investigation period and previous three years.**
 - Enclosed as annexure-6.5
6. **Calculations of working capital as follows:**
 - a) **Working Capital as per Balance Sheet.**
 - As per annual report enclosed.
 - b) **Working Capital as per Bank Limits.**
 - As per annual report enclosed.
 - c) **Working Capital as per Production Cycle Time.**
 - As per annual report enclosed.

7. Interest on Term Loans: Statement of term loan outstanding at the beginning of the year, at the end of the year, interest paid/ payable on term loans and average rate of interest on term loans.
 - Nil
8. Overdue and/ or compounding interest: Statement showing details of overdue and/ or compounding interest provided in the annual audited accounts relevant to the period of investigation.
 - Nil
9. Depreciation: Statement showing gross and net blocks for the investigation period and previous year.
 - As per annual report enclosed.
10. Return/profit: Statement showing desirable return on capital/equity along with justification in support thereof.
 - Producer is expecting to earn at least 30% return on capital employed.
11. Details of misc. income earned during the year.
 - As per annual report enclosed.
12. Sales Realization : A statement showing details of gross sales realization, discounts/ commission, excise duty, other taxes and net sales realization, as per Format "E" for the past three years and month wise for the investigation period. The figures should reconcile with balance sheet of the corresponding years.
 - Enclosed as annexure-6.6
13. Details of WIP at the beginning and end of the investigation period, clearly indicating break up of material cost and overheads charged in the valuation.
 - As per annual report enclosed.
14. Brief write up on the following:
 - (a) Purchase policy including long terms contracts for major materials
 - Identifying the Supplier for the required raw material, to inspect the capabilities to supply the quantity as per the quality specifications. Sourcing to be done preferably from Domestic suppliers so as to

maintain consistent quality and low inventory. To develop vendor managed inventory (VMI).To conduct periodical audit of Suppliers to ensure not using hazardous chemical substances and impress upon them for acquiring accreditation of ISO 14001.

- (b) State Policy indicating marketing/ distribution channels, commission/discount policy, credit terms etc., sales policy to bulk consumers.
 - Conducting market survey at periodical intervals and ascertaining customers requirement clearly to meet their needs. To ensure supply as per Customer's needs adhering to their requested delivery schedule at the lowest possible price. Initiating effective and necessary action on enquiries received for new products and coordinating with R & D, Quality Control and Production Departments for successful outcome in meeting the requirements.
 - (c) Stores accounting and inventory/ stock/ WIP Valuation.
 - Raw Material, work in process and finished goods are valued at lower of cost and net realizable value. Stores and spares are valued at cost.
 - (d) Quality control procedure and tests being conducted.
 - To satisfy our customers by supplying products as per their requirements with timely delivery. We will maintain continual improvements in all spheres of our activity We will achieve this by implementing effective methods to improve quality and by inculcating quality culture in our company
15. A statement showing Production, Sales Quantities, Capacity Utilization, Stock, Net Average Sales Realization, Cost of Production, Profit/ Loss for the past three years and month wise for the period of investigation.
- Enclosed as Annexure with this petition Proforma IV A.
16. Details of job work done or got done during the investigation period.
- None
17. Audited and printed annual accounts for the investigation period and past three years, and trial balance for the investigation period.
- Enclosed as annexure-6.7

PROFORMA IVA PART-I

SN	Particulars	Unit	2012-13	2013-14	2014-15	Annulise d POI	POI
1	Imports Volume						
	CHINA	MT	790	1,104	4,265	1,493	1,866
	TURKEY	MT	1,292	1,626	365	1,105	1,381
	Total Imports from Subject Countries	MT	2,082	2,730	4,629	2,598	3,248
	Total Imports from Other Countries	MT	1,641	1,186	198	425	531
	Total Imports into India	MT	3,724	3,916	4,828	3,023	3,779
2	Market Share in Import Volume						
	CHINA	%	21%	28%	88%	49%	49%
	TURKEY	%	35%	42%	8%	37%	37%
	Share of Subject Countries	%	56%	70%	96%	86%	86%
	Share of Other Countries	%	44%	30%	4%	14%	14%
3	CIF Import Price						
	From Subject Countries	Rs. Kg	76.82	80.30	79.63	72.61	72.61
	From Other Countries	Rs. Kg	77.47	81.62	83.18	74.10	74.10
4	Demand						
	Sales of Domestic Industry	MT	3,269	3,006	2,588	3,674	4,592
	Imports from Subject Countries	MT	2,082	2,730	4,629	2,598	3,248
	Imports from other countries	MT	1,641	1,186	198	425	531
	Demand	MT	6,992	6,922	7,415	6,697	8,372
5	Market Share in Demand						
	Domestic Industry	%	47%	43%	35%	55%	55%
	Imports from subject countries	%	30%	39%	62%	39%	39%
	Imports from other countries	%	23%	17%	3%	6%	6%

