



Australian Government  
Department of Industry,  
Innovation and Science

Anti-Dumping  
Commission

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## Exporter Questionnaire

### Zinc Coated (Galvanised) steel

### Exported from

### The Republic of India, Malaysia and the Socialist Republic of Vietnam

Period of Investigation: 1 July 2015 to 30 June 2016

Response due by: **13 November 2016 (extended till 30<sup>th</sup> November 2016)**

**Important note:** The Commissioner will reject all requests for a longer period to provide a response to this exporter questionnaire received after this date. Extensions requested before this date will *only* be agreed to where necessary and reasonable.

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#### RETURN OF QUESTIONNAIRE DETAILS

**Preferably by email to:** [operations5@adcommission.gov.au](mailto:operations5@adcommission.gov.au)

**Or by mail  
(CD-ROM or USB):**

Director Operations 5  
Anti-Dumping Commission  
SAP House, Level 4, 224 Bunda Street  
Canberra ACT 2600  
Australia

## GOODS UNDER CONSIDERATION

The goods under consideration (the goods) i.e. the goods exported to Australia, allegedly at dumped prices and/or in receipt of subsidies, are:

*Flat rolled iron or steel goods (whether or not containing alloys) that are plated or coated with zinc. The goods are also generically described as galvanised steel. Galvanised steel of any width is included in this application.*

*The amount of zinc coating on the steel is described as its coating mass and is nominated in grams per meter squared (g/m<sup>2</sup>) with the prefix being Z (Zinc) or ZF (Zinc converted to a Zinc/Iron alloy coating). The common coating masses used for zinc coating are: Z350, Z275, Z200/Z180, Z100, and for zinc/iron alloy coatings are ZF100, ZF80 and ZF30 or equivalents based on international standards and naming conventions.*

*Surface treatments can include but not be limited to; passivated or not passivated (often referred to as chromated or unchromated), oiled or not oiled, skin passed or not skin passed, phosphated or not phosphated (for zinc iron alloy coated steel only).*

*Trade or further generic names often used to describe the goods the subject of the application include:*

*“GALVABOND®” steel*

*“ZINCFORM®” steel*

*“GALVASPAN®” steel*

*“ZINCHITEN®” steel*

*“ZINCANNEAL” steel*

*“ZINCSEAL” steel*

*Galv*

*GI*

*Hot Dip Zinc coated steel*

*Hot Dip Zinc/Iron alloy coated steel*

*Galvanneal*

*There are a number of relevant International Standards for zinc coated goods that cover BlueScope’s goods, including the recommended or guaranteed properties of each of these grades.*

*Relevant International Standards for galvanised steel are set out below:*

International Standards	Product Grade Names
<b>General and Commercial Grades</b>	
AS/NZS 1397	G1, G2
ASTM A 653/A 653M	CS type A, B and C
EN10346	DX51D, DX52D
JIS 3302	SGCC, SGHC
<b>Forming, Pressing &amp; Drawing Grades</b>	
AS/NZS 1397	G3
ASTM A 653/A 653M	FS, DS type A and B
EN10346	DX53D, DX54D
JIS 3302	SGCD, SGCDL
<b>Structural Grades</b>	
AS/NZS 1397	G250, G300, G350, G450, G500, G550
ASTM A 653/A 653M	33 (230), 37 (255), 40 (275), 50 (340), 55 (380), 80 (550)
EN10346	S220GD, S250GD, S280GD, S320GD, S350GD, S550GD
JIS 3302	SGC340, SGC400, SGC440, SGC490, SGC570 SGH340, SGH400, SGH440, SGH490, SGH570

### Exclusion

*Painted galvanised steel, pre-painted galvanised steel, electro-galvanised steel, corrugated galvanised steel or aluminium zinc alloy coated or plated steel are excluded from the application.*

### Tariff classification (Schedule 3 of the Customs Tariff Act 1995)

Tariff code	Statistical code	Unit	Description
7210.49.00	55, 56, 57 and 58	Tonne	Flat-rolled products of iron or non-alloy steel of width of 600mm or more, clad, plated or coated.
7212.30.00	61	Tonne	Flat-rolled products of iron or non-alloy steel of a width of less than 600mm, clad, plated or steel coated. Otherwise plated or coated with zinc
7225.92.00	38	Tonne	Flat-rolled products of other alloy steel, of width of 600mm or more. Otherwise plated or coated with zinc
7226.99.00	71	Tonne	Flat-rolled products of other alloy steel, of width of less than 600mm

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## SECTION A COMPANY STRUCTURE AND OPERATIONS

This section requests information relating to company details and financial reports.

