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**F. No. 7/13/2022-DGTR  
Government of India  
Ministry of Commerce & Industry  
Department of Commerce  
(Directorate General of Trade Remedies)  
4th Floor, Jeevan Tara Building, Parliament street, New Delhi – 110001**

Dated: 30<sup>th</sup> September 2022

**INITIATION NOTIFICATION**

**Subject: Initiation of Sunset Review Investigation concerning imports of “Grinding Media Balls excluding Forged Grinding Media Ball” from China PR**

1. M/s AIA Engineering Ltd and M/s Welcast Steels Ltd (hereinafter referred to as the ‘applicants’) have filed an application before the Designated Authority (hereinafter referred to as the ‘Authority’), on behalf of domestic industry, in accordance with the Customs Tariff Act, 1975 as amended from time to time (hereinafter referred as the ‘Act’) and the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, as amended from time to time (hereinafter referred as the ‘Rules’), for Sunset Review of Anti-dumping investigation concerning imports of “Grinding Media Balls excluding Forged Grinding Media Ball” or “GM Balls” (hereinafter referred to as the ‘subject goods’ or specifically as the ‘product under consideration’ or the ‘PUC’), originating in or exported from China PR and Thailand (hereinafter referred to as the ‘subject countries’).
2. The applicants have alleged likelihood of recurrence of dumping of the subject goods, originating in or exported from the subject countries, and likelihood of injury to the domestic industry in the event of cessation of ADD and have requested for initiation of Sunset Review Investigation and continuation of the anti-dumping duty in force.

**A. Background**

3. The original investigation concerning imports of the subject goods from Thailand and China PR was initiated vide Notification No. 14/34/2010-DGAD dated 23<sup>rd</sup> May 2011. Definitive anti-dumping duties were recommended vide Notification No. 14/34/2010-DGAD dated 22<sup>nd</sup> May 2012 and the same were imposed vide Notification No. 36/2012-Cus (ADD), dated 16<sup>th</sup> July 2012.
4. Sunset review investigation concerning imports of the subject goods from Thailand and China PR was initiated vide Notification No. 7/7/2017-DGAD dated 4<sup>th</sup> July 2017. Definitive anti-dumping duties were recommended vide Notification No. 7/7/2017-DGAD dated 11<sup>th</sup> June 2018 and the same were imposed vide Notification No. 36/2018-Customs (ADD), dated 13<sup>th</sup> July 2018. The current anti-dumping duty is in force up to 12<sup>th</sup> July 2023.

**B. Product under Consideration**



5. The product under consideration is the same as in the original investigation, i.e, "Grinding Media Balls (excluding Forged Grinding Media Balls)". The product was defined as under in the original investigation-

*"8. The product under consideration is 'Grinding Media Balls' (excluding Forged Grinding Media Balls). 'Grinding Media Balls' (in short, 'GM Balls') are produced in different sizes, shapes and compositions for use in diverse applications. Further, it is available different hardness depending upon varying requirements of the customers.*

*9. The product under consideration is extensively used in cement build materials, metal mining, coal slurry, thermal power plant, chemical engineering, ceramic industry, dope industry, light industry such as papermaking and magnetic material etc for powder preparation. The subject goods are classified under Customs sub-heading 7325 9100 of Chapter 73 of the Customs Tariff Act, 1975. However, the Customs classification is indicative only and in no way binding on the scope of this investigation."*

6. The present investigation being a Sunset Review Investigation, the scope of the product under consideration remains the same as defined in the original investigation.
7. The applicants have proposed adoption of Product Control Numbers (PCNs) methodology for fair comparison between normal value and export price. For the purpose, the applicants have proposed a PCN system based on chrome content and size, and has suggested PCN as follows:

SN.	Parameters	Explanation	Code
1.	Chrome Content	% of Chrome	G 01, 02, 03, 04...
		1%	G01
		2%	G02
		11%	G11
		12%	G12
		33%	G33
2.	Size	Size	A, B, C, D...
		Above 0mm up to 10mm	A
		Above 10mm up to 20mm	B
		Above 20mm up to 30mm	C
		Above 30mm up to 40mm	D
		Above 40mm up to 50mm	E
		Above 50mm up to 60mm	F
		Above 60mm up to 70mm	G
		Above 70mm up to 80mm	H
		Above 80mm up to 90mm	I
		Above 90mm up to 100mm	J

#### EXAMPLES;

A Grinding media ball with chrome content 11% of size 60mm is **G11F**

A Grinding media ball with chrome content 27% of size 80mm is **G27H**

8. The interested parties, however, can provide their comments/suggestions on the proposed PUC/PCNs for the purpose of this investigation within 30 days from the date of initiation of this investigation.