Note: Proposed POI is April 2015 to June 2016

INJURY INFORMATION OF DOMESTIC INDUSTRY: ECONOMIC PARAMETERS

PROFORMA IVA PART-II

SN	Particulars	Unit	2012-13	2013-14	2014-15	Annulised POI	POI
1	Capacity Utilization						
	Capacity	MT	5,600	5,600	6,500	6,500	8,125
	Production	MT	3,410	3,149	2,879	3,821	4,776
	Capacity Utilization	%	61%	56%	44%	59%	59%
2	Sales Volume						
	Domestic	MT	3,269	3,006	2,588	3,674	4,592
	Exports	Indexed	100	165	59	62	62
	Total Sales	Indexed	100	94	78	111	111
3	Sales Value (Rs. Lacs)						
	Domestic	Indexed	100	102	90	116	116
	Export	Indexed	100	138	63	59	59
	Total Sales Value	Indexed	100	104	89	114	114
4	Inventories (Volume)						
	Opening	Indexed	100	194	7	845	845
	Closing	Indexed	100	4	436	611	611
	Average	Indexed	100	68	290	691	691
5	Profit /(Loss)						
	On Domestic Market						
	Cost of Sales (Rs/Kg)	Indexed	100	111	134	117	117
	Selling Price (Rs/Kg)	Indexed	100	111	114	103	103
	Profit/(Loss) (Rs/Kg)	Indexed	(100)	(131)	(2,624)	(1,876)	(1,876)
	Profit/(Loss) (Rs. Lacs)	Indexed	(100)	(121)	(2,077)	(2,108)	(2,108)
	On Export Market						
	Cost of Sales (Rs/Kg)	Indexed	100	111	134	117	117
	Selling Price (Rs/Kg)	Indexed	100	84	107	96	96
	Profit/(Loss) (Rs/Kg)	Indexed	100	(21)	6	15	15
	Profit/(Loss) (Rs. Lacs)	Indexed	100	(35)	4	9	9
	Total Profit/Loss (Rs. Lacs)	Indexed	100	(817)	(10,392)	(10,514)	(10,514)
6	Cash Profit						
	Profit/Loss	Rs. Lacs	***	***	***	***	***
	Depreciation	Rs. Lacs	***	***	***	***	***
	Cash Profit	Indexed	100	156	(509)	(549)	(549)
7	Profit before Interest and Tax						
	Profit/Loss	Rs. Lacs	***	***	***	***	***
	Interest	Rs. Lacs	***	***	***	***	***
	Profit before Interest and Tax	Indexed	(100)	85	(5,214)	(4,942)	(4,942)
8	Employees Nos.	Indexed	100	105	110	120	120
9	Wages						
	Wages Rs. Lacs	Rs. Lacs	100	95	113	141	141
	Wages per Unit	Indexed	100	103	134	126	126
10	Productivity						
	- Per day	MT/Day	100	92	84	112	112
	- Per Employee	MT/Nos	100	88	77	93	93
11	Return on Investment						
	Net Fixed Assets	Rs. Lacs	***	***	***	***	***
	Working Capital	Rs. Lacs	***	***	***	***	***
	Total Capital Employed (NFA basis)	Rs. Lacs	***	***	***	***	***
	Return on Capital Employed - NFA	%	(100)	95	(6,189)	(3,728)	(3,728)
12	Growth (Year to Year basis)						
	In Production	%	-	(7.66)	(8.57)	32.72	
	In Domestic Sales	%	-	(8.04)	(13.92)	41.99	
	In Cost of Sales Rs. Kg	%	-	11.48	19.84	(12.14)	
	In Selling Price Rs. Kg	%	-	11.33	2.32	(9.16)	
	In Profit /Loss Rs. Kg	%	-	31.31	1,898.22	(28.52)	
	In Profit /Loss Rs. Lacs	%	-	20.76	1,620.04	1.49	
	In ROI %	%	-	Positive	Negative	Positive	

Note: Proposed POI is April 2015 to June 2016

PERFORMA-IVB - CHINA

Particulars	Units	2012-13	2013-14	2014-15	POI
Import Volume	MT	790	1,104	4,265	1,866
Assessable Value	Rs. Lacs	607.22	886.39	3,395.95	1,355.09
Assessable Price	Rs. Kg	76.82	80.30	79.63	72.61
Landing charges	Rs. Kg	0.76	0.80	0.79	0.72
CIF Price	Rs. Kg	76.06	79.50	78.84	71.89
Basic Customs Duty	%	10.00	10.00	10.00	10.00
Basic Customs Duty	Rs. Kg	7.61	7.95	7.88	7.19
Cess on Custom Duty	Rs. Kg	0.23	0.24	0.24	0.22
Landed Value	Rs. Kg	83.90	87.69	86.96	79.29
Net sales realisation	Rs. Kg	100	111	114	103
Price Undercutting	Rs. Kg	***	***	***	***
Price Undercutting	% Range	Negative	Negative	Negative	Negative

PERFORMA-IVB - TURKEY

Particulars	Units	2012-13	2013-14	2014-15	POI
Import Volume	MT	1,292	1,626	365	1,381
Assessable Value	Rs. Lacs	1,000.97	1,327.44	303.44	1,023.63
Assessable Price	Rs. Kg	77.47	81.62	83.18	74.10
Landing charges	Rs. Kg	0.77	0.81	0.82	0.73
CIF Price	Rs. Kg	76.71	80.81	82.36	73.36
Basic Customs Duty	%	10.00	10.00	10.00	10.00
Basic Customs Duty	Rs. Kg	7.67	8.08	8.24	7.34
Cess on Custom Duty	Rs. Kg	0.23	0.24	0.25	0.22
Landed Value	Rs. Kg	84.61	89.13	90.84	80.92
Net sales realisation	Rs. Kg	100	111	114	103
Price Undercutting	Rs. Kg	***	***	***	***
Price Undercutting	% Range	Negative	Negative	Negative	Negative

Proforma-IV B-Subject Countries

Particulars	Units	2012-13	2013-14	2014-15	POI
Import Volume	MT	2,082	2,730	4,629	3,248
Net sales realisation	Rs. Kg	100	111	114	103
Price Undercutting	Rs. Kg	***	***	***	***
Price Undercutting	% Range	Negative	Negative	Negative	Negative

Note: Proposed POI is April 2015 to June 2016

CHAPTER 29
Organic chemicals

NOTES :

1. Except where the context otherwise requires, the headings of this Chapter apply only to

(a) separate chemically defined organic compounds, whether or not containing impurities;

(b) mixtures of two or more isomers of the same organic compound (whether or not containing impurities), except mixtures of acyclic hydrocarbon isomers (other than stereoisomers), whether or not saturated (Chapter 27);

(c) the products of headings 2936 to 2939 or the sugar ethers, sugar acetals and sugar esters, and their salts, of heading 2940, or the products of heading 2941, whether or not chemically defined;

(d) the products mentioned in (a), (b) or (c) above dissolved in water;

(e) the products mentioned in (a), (b) or (c) above dissolved in other solvents provided that the solution constitutes a normal and necessary method of putting up these products adopted solely for reasons of safety or for transport and that the solvent does not render the product particularly suitable for specific use rather than for general use;

(f) the products mentioned in (a), (b), (c), (d) or (e) above with an added stabiliser (including an anti-caking agent) necessary for their preservation or transport;

(g) the products mentioned in (a), (b), (c), (d), (e) or (f) above with an added anti-dusting agent or a colouring or odoriferous substance added to facilitate their identification or for safety reasons, provided that the additions do not render the product particularly suitable for specific use rather than for general use;

(h) the following products, diluted to standard strengths, for the production of azo dye: diazonium salts, couplers used for these salts and diazotisable amines and their salts.