### A-1 Identity and communication

Please nominate a person within your company who can be contacted for the purposes of this investigation:

***Head Office:***

**Name:** Mr. Praveen Dixit  
**Position in the company:** Vice President (International Marketing)  
**Address:**  
JSW Steel Ltd.,  
JSW Centre, Bandra Kurla Complex, Bandra (East)  
Mumbai – 400 051, India  
**Telephone:** + 91 22 42861000  
**Facsimile number:** + 91 22 42863000  
**E-mail address of contact person:** praveen.dixit@jsw.in

***Factories:***

- 1. Vijayanagar Works**  
**Address:** P.O. Vidyanagar, Torangallu, Dist. Bellary – 583275, Karnataka State, India.  
**Telephone:** +91(8395)250120  
**Facsimile number:** +91(8395)250138/250665  
**E-mail address of contact person:** rajendra.kapoor@jsw.in  
**Note: Manufacturer of goods under consideration**
- 2. Dolvi Works**  
**Address:** Geetapuram, Dolvi, Taluka Pen, Dist. Thane – 421604, Maharashtra State, India.  
**Telephone:** +91(2143)277501  
**Facsimile number:** +91(2143)277605  
**E-mail address of contact person:** Pradeep.Bhargava@jsw.in  
**Note: Not a Manufacturer of goods under consideration**
- 3. Salem Works**  
**Address:** Pottaneri, Mecheri, Mettur Taluk. Dist Salem – 421604, Tamil Nadu State, India.  
**Telephone:** +91(4298)278000  
**Facsimile number:** +91(4298)272272  
**E-mail address of contact person:** boopalan.periaswamy@jsw.in  
**Note: Not a Manufacturer of goods under consideration**

## A-2 Representative of the company for the purpose of investigation

If you wish to appoint a representative to assist you in this investigation, provide the following details:

**Name: M/s. Lakshmikumaran & Sridharan Attorneys**

**Contact Persons:**

**Mr. Seetharaman Sampath and Mr. Dhruv Gupta**

**Address: No.: 5 Link Road, Jangpura, New Delhi - 110014**

**Telephone: + 91 (11) 41299800**

**Facsimile/Telex number: +91 (11) 41299899, +91 (11) 26197578**

**E-mail address of contact person:**

**seetharaman.s@lakshmisri.com**

**dhruv.gupta@lakshmisri.com**

*Note that in nominating a representative, the Commission will assume that confidential material relating to your company in this investigation may be freely released to, or discussed with, that representative.*

## A-3 Company information

1. What is the legal name of your business? What kind of entity is it (e.g. company, partnership, sole trader)? Please provide details of any other business names that you use to export and/or sell goods.

**The legal name of the cooperating producer is JSW Steel Limited ("JSWSL"/ "the company"). It is a public limited company. No other business name is being used by JSW Steel Limited to export and / sell goods.**

2. Who are the owners and/or principal shareholders? Provide details of shareholding percentages for joint owners and/or principal shareholders. (List all shareholders able to cast, or control the casting of, 5% or more of the maximum amount of votes that could be cast at a general meeting of your company).

**Shareholding details of principal shareholders of JSWSL are provided below:**

**JFE STEEL INTERNATIONAL EUROPE B.V.**

**15.000001%**

**JSW HOLDINGS LIMITED**

**7.185494 %**

**VIVIDH FINVEST PRIVATE LIMITED**

**5.744478 %**

**JSW INVESTMENTS PRIVATE LIMITED**

**5.591674 %**

**The shareholding pattern of JSWSL can be found on page 56 of the Annual Report that is attached as Exhibit A.3.10a.**

3. If your company is a subsidiary of another company, list the principal shareholders of that company.

**JSWSL is not a subsidiary of any other company.**

4. If your parent company is a subsidiary of another company, list the principal shareholders of that company.

**JSWSL is not a subsidiary of any other company.**

5. Provide a diagram showing all associated or affiliated companies and your company's place within that corporate structure.

**A diagram showing all associated or affiliated companies and JSWSL's place within that corporate structure attached as Exhibit-A.3.5 (Confidential).**

6. Are any management fees/corporate allocations charged to your company by your parent or related company?

**There are no management fees/corporate allocations charged to JSWSL by any related company. With regard to parent companies, it is reiterated that JSWSL is not a subsidiary of any company.**

7. Describe the nature of your company's business. Explain whether you are a producer or manufacturer, distributor, trading company, etc.