#### C. Like Article



9. The applicants have submitted that there is no known difference in the subject goods, produced by the applicants and those exported from the subject countries. Both products are comparable in terms of physical & technical characteristics, manufacturing process & technology, functions & uses, product specifications, pricing, distribution & marketing and tariff classification of the goods. The two are technically and commercially substitutable and should be treated as like article, under the Rules. Therefore, for the purpose of the present investigation, the subject goods produced by the domestic industry are being treated as 'like article' to the subject goods being imported from the subject countries.

#### **D. Domestic Industry & Standing**

10. The request for the sunset review has been jointly filed by AIA Engineering Ltd and Welcast Steels Ltd. The applicants have certified that they have neither imported the subject goods from the subject countries nor are related to any exporter or producer of the subject goods in the subject countries or an importer of the product under consideration in India. Considering the information on record, the production of the applicants accounts for "a major proportion" of the Indian production of the like article and constitutes the domestic industry within the meaning of the Rule 2(b) and Rule 5(b).

#### **E. The subject countries**

11. The subject countries in the present Sunset review investigation are Thailand and China PR.

#### **F. Likelihood of continuation or recurrence of dumping**

12. The information on record shows that there are no imports from subject country Thailand and negligible imports from China PR. In view of this, it is noted that there is no current dumping from the subject countries. Therefore, the Authority has examined likelihood of dumping or recurrence of injury in the event of cessation of the existing anti-dumping duty.
13. The applicants have claimed that while the domestic industry has not suffered continued injury, injury to the domestic industry is likely in the event of cessation of anti-dumping duty. The applicants have claimed likelihood of injury on the basis of factors such as history of dumping, capacities available in the subject countries, domestic demand in the subject countries, and the likely impact of recurrence of dumping on the domestic industry in the event of cessation of duties. There is prima facie evidence regarding likelihood of injury to the domestic industry in the event of cessation of antidumping duty.

#### **G. Initiation of Anti-dumping Investigation**

14. On the basis of the duly substantiated application by the domestic industry, and having satisfied, on the basis of prima facie evidence submitted by the applicants substantiating likelihood of dumping and consequent injury to the domestic industry, and in accordance with Section 9A (5) of the Act read with Rule 23(1B) of the Rules, the Authority hereby initiates this Sunset Review Investigation to review the need for continued imposition of the duties in force in respect of the subject goods, originating in or exported from the subject countries, and to examine whether the expiry of existing



anti-dumping duty is likely to lead to continuation or recurrence of dumping and consequent injury to the domestic industry.

#### **H. Period of Investigation**

15. The period of investigation (POI) for the present investigation is April 2021 – March 2022 (12 months). The injury period under investigation, however, covers the periods 2018-19, 2019-20 and 2020-21 and the POI.

#### **I. Procedure**

16. The review investigation will cover all aspects of the final findings published vide Notification No. 7/7/2017-DGAD dated 11<sup>th</sup> June 2018, recommending continued imposition of anti-dumping duty on imports of “Grinding Media Balls excluding Forged Grinding Media Balls” originating in or exported from Thailand and China PR.
17. The provisions of Rules 6,7,8,9,10,11,16,17,18,19 and 20 of the Rules supra shall be *mutatis mutandis* applicable in this review.

#### **J. Submission of Information**

18. In view of the special circumstances arising out of COVID-19 pandemic, all communication should be sent to the Designated Authority via email at email address [adg12-dgtr@gov.in](mailto:adg12-dgtr@gov.in); [adg16-dgtr@gov.in](mailto:adg16-dgtr@gov.in), [adv13-dgtr@gov.in](mailto:adv13-dgtr@gov.in); [jd16-dgtr@gov.in](mailto:jd16-dgtr@gov.in) and [dd14-dgtr@gov.in](mailto:dd14-dgtr@gov.in). It should be ensured that the narrative part of the submission is in searchable PDF/ MS Word format and data files are in MS Excel format.
19. The known producers/exporters in the subject countries, Government of the subject countries through their Embassies in India, the importers and users in India known to be concerned with the subject goods and the domestic industry are being informed separately to enable them to file all the relevant information in the form and manner prescribed within the time-limit set out below.
20. Any other interested party may also make its submissions relevant to the investigation in the form and manner prescribed within the time-limit set out below.
21. Any party making any confidential submission before the Authority is required to make a non-confidential version of the same available to the other parties.
22. Interested parties are further advised to keep a regular watch on the official website of the Designated Authority <http://www.dgtr.gov.in/> for any updated information with respect to this investigation.