2. This Chapter does not cover :

(a) goods of heading 1504 or crude glycerol of heading 1520;

(b) ethyl alcohol (heading 2207 or 2208);

(c) methane or propane (heading 2711);

(d) the compounds of carbon mentioned in Note 2 to Chapter 28;

(e) Immunological products of heading 3002;

(f) urea (heading 3102 or 3105);

(g) colouring matter of vegetable or animal origin (heading 3203), synthetic organic colouring matter, synthetic organic products of a kind used as fluorescent brightening agents or as luminophores (heading 3204) or dyes or other colouring matter put up in forms or packings for retail sale (heading 3212);

(h) enzymes (heading 3507);

(i) metaldehyde, hexamethylenetetramine or similar substances, put up in forms (for example, tablets, sticks or similar forms) for use as fuels or liquid or liquefied-gas fuels in containers of a kind used for filling or refilling cigarette or similar lighters and of a capacity

(1)	(2)	(3)	(4)	(5)
2922 29 90	— Other - <i>Amino-aldehydes, amino-ketones and amino-quinones, other than those containing more than one kind of oxygen function; salts thereof:</i>	kg.	10%	-
2922 31 00	— Amfepramone (INN), methadone (INN) and normethadone (INN); salts thereof	kg.	10%	-
2922 39 00	— Other - <i>Amino-acids, other than those containing more than one kind of oxygen function, and their esters; salts thereof:</i>	kg.	10%	-
2922 41 00	— Lysine and its esters; salts thereof	kg.	10%	-
2922 42	— <i>Glutamic acid and its salts:</i>			
2922 42 10	— Glutamic acid	kg.	10%	-
2922 42 20	— Monosodium glutamate	kg.	10%	-
2922 42 90	— Other	kg.	10%	-
2922 43 00	— Anthranilic acid and its salts	kg.	10%	-
2922 44 00	— Tiliidine (INN) and its salts	kg.	10%	-
2922 49	— Other:			
2922 49 10	— Amino acetic acid (glycine)	kg.	10%	-
2922 49 20	— N-methyl taurine	kg.	10%	-
2922 49 90	— Other	kg.	10%	-
2922 50	— <i>Amino-alcohol-phenols, amino-acid-phenols and other amino-compounds with oxygen function:</i> — <i>Para-amino-salicylic acid, Methyl anthranilate, Procaine hydrochloride, Amino anisic acid anilide, L-tyrosine (p-hydroxyphenyl amine):</i>			
2922 50 11	— Para-amino-salicylic acid	kg.	10%	-
2922 50 12	— Methyl anthranilate	kg.	10%	-
2922 50 13	— Procaine hydrochloride	kg.	10%	-
2922 50 14	— Amino anisic acid anilide	kg.	10%	-
2922 50 15	— L-tyrosine (p-hydroxyphenyl amine)	kg.	10%	-
	— <i>Frusamide, aminodiazol, N-acetyl anthranilic acid, domperidone:</i>			
2922 50 21	— Frusamide	kg.	10%	-
2922 50 22	— Aminodiazol	kg.	10%	-
2922 50 23	— N-acetyl anthranilic acid	kg.	10%	-
2922 50 24	— Domperidone	kg.	10%	-
2922 50 90	— Other	kg.	10%	-
2923	QUATERNARY AMMONIUM SALTS AND HYDROXIDES; LECITHINS AND OTHER PHOSPHOAMINOLIPIDS, WHETHER OR NOT CHEMICALLY DEFINED			
2923 10 00	— Choline and its salts	kg.	10%	-
2923 20	— <i>Lecithins and other phosphoaminolipids:</i>			
2923 20 10	— Lecithins	kg.	10%	-
2923 20 90	— Other	kg.	10%	-
2923 90 00	— Other	kg.	10%	-
2924	CARBOXYAMIDE-FUNCTION COMPOUNDS, AMIDE-FUNCTION COMPOUNDS OF ONIC ACID			
	— <i>Acyclic amides (including acyclic carbamates) and their derivatives; salts thereof:</i>			
2924 11 00	— Meprobamate (INN)	kg.	10%	-
2924 12 00	— Fluoroacetamide (ISO), monocrotophos (ISO) and phosphamidon (ISO)	kg.	10%	-
2924 19 00	— Other - <i>Cyclic amides (including cyclic carbamates) and their derivatives; salts thereof:</i>	kg.	10%	-
2924 21	— <i>Ureines and their derivatives; salts thereof:</i>			
2634 21 10	— Diethyl diphenyl urva	kg.	10%	-

550.	1702	Dextrose Monohydrate	20%	-	-
551.	2309 10 00	All goods	20%	-	-
552.	28 (except 2823 00 10)	All goods	7.5%	-	-
553.	29 (except 2905 43 00, 2905 44 00 and 2933 71 00)	All goods	7.5%	-	-
554.	31	All goods	7.5%	-	-
555.	3201, 3202, 3203, 3204, 3205 00 00, 3206 (except 3206 11 and 3206 19 00) or 3207	All goods	7.5%	-	-
556.	3207 10 40	Ceramic colours	5%	-	-
557.	3403	All goods	7.5%	-	-
558.	3801, 3802, 3803 00 00, 3804, 3805, 3806, 3807, 3809 (except 3809 10 00), 3810, 3812, 3816 00 00, 3817, 3821 00 00 or 3824 (except 3824 60)	All goods	7.5%	-	-
559.	3901 to 3915 (except 3908)	All goods	7.5%	-	-
560.	Any Chapter	Parts of umbrella, including umbrella panels	5%	-	-
561.	7104	Rough synthetic gemstones	5%	-	-
562.	8424	Sprinklers and drip irrigation systems for agricultural and horticultural purposes	5%	-	-
563.	8438	All goods	5%	-	-
564.	8479 30 00	All goods	5%	-	-
565.	9108, 9110 or 9114 30 10	Watch dials and watch movements	5%	-	-"

[TO BE PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY, PART II, SECTION
3, SUB-SECTION (i) DATED THE 1ST MARCH, 2007]
10 PHALGUNA, 1928 (SAKA)

GOVERNMENT OF INDIA
MINISTRY OF FINANCE
(DEPARTMENT OF REVENUE)

New Delhi, the 1st March, 2007
10 Phalguna, 1928 (SAKA)

NOTIFICATION
No.20/2007-CUSTOMS

G.S.R. (E).- In exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act, 1962 (52 of 1962), the Central Government, on being satisfied that it is necessary in the public interest so to do, hereby makes the following further amendments in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 21/2002-Customs, dated the 1st March, 2002 which was published in the Gazette of India, Extraordinary, vide number G.S.R.118 (E) of the same date, namely:-