**JSWSL is a manufacturer of Hot Rolled Coils, Sheets and Plates, Cold Rolled Coils and Sheets, Galvanised Products (including the goods under consideration), Galvalume Products, Pre-painted Galvanised and Galvalume Products, TMT Bars, Wire rods and Special Steel bars as well as rounds and blooms.**

8. If your business does not perform all of the following functions in relation to the goods under consideration, then please provide names and addresses of the companies which perform each function:

- produce or manufacture
- sell in the domestic market
- export to Australia, and
- export to countries other than Australia.

**JSWSL's business performs all the functions listed above.**



9. Provide your company's internal organisation chart. Describe the functions performed by each group within the organisation.

**JSWSL's marketing chart is attached as Exhibit A.3.9a (Confidential) and internal organisation chart for Vijayanagar plant is attached as Exhibit A.3.9b (Confidential).**

10. Provide a copy of your most recent annual report together with any relevant brochures or pamphlets on your business activities.

**JSWSL's copy of most recent annual report is attached as Exhibit A.3.10a, together with relevant brochures on business activities attached as Exhibit A.3.10b.**

#### **A-4 General accounting/administration information**

1. Indicate your accounting period.

**The accounting period followed by JSWSL is 1st April to 31st March (12 months).**

2. Indicate the address where the company's financial records are held.

**Financial records are held at respective manufacturing locations and records related to corporate office are maintained at corporate office.**

**For goods under consideration, financial Records are mainly kept at the following place:**

**Vijayanagar Works  
P.O. Vidyanagar,  
Toranagallu,  
Dist. Bellary – 583275  
Karnataka State  
India.**



3. Please provide the following financial documents for the two most recently completed financial years plus all subsequent monthly, quarterly or half yearly statements:

- chart of accounts;

Chart of Accounts as on 30<sup>th</sup> June 2016 is attached as Exhibit A.4.3 (Confidential).

- audited consolidated and unconsolidated financial statements (including all footnotes and the auditor's opinion);

Audited consolidated and unconsolidated financial statements (including all footnotes and the auditor's opinion) for 2015-16, which also contains comparison with 2014-15 financial statements is attached as Exhibit A.3.10a.

- internal financial statements, income statements (profit and loss reports), or management accounts, that are prepared and maintained in the normal course of business for the goods under consideration.

These documents should relate to:

- the division or section/s of your business responsible for the production and sale of the goods under consideration, and
- the company.

The above documents are not prepared for any segment which is specifically responsible for the goods under investigation. Therefore the company's overall records that are attached in the above exhibits may be relied upon.

4. If you are not required to have the accounts audited, provide the unaudited financial statements for the two most recently completed financial years, together with your taxation returns. Any subsequent monthly, quarterly or half yearly statements should also be provided.

This question is not applicable as the accounting records of JSWSL are subject to audit under the Indian Companies Act 2013, SEBI Listing Obligations and Disclosure Requirements 2015 guidelines.

5. Do your accounting practices differ in any way from the generally accepted accounting principles in your country? If so, provide details.

Not Applicable as JSWSL's accounting practices are compliant with the generally accepted accounting principles in India.

6. Describe:

The significant accounting policies that govern your system of accounting, in particular:

- the method of valuation for raw material, work-in-process, and finished goods inventories (e.g. last in first out –LIFO, first in first out- FIFO, weighted average);
- costing methods, including the method (e.g. by tonnes, units, revenue, direct costs etc.) of allocating costs shared with other goods or processes (such as front office cost, infrastructure cost etc.);
- valuation methods for damaged or sub-standard goods generated at the various stages of production;
- valuation methods for scrap, by products, or joint products;
- valuation and revaluation methods for fixed assets;
- average useful life for each class of production equipment and depreciation method and rate used for each;
- treatment of foreign exchange gains and losses arising from transactions;
- treatment of foreign exchange gains/losses arising from the translation of balance sheet items;
- inclusion of general expenses and/or interest;
- provisions for bad or doubtful debts;
- expenses for idle equipment and/or plant shut-downs;
- costs of plant closure;
- restructuring costs;
- by-products and scrap materials resulting from your company's production process; and
- effects of inflation on financial statement information.

Please refer Page 126 (Standalone Financial Statements) – Note-1 and Page 182 (Consolidated Financial Statements) – Note-1 