#### **K. Time Limit**

23. Any information relating to the present investigation should be sent in writing so as to reach the Authority at the email addresses [adg12-dgtr@gov.in](mailto:adg12-dgtr@gov.in); [adg16-dgtr@gov.in](mailto:adg16-dgtr@gov.in); [adv13-dgtr@gov.in](mailto:adv13-dgtr@gov.in); [jd16-dgtr@gov.in](mailto:jd16-dgtr@gov.in) and [dd14-dgtr@gov.in](mailto:dd14-dgtr@gov.in) within 30 days from the date of the receipt of the notice as per the Rule 6(4) of the Rules. It may, however, be noted that in terms of explanation of the said Rule, the notice calling for information and other documents shall be deemed to have been received within one week from the date on which it was sent by the Designated Authority or transmitted to



the appropriate diplomatic representative of the exporting country. If no information is received within the prescribed time-limit or the information received is incomplete, the Authority may record its findings on the basis of the facts available on record in accordance with the Rules.

24. All the interested parties are hereby advised to intimate their interest (including the nature of interest) in the instant matter and file their questionnaire responses within the above time limit.

**L. Submission of Information on Confidential Basis**

25. Any party making any confidential submission or providing information on confidential basis before the Authority, is required to simultaneously submit a non-confidential version of the same in terms of Rule 7(2) of the Rules and Trade Notices issued in this regard. Failure to adhere to the above may lead to rejection of the response / submissions.
26. The parties making any submission (including Appendices/Annexures attached thereto), before the Authority including questionnaire response, are required to file Confidential and Non-Confidential versions separately.
27. The "confidential" or "non-confidential" submissions must be clearly marked as "confidential" or "non-confidential" at the top of each page. Any submission made without such marking shall be treated as non-confidential by the Authority, and the Authority shall be at liberty to allow the other interested parties to inspect such submissions.
28. The confidential version shall contain all information which is by nature confidential and/or other information which the supplier of such information claims as confidential. For information which is claimed to be confidential by nature or the information on which confidentiality is claimed because of other reasons, the supplier of the information is required to provide a good cause statement along with the supplied information as to why such information cannot be disclosed.
29. The non-confidential version is required to be a replica of the confidential version with the confidential information preferably indexed or blanked out (in case indexation is not feasible) and summarized depending upon the information on which confidentiality is claimed. The non-confidential summary must be in sufficient detail to permit a reasonable understanding of the substance of the information furnished on confidential basis. However, in exceptional circumstances, the party submitting the confidential information may indicate that such information is not susceptible to summary, and a statement of reasons why summarization is not possible must be provided to the satisfaction of the Authority. The other interested parties can comment on the confidentiality claimed within seven (7) Days of the receipt of non-confidential version of the documents.
30. The Authority may accept or reject the request for confidentiality on examination of the nature of the information submitted. If the Authority is satisfied that the request for confidentiality is not warranted or if the supplier of the information is either unwilling to make the information public or to authorize its disclosure in generalized or summary form, it may disregard such information.
31. Any submission made without a meaningful non-confidential version thereof or without good cause statement on the confidentiality claim shall not be taken on record by the Authority.



32. The Authority on being satisfied and accepting the need for confidentiality of the information provided, shall not disclose it to any party without specific authorization of the party providing such information.

**M. Sharing of responses/submissions amongst interested parties**

33. A list of registered interested parties will be uploaded on DGTR's website along with the request therein to all of them to email the non-confidential version of their submission to all other interested parties since the public file will not be accessible physically due to ongoing global pandemic.

**N. Non-Cooperation**

34. In case any interested party refuses access to and otherwise does not provide necessary information within a reasonable period, or significantly impedes the investigation, the Authority may declare such interested party as non-cooperative and record its findings on the basis of the facts available to it and make such recommendations to the Central Government as deemed fit.



(Anant Swarup)

**Designated Authority**