In the said notification,-

- (A) in the proviso,-
- (i) clause (a) shall be omitted;
 - (ii) in clause (b), for the words, letters and figures "the 1st day of May, 2007", the words, letters and figures "the 1st day of May, 2009" shall be substituted;
 - (iii) clause (c) shall be omitted;
- (B) in the Table,-
- (i) against S.No. 36A, for the entry in column (4), the entry "50%" shall be substituted;
 - (ii) against S.No. 36B, for the entry in column (4), the entry "60%" shall be substituted;
 - (iii) against S.No. 50, for the entry in column (4), the entry "7.5%" shall be substituted;
 - (iv) against S.No. 68A, for the entry in column (4), the entry "Nil" shall be substituted;
 - (v) S. Nos.75 and 75A, and the entries relating thereto shall be omitted;
 - (vi) S. No. 77B and the entries relating thereto shall be omitted;
 - (vii) S. No. 79 and the entries relating thereto shall be omitted;
 - (viii) S. No. 100 and the entries relating thereto shall be omitted;
 - (ix) S. No. 101A and the entries relating thereto shall be omitted;
 - (x) against S.No. 111, for the entry in column (3), the entry "Urea" shall be substituted;
 - (xi) against S.No. 119, for the entry in column (4), the entry "10%" shall be substituted;
 - (xii) against S.No. 123, for the entry in column (4), the entry "10%" shall be substituted;
 - (xiii) against S.No. 125, for the entry in column (4), the entry "10%" shall be substituted;
 - (xiv) against S.No. 126, for the entry in column (4), the entry "10%" shall be substituted;
 - (xv) against S.No. 127, for the entry in column (4), the entry "10%" shall be substituted;
 - (xvi) against S.No. 128, for the entry in column (4), the entry "10%" shall be substituted;

Di-Methyl Acetamide (DMAC)

Specifications

CAS NO.

CAS NO. 127-19-5

NATURE

NATURE Clear, Colourless Liquid.

PHYSICAL PROPERTIES

Empirical Formula	C ₃ H ₈ ON
Structural formula	(CH ₃) ₂ CONH ₂
Molecular Wt.	87.12
Sp. Gravity at 25 °C	0.945
Refractive Index	1.4350 - 1.4450
Boiling Point	166 °C
Freezing Point	-20 °C
Solubility in Water	Soluble
Flash Point(TOL)	70 °C
Autoignition Temperature	490 °C
Flammability Limits	L.E.L : 1.8 % H.E.L : 11.5 %
Vapour pressure at 25 °C mm of Hg	2.0
Distillation Range	160 - 165 °C
Critical Temperature	385 °C
Critical Pressure	39.7 Atm.

SPECIFICATIONS

Purity	99.7 % min
Water	0.2 % max
Other Impurities	0.3 % max

Colour(APHA)	10 max
Appearance	Clear, Colourless Liquid.
Acid(Acetic Acid)	0.1 % max

Applications

USES: Use in Acrylic fibre industry -As a solvent in the manufacture of Acrylic fibre.

Use in Polyester film industry -Solvent in the manufacture of polyester films.

Paint Remover Used as a solvent in Paint stripping because of its very rapid removal action

Use in the Drug Industry - Used both as a solvent as well as reactant in drug industry.

PACKING: The product can be despatched through Road Tankers (SS), small packing of 190 Kgs. UN Approved HDPE drums.

INDUSTRIES SERVED: Acrylic Fibre, Polyester Films, Drugs

A statement showing country wise imports of subject goods during injury period

Annexure 1.3

SOURCE	Qty				Value				Rate			Share	
	2012-13	2013-14	2014-15	POI (April 15 - June 16)	2012-13	2013-14	2014-15	POI (April 15 - June 16)	2012-13	2013-14	2014-15	POI (April 15 - June 16)	POI (April 15 - June 16)
BELGIUM	45600	7600	7600	272000	4003706	1053416	968788	22905927	87.80	138.61	127.47	84.21	7.20%
CHINA	790400	1103900	4264560.75	1866350	60721893	88638657	339594821	135509392	76.82	80.30	79.63	72.61	49.39%
GERMANY	19570	10830			1173959	758939			59.99	70.08			
HONGKONG			15200				1194193				78.57		
ISRAEL	30400	15200		45600	2340144	1247289		3554687	76.98	82.06		77.95	1.21%
JAPAN	116820	311050	174810	213630	9581330	26732459	15781113	18141224	82.02	85.94	90.28	84.92	5.65%
KOREA DEM	106400				8262999				77.66				
KOREA REP	1322400	805600			103302203	68154943			78.12	84.60			
SPAIN		15222.56	760.2			973771	277178			63.97	364.61		
TURKEY	1292000	1626400	364800	1381490	100096626	132744476	30343984	102362925	77.47	81.62	83.18	74.10	36.56%
U S A		20017	4			1026227	765			51.27	191.15		
Grand Total	3723590	3915819.56	4827734.95	3779070	289482860.7	321330176.1	388160842.1	282474154.4	77.74	82.06	80.40	74.75	100.00%

Annexure-1.5

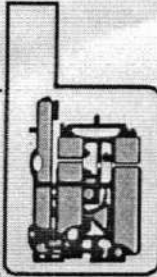
List of known producers/exporters in the subject countries

S.N	EXPORTER NAME	ADDRESS
1	Dupont Trading (Shanghai) Co Ltd	Room 1004 10th Floor Waigaoqiaobuilding Zone C,Waigaoqiao Free Trachina, China
2	Farmasino Pharmaceuticals (Jiangsu)	No. 100 Jianye Road Nanjing (210004) China
3	Henan Junhua Development Co. Ltd.	No.439, Eastern Of The Zhonghua Boulevard, Zhumadian Henan, China
4	Sinochem Jiangsu Co. Ltd.	FIs 22 Jin Cheng Tower No. 216 Middle Longpan Road Nanjing 210002 China
5	The Chemours Chemical (Shanghai) Co., Ltd	Room 526/5/F, Buildingno.1,No 239 Gang Ao Road Shanghai, China
6	Zhejiang Medicines& Health Products Imp&Exp Co Ltd	Products Import & Export Co. Ltd.Zmc Building 101-2 N. Zhongshan China
7	Ak-Kim Kimya As	Vişnezade Mah. Süleyman Seba, Cad No: 82 Maçka Beşiktaş İstanbul, Turkey
8	Dormex Trade & Investments Co. Limited	1 Ben Gurion Street,Benei Brak 51201,Il, Turkey
9	Enplast Plastik	Şehit İlhan Küçük Solak Cad. No:13, Çayırova/Kocaeli (İzmit), Turkey

