



HIGH COMMISSION OF INDIA

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**Subject: Anti-Dumping verification by Australian Commission on import
of RE- Sealable Can End Closures from India**

Dear Ms. Kathryn

We have been asked by Government of India to present the following submission to Anti-Dumping Commission of Australia regarding Anti-Dumping verification by Australian Commission on import of RE- Sealable Can End Closures from India.

Reference is invited to the above investigation in which M/s Hindustan Tin Works Limited participated as one of the leading exporters of the subject goods from India and filed complete Questionnaire response. Australian Anti-Dumping Commission has also carried out verification in the premises of M/s Hindustan Tin Works Limited in the July, 2016.

It appeared that after verification the investigating Authority has treated Hindustan as non-cooperative on the grounds that they did not receive any evidence to show that rebate of excise and VAT were received in respect of the tin plates and foils purchased for the use of manufactures TRF exported to Australia in-spite of the fact that this items are Cenvatable.

The authority has now issued statements of essential facts in which Hindustan has been treated as un-cooperative though, the response to the exporter's questionnaire filed by M/s Hindustan was considered sufficient for the purpose of verification. The commission has not indicated which information they found insufficient for the purpose of determination while the information was found complete for the purpose of verification.

Further pursuant to the verification report M/s Hindustan had pointed out several errors and anomalies/incorrect computation with regards to material cost, finance cost etc. which appeared to have been ignored by the commission resulting in very high dumping margin determination (48%) while according to the exports there should be no dumping margin at all.

Since the investigating authority has adopted arbitrary methods disregarding the material facts placed by the co-operating exporter on record and has arbitrarily determined a very high dumping margin which is inconsistent to its obligation under ADA.

The Govt. of India through the High Commission in Canberra would like to make the above submission against statements of disclosure issued by commission.

Regards,



(A. Ajay Kumar)
Deputy High Commissioner

Ms. Kathryn Marnell
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