



Australian Government
Anti-Dumping Commission

Anti-Dumping Commission
Customs House
1010 La Trobe Street
Docklands VIC 3008

7 November 2014

Mr Puspendu Narayan Chakraverty
Vice President, Exports
503, MAHAKOSH HOUSE, 7/5
SOUTH TUKOGANJ INDORE 452-001
INDIA

Via email: antidumping@indiansteels.com

Dear Mr Chakraverty

**INVESTIGATION INTO THE ALLEGED DUMPING OF
ZINC COATED (GALVANISED) STEEL EXPORTED TO AUSTRALIA
FROM INDIA AND THE SOCIALIST REPUBLIC OF VIETNAM**

I refer to your email of 31 October, in which you requested that the Anti-Dumping Commission (the Commission) reconsider its decision to treat Indian Steel Corporation Ltd (Indian Steel) as an uncooperative exporter pursuant to subsection 269T(1) of the *Customs Act 1901* (the Act). I note that, further to this request, you provided additional information to the Commission by four emails dated 1 November 2014.

In response to Indian Steel's request, the Commission has decided it will not reconsider its decision to treat Indian Steel as an uncooperative exporter pursuant to subsection 269T(1) of the Act.

In providing this advice, I refer to the sequence of events and correspondence between Indian Steel and the Commission, which is provided in **Confidential Attachment A** to this letter. In particular, I note the Commission's email of 16 October 2014, which clearly stated that Indian Steel was being provided with a final opportunity to remedy the deficiencies outlined in that email. Further, Indian Steel was clearly advised that if the listed deficiencies were not resolved by 23 October 2014, then a recommendation would be made that the Commissioner of the Anti-Dumping Commission regard Indian Steel to be an uncooperative exporter, as defined in subsection 269T(1) of the Act. As these deficiencies were not resolved by 23 October (for the reasons outlined in the confidential attachment to letter dated 28 October 2014), Indian Steel is now being treated as an uncooperative exporter.

Whilst the Commission appreciates both the time and effort that Indian Steel has made to provide further information in response to the noted deficiencies, the timeframes and requirements of the investigation must be considered when working with companies on these issues. Indian Steel has been provided with more than adequate opportunities to remedy the deficiencies in its response of 3 September 2014.

As the Commission is treating Indian steel as an uncooperative exporter, it is therefore likely that the Commission will, for the purpose of assessing a dumping margin for Indian Steel, determine:

- export price in terms of subsection 269TAB(3) of the Act having regard to all relevant information; and
- normal value in terms of subsection 269TAC(6) of the Act having regard to all relevant information.

As advised previously, Indian Steel can still participate in the investigation. For example, Indian Steel may wish to provide the Commission with submissions relating to:

- relevant information for assessing Indian Steel's export price and normal value;
- injury to the Australian industry that produces like goods;
- whether any dumping has caused material injury to the Australian industry; and
- preliminary findings and conclusions published in the statement of essential facts.

Yours sincerely,

A handwritten signature in blue ink, appearing to be 'G. Gleeson', with a stylized flourish at the end.

Geoff Gleeson
Director, Operations 1