Annexure-1.6

List of known importers/users of subject goods in India

Sno	Indian Importers	Address
1	Amjey Chem Trade P. Ltd.	101, Adinath Towers, 5a, Old Nagnsroad, Bhd,Gokul Hotel, Andheri.E. Mumbai, Maharashtra
2	Bharat Jyoti Impex	22,Shamaldas Gandhi Marg,(Princess Street), Mumbai, Maharashtra
3	C J Shah & Co.	105,Bajaj Bhavan,10 Th Floor, Nariman Point Mumbai
4	Charmie International	14, Panchsheel, 3rd Floor,Veera Desai Road, Andheri(W), Mumbai ,Maharashtra
5	Chemical Suppliers India (P) Ltd.	2282/15, Gali Hinga Beg, Tilakbazar, Delhi
6	Chemtrade Overseas Pvt. Ltd.	A/404, Bhaveshwar Arcade, Opp.Shreyas Cinema,Lbs Marg, Ghatkopar (W), Mumbai, M.S.
7	Deccan Fine Chemicals (India) Private Limited	Plot No. 74a D.No. 8-2-293/82/A/74a Road No. 9, Jubilee Hills,Hyderabad, A.P
8	Dhanuka Laboratories Ltd.	Dhanuka House,861-862,Joshi Road,Karol Bagh, New Delhi ,
9	Heavy Chemicals Coop	43 Vv Chandan Streetoff Masjid Bunder Road*1st Floor, Bombay ,Maharashtra
10	Hindustan Speciality Chemicals	57/61,Kika Street,1st Floor,Gulalwadi,Mumbai, Maharashtra
11	Hospira Healthcare India Private Limited	Gopathi Narayanaswami Chetty Rd, T.Nagar, Chennai, Tamil Nadu 600017
12	Indorama Industries Limited	302 Resort View Thakur Complex,Kandivli-East, Mumbai, M.S.
13	Jash Pharma Chem	2-B, Ganga Vihar, 2nd Floor,94, Kazi Sayed Street, Mumbai, Maharashtra.
14	K. Uttamlal & Company	Bhagwan Bhuvan, 1st Floor,196/198, Samuel Street, Mumbai,M.S.
15	Ketul Chem Pvt. Ltd.	114/115/116,Dattani Trade Centre.Chandavarkar Road, Borivali(W) Mumbai,Maharashtra



TEL : 0091-217-2310824
 : 0091-217-2451500
 FAX : 0091-217-2451521
 E-MAIL : info@balajiamines.com
 WEBSITE : http://www.balajiamines.com

Balaji



CIN : L24132MH1988PLC049387

AMINES LIMITED

REGD. OFF. : 'BALAJI TOWERS'
 No. 9/1A/1, HOTGI ROAD,
 AASARA CHOWK, SOLAPUR - 413 224.
 MAHARASHTRA. (INDIA)

17-11-16

Hon'ble Designated Authority
 Directorate of Anti Dumping & Allied Duties,
 Ministry of Commerce & Industry,
 4th Floor, Jeevan Tara Building,
 5 Parliament Street,
 NEW DELHI-110001

Sub: Dumping of "N,N-DIMETHYL ACETAMIDE" (DMAC) originating in or exported from China PR and Turkey.

Respected Sir,

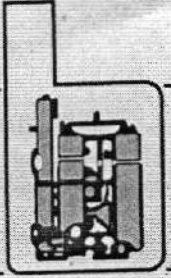
We are filing a petition in the form and manner prescribed for initiation of Anti Dumping Duty investigations and imposition of appropriate anti dumping duty on imports of "N,N-DIMETHYL ACETAMIDE" (DMAC) falling under customs headings 29, from China PR, and Turkey. We have provided all relevant information in respect of our company. We are however, willing to provide any further information which you may require in this connection. We have no objection to any verification which you may wish to carry out at our factory / office premises in this regard.

In view of the dumping being faced by the domestic industry, we request you to kindly initiate the investigation and recommend imposition of anti dumping duty at the earliest, so that the legitimate interest of the Indian producers are protected. We also request recommendation of interim duty pending detailed investigation.

We hereby appoint the following firm/persons in India to represent us in the present investigation.

M/s M.S.Pothal & Associates
 F-12/4, 1st Floor, Malviyanagar
 New Delhi-110017

Cont...2



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: 0091-217-2451500
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Balaji



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www.tuv.com
ID 9109038797

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MAHARASHTRA. (INDIA)

*** 2 ***

Contact Persons

1. Mr. M. S. Pothal,
Mob: +91-9650 807635
Email: mSP@pothal.in,
2. Mr. Yogesh Khandelwal
Mob: +91-9650877335,
Email: ykk@potha.in
3. Mr. Ratheesh Malottu
Mob: +91-9999839059
Email: rm@potha.in

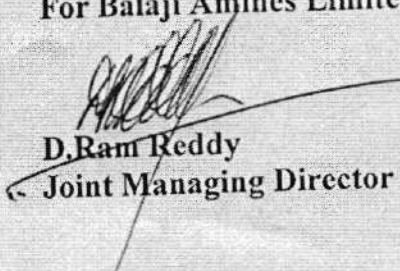
M/s- M.S.Pothal & Associates have been authorised, inter-alia, for the followings:

- a) to file the petition on our behalf;
- b) to receive communication on our behalf;
- c) to make submissions on our behalf;
- d) to appear for and on our behalf.

We certify that the information contained in the petition is true, complete and correct to the best of our knowledge and belief, on the basis of records available and generally maintained by the company, and no material facts has been concealed or misrepresented.

With regards,

Yours faithfully,
For Balaji Amines Limited


D. Ram Reddy
Joint Managing Director

राष्ट्रीय
केमिकल्स एण्ड
फर्टिलाइजर्स
लिमिटेड

(भारत सरकार का उपक्रम)
साथ बढ़ें मनुष्य की ओर



**RASHTRIYA
CHEMICALS AND
FERTILIZERS
LIMITED**

(A Government of India Undertaking)
Let us grow together

"प्रियदर्शिनी," इस्टर्न एक्सप्रेस हाईवे, सायन, मुंबई - 400 022.
दूरध्वनी : (का.) (022) 2404 5455 / 2552 3111 / 3108
फैक्स : (022) 2404 5171 ई मेल : dm@rcfltd.com
वेबसाइट : www.rcfltd.com
सीआयएन - L24110MH1978GOI020185

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Hon'ble Designated Authority
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Ministry of Commerce & Industry,
4th Floor, Jeevan Tara Building,
5 Parliament Street,
New Delhi-110001

17.11.16

Sub: Dumping of "N,N-DIMETHYL ACETAMIDE" (DMAC) originating in or exported from China PR and Turkey.

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M/s M.S.Pothal & Associates
F-12/4, 1st Floor, Malviyanagar
New Delhi-110017

Contact Persons

1. Mr. M. S. Pothal,
Mob: +91-9650 807635
Email: msp@pothal.in,
2. Mr. Yogesh Khandelwal
Mob: +91-9650877335,
Email: ykk@potha.in



3. Mr. Ratheesh Malottu
Mob: +91-9999839059
Email: rm@potha.in

M/s- M.S.Pothal & Associates have been authorised, inter-alia, for the followings:

- a) to file the petition on our behalf;
- b) to receive communication on our behalf;
- c) to make submissions on our behalf;
- d) to appear for and on our behalf.

We certify that the information contained in the petition is true, complete and correct to the best of our knowledge and belief, on the basis of records available and generally maintained by the company, and no material facts has been concealed or misrepresented.

With regards,

Yours faithfully,

Ashok Ghasghase
Director-Marketing



REGD. OFFICE : "BALAJI TOWERS", No. 9/1A/1, Hotgi Road,
 Aasara Chowk, SOLAPUR - 413 224. Maharashtra, INDIA.
 Ph. : +91-217-2451500, 524, 2310824, Fax: +91-217-2451521
 E-mail : info@balajiamines.com, mktg@balajiamines.com,
 exports@balajiamines.com, infohyd@balajiamines.com

N,N-DIMETHYLACETAMIDE (DMAC)

Q. : 127-19-5

DE : Clear, Colourless Liquid.

GENERAL PROPERTIES :	Empirical Formula	C ₃ H ₇ NO
	Structural Formula	(CH ₃) ₂ CONH ₂
	Molecular Weight	87.12
	Refractive Index	1.4350- 1.4450
	Solubility in Water	Soluble
	Autoignition Temperature	490°C
	Distillation Range	160 - 165°C
	Flammability Limits	
	LEL	1.8%
	HEL	11.5%
	Critical Temperature	385°C
	Critical Pressure	39.7 Atm
	Sp. gravity at 25°C	0.945
	Boiling pt.	166°C
	Freezing pt.	-20°C
	Flash point (TOL)	70°C
	Vapour pressure at 25°C mm of Hg	2.0

CHARACTERISTICS :	
Appearance	Clear, Colourless Liquid.
Purity	99.7% min.
Water	0.2% max.
Colour (APHA)	10 max
Acid (Acetic Acid)	0.1% max
Other impurities	0.3% max



APPLICATION AREAS :

USES

- Use in Acrylic fibre industry
 - As a solvent in the manufacture of Acrylic fibre.
- Use in Polyester film industry
 - Solvent in the manufacture of polyester films.
- Paint Remover
- Used as a solvent in Paint stripping because of its rapid removal action.
- Use in the Drug Industry
 - Used both as a solvent as well as reactant in drug industry.

PACKING

: The product can be despatched through Road Transport (SS), small packing of 200 kgs. UN Approved drums.

INDUSTRIES SERVED

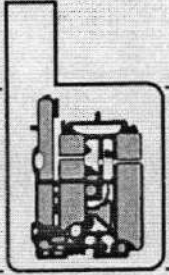
: Acrylic Fibre, Polyester Films, Drugs.

EC NUMBER

: 204-826-4

ANNEXURE 2-2

66



TEL : 0091-217-2310824
 : 0091-217-2451500
 FAX : 0091-217-2451521
 E-MAIL : info@balajiamines.com
 WEBSITE : http://www.balajiamines.com

Balaji



CIN : L24132MH1988PLC049387

AMINES LIMITED
 REGD. OFF. : 'BALAJI TOWERS'
 No. 9/1A/1, HOTGI ROAD,
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17-11-16

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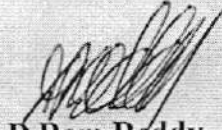
**Sub: Dumping of "N,N-DIMETHYL ACETAMIDE" (DMAC) originating in or
 Exported from China PR and Turkey**

Respected Sir,

We certify that our company has not imported the subject product from subject countries, either directly or through an affiliated company. Further, our company is not related either to a producer-exporter in the subject product in Subject countries or an importer in India to the best of my knowledge and belief.

With regards,

Yours faithfully,
For Balaji Amines Limited


D. Ram Reddy
 Joint Managing Director

राष्ट्रीय
केमिकल्स एण्ड
फर्टिलाइजर्स
लिमिटेड

(भारत सरकार का उपक्रम)
साथ बढ़ें सकृद्वि की ओर



**RASHTRIYA
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With regards,

Yours faithfully,

Ashok Ghasghase
Director-Marketing

ANNEXURE-3.1

NON-CONFIDENTIAL

Constructed Normal Value

Exchange Rate (POI)

66.25

Particular	For All Subject Countries			
	Norms	Rate	Cost Rs. Kg	Cost USD/Kg
Raw Material				
Acetic Acid	***	***	***	***
DMA	***	***	***	***
Others			***	***
Utilities				
Power	***	***	***	***
Steam	***	***	***	***
Salary & Wages			***	***
Stores & Spares and Packing			***	***
Repair & Maintenance			***	***
Factory Insurance			***	***
Depreciation			***	***
Selling & Administrative Expenses			***	***
Sub Total			***	***
Interest			***	***
Total Cost of Production			***	***
Add: Profit 5%			***	***
Constructed Normal Value in Range				1.20 to 2.25

Basis of Cost:

1. all cost as as per domestic industry

ANNEXURE-3.2

NON-CONFIDENTIAL

Export Price

Particular	Units	CHINA	TURKEY
Import Volume	MT	1,866	1,381
Import Value	Rs.Lacs	1,355	1,024
Assessable Value	Rs. Kg	72.61	74.10
Landing Charges	Rs. Kg	0.73	0.74
CIF Import Price	Rs. Kg	71.88	73.36
Exchange Rate	Rs=USD	66.25	66.25
Import price USD per Kg.	USD/Kg	1.08	1.11

Net Export Price

Particular	Units	CHINA	TURKEY
CIF Export Price	USD/Kg	1.08	1.11
Ocean Freight	USD/Kg	0.07	0.07
Marine Insurance @ 0.5%	USD/Kg	0.01	0.01
FOB Export Price	USD/Kg	1.01	1.03
Inland freight cost @ 0.25%	USD/Kg	0.00	0.00
Documentation Charges @ 0.25%	USD/Kg	0.00	0.00
Handling & Clearing Charges @ 0.5%	USD/Kg	0.01	0.01
Net Export Price	USD/Kg	1.00	1.02

Dumping Margin

Particular	Units	CHINA	TURKEY
Normal Value	USD/Kg	***	***
Export Price	USD/Kg	1.00	1.02
Dumping Margin	USD/Kg	***	***
Dumping Margin % in Range	%	20-35	15-30

Exchange Rate as notified by Ministry of Finance

April-15	63.08
May-15	64.02
June-15	64.61
July-15	64.20
August-15	64.80
September-15	66.83
October-15	65.77
November-15	66.24
December-15	67.17
January-16	67.70
February-16	68.63
March-16	67.84
April-16	67.31
May-16	67.46
June-16	68.17
Average Rate	66.25

Source Ministry of Finance notification

STATEMENT OF RAW MATERIAL CONSUMPTION FOR THE PERIOD APRIL 2015 TO JUNE 2016 (UNIT-I)

PARTICULARS	OPENING STOCK			PURCHASE			CLOSING STOCK			SALES /TRANSFER			CONSUMPTION UNIT I			CONSUMPTION FOR DMAC		
	QUANTITY MT	RATE RS /MT	VALUE RS	QUANTITY MT	RATE RS /MT	VALUE RS	QUANTITY MT	RATE RS /MT	VALUE RS	QUANTITY MT	RATE RS /MT	VALUE RS	QUANTITY MT	RATE RS /MT	VALUE RS	QUANTITY MT	RATE RS /MT	VALUE RS
ACETIC ACID	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
AMMONIA	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
ETHANOL	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
METHANOL	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
DI ETHYLENE GLYCOL	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
HYDROCHLORIC ACID	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
WATER TREATMENT CHEMICALS	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
OTHERS	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
TOTAL	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
DMA TO DMAC - CAPTIVE	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***

STATEMENT OF RAW MATERIAL CONSUMPTION

FORMAT-B

Particulars	Unit	Consumption per unit of production	Actual Consumption per unit of production				Average Rate for
		Standard	2012-13	2013-14	2014-15	Proposed POI	Proposed POI
Major Raw Materials (Item wise)							
Acetic Acid	Kg	***	***	***	***	***	***
DMA	Kg	***	***	***	***	***	***
Total cost per unit of production considering Rates for the investigation period (POI)	Rs./Kg		***	***	***	***	

STATEMENT OF COST OF PRODUCTION

		April 2015 to June 2016 (15M)		
Particulars	Qty	Rate	Value	Cost Per Kg
INSTALLED CAPACITY (MT)	***			
PRODUCTION (MT)	***			
CAPACITY UTILIZATION (%)	***			
SALES -QTY (MT)	***			
Domestic	***			
Exports	***			
RAW MATERIALS				
Acetic Acid	***	***	***	***
DMA	***	***	***	***
Total			***	***
Others			***	***
Total Raw Material Cost			***	***
UTILITY				
Power (Kwh)	***	***	***	***
Steam (MT)	***	***	***	***
Salary & Wages			***	***
Stores & Spares			***	***
Repair & Maintenance			***	***
Factory Insurance			***	***
Packing Material			***	***
Depreciation			***	***
Cost of Production			***	***
Selling & Administrative Expenses			***	***
Interest			***	***
Total Cost to Make and Sell			***	***
Change in Stock			***	***
Cost of Sales			***	***
Sales			***	***
Domestic			***	***
Exports			***	***
Profit			***	***
Domestic			***	***
Exports			***	***

ALLOCATION AND APPORTIONMENT OF EXPENDITURE FOR THE APRIL 2015-JUNE 2016 (15M)

FORMAT-CII

Sl.	Particulars	Company as a whole	Total applicable to product under investigation (Unit as a whole)	Share applicable to product under investigation	Share not applicable to product under investigation	Basis of
1	2	3	4	5	6	
1	Raw materials	***	***	***	***	***
2	Utility	***	***	***	***	***
3	Salary & Wages	***	***	***	***	***
4	Stores & Spares & Packing Mat	***	***	***	***	***
5	Repair & Maintenance	***	***	***	***	***
6	Factory Insurance	***	***	***	***	***
7	Depreciation	***	***	***	***	***
8	Selling & Administrative Expenses	***	***	***	***	***
9	Interest	***	***	***	***	***
10	Other Income	***	***	***	***	***
11	Change in Stock	***	***	***	***	***
12	Cost of Sales	***	***	***	***	***
13	Sales	***	***	***	***	***
14	Carriage Outward	***	***	***	***	***
15	Net Sales	***	***	***	***	***
16	Profit/ Loss	***	***	***	***	***

STATEMENT OF CONSUMPTION OF UTILITIES

Particulars	Unit	Consumption per unit of production	Actual Consumption per unit of production				Average Rate for	
			Standard	2012-13	2013-14	2014-15	Proposed POI	Proposed POI
Major Utilities (Item wise)		Standard	2012-13	2013-14	2014-15	Proposed POI	Proposed POI	
Steam	MT	***	***	***	***	***	***	
Power	Kwh	***	***	***	***	***	***	
Total cost per unit of production considering Rates for the investigation period (POI)	Rs./Kg		***	***	***	***		

STATEMENT OF DOMESTIC SALES REALISATION

FORMAT-E

YEAR/ MONTH	QTY MT	GROSS VALUE Rs. Lacs	EX DUTY Rs. Lacs	SALES TAX Rs. Lacs	Freight Rs. Lacs	NET SALES REALISATION	
						Rs. Lacs	Rs. / KG
2012-13	***	***	***	***	***	***	***
2013-14	***	***	***	***	***	***	***
2014-15	***	***	***	***	***	***	***
Proposed POI	***	***	***	***	***	***	***
Month wise for POI							
Apr-15	***	***	***	***	***	***	***
May-15	***	***	***	***	***	***	***
Jun-15	***	***	***	***	***	***	***
Jul-15	***	***	***	***	***	***	***
Aug-15	***	***	***	***	***	***	***
Sep-15	***	***	***	***	***	***	***
Oct-15	***	***	***	***	***	***	***
Nov-15	***	***	***	***	***	***	***
Dec-15	***	***	***	***	***	***	***
Jan-16	***	***	***	***	***	***	***
Feb-16	***	***	***	***	***	***	***
Mar-16	***	***	***	***	***	***	***
Apr-16	***	***	***	***	***	***	***
May-16	***	***	***	***	***	***	***
Jun-16	***	***	***	***	***	***	***

STATEMENT OF RAW MATERIAL CONSUMPTION FOR THE PROPOSED POI

Items	Opening Stock			Purchase/Transfer			Closing Stock			Consumption		
	Quantity	Value	Rate	Quantity	Value	Rate	Quantity	Value	Rate	Quantity	Value	Rate
	MT	RS.	PMT	MT	RS.	PMT	MT	RS.	PMT	MT	RS.	PMT
<u>Raw Material</u>												
DMA	***	***	***	***	***	***	***	***	***	***	***	***
Acetic Acid	***	***	***	***	***	***	***	***	***	***	***	***

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STATEMENT OF RAW MATERIAL CONSUMPTION

FORMAT-B

Particulars	Unit	Consumption per unit of production	Actual Consumption per unit of production				Average Rate for
		Standard	2012-13	2013-14	2014-15	POI	POI
Major Raw Materials (Item wise)							
Production>>>>	MT	***	***	***	***	***	
DMA	Kg	***	***	***	***	***	***
Acetic Acid	Kg	***	***	***	***	***	***
Total cost per unit of production considering Rates for the investigation period (POI)	Rs./Kg	***	***	***	***	***	***

STATEMENT OF COST OF PRODUCTION

FORMAT-CI

	April-2015 to June-2016			
INSTALLED CAPACITY (MT)			***	
PRODUCTION (MT)			***	
CAPACITY UTILIZATION (%)			***	
SALES -QTY (MT)			***	
Domestic			***	
Exports			***	
	Quantity	Rate	Value	Cost Per Kg
RAW MATERIALS				
DMA	***	***	***	***
Acetic Acid	***	***	***	***
Total Raw Material Cost			***	***
Packing Material			***	***
UTILITY				
Steam	***	***	***	***
Power	***	***	***	***
Water	***	***	***	***
Salary & Wages			***	***
Machinery & Maintenance			***	***
Factory Overhaeds			***	***
Depreciation			***	***
Administrative Expenses			***	***
Selling Overheads			***	***
Interest			***	***
Cost of production			***	***
Change in Stock			***	***
Cost of sales			***	***
Sale Value			***	***
Domestic			***	***
Exports			***	***
Profit/Loss			***	***

ALLOCATION AND APPORTIONMENT OF EXPENDITURE

FORMAT-CII
RS IN LACS

Sl.	Particulars Expenses	Total applicable to product under investigation	Share applicable to product under investigation	Share not applicable to product under investigation	Basis of
1	2	3	4	5	6
1	RAW MATERIAL	***	***	***	***
2	PACKING MATERIAL	***	***	***	***
3	STORES & SPARES	***	***	***	***
4	UTILITY	***	***	***	***
5	SALARY & WAGES	***	***	***	***
6	WELFARE OV. HEAD	***	***	***	***
7	DEPRECIATION	***	***	***	***
8	INTEREST	***	***	***	***
9	T&C	***	***	***	***
10	REPAIRS	***	***	***	***
11	RENT	***	***	***	***
12	INSURANCE	***	***	***	***
13	RATES & TAXES	***	***	***	***
14	DISCOUNT	***	***	***	***
15	FACT.+ADMN.+SOCIAL. EXP.	***	***	***	***
16	LOSS & GAIN FROM FOREX	***	***	***	***
17	P.P.ITEMS	***	***	***	***
18	PROVISIONS NET	***	***	***	***
19	COST OF PRODUCTION	***	***	***	***
20	CHANGE IN STOCK	***	***	***	***
21	EXCISE DUTY	***	***	***	***
22	COST OF SALES	***	***	***	***
23	SALES	***	***	***	***
24	SUBSIDY	***	***	***	***
25	EXCISE DUTY ON SALE	***	***	***	***
26	OTHER INCOME	***	***	***	***
27	TOTAL REVENUE	***	***	***	***
28	PROFIT/(LOSS)	***	***	***	***

STATEMENT OF CONSUMPTION OF UTILITIES

Particulars	Unit	Consumption per unit of production	Actual Consumption per unit of production				Average Rate for	
			2012-13	2013-14	2014-15	POI	POI	
Major Utilities (Item wise)		Standard						
Steam	MT	***	***	***	***	***	***	
Power	Kwh	***	***	***	***	***	***	
Water	KL	***	***	***	***	***	***	
Total cost per unit of production considering Rates for the investigation period (POI)	Rs./Kg	***	***	***	***	***	***	

RASHTRIYA CHEMICALS & FERTILIZERS LIMITED

FORMAT-E

STATEMENT OF SALES REALISATION

YEAR/ MONTH	QTY MT	Gross Value Rs. Lacs	Ex. Duty Rs. Lacs	Net Sales Realisation Rs. Lacs	Net Sales Realisation Rs. Per Kg
2012-13	***	***	***	***	***
2013-14	***	***	***	***	***
2014-15	***	***	***	***	***
POI	***	***	***	***	***
Month wise for POI					
Apr-15	***	***	***	***	***
May-15	***	***	***	***	***
Jun-15	***	***	***	***	***
Jul-15	***	***	***	***	***
Aug-15	***	***	***	***	***
Sep-15	***	***	***	***	***
Oct-15	***	***	***	***	***
Nov-15	***	***	***	***	***
Dec-15	***	***	***	***	***
Jan-16	***	***	***	***	***
Feb-16	***	***	***	***	***
Mar-16	***	***	***	***	***
Apr-16	***	***	***	***	***
May-16	***	***	***	***	***
Jun-16	***	***	***	***	***

Quarterly and Annual Reports of the Petitioner

This information is available on the petitioner's website

<http://www.balajiamines.com/>

<http://www.rcfltd.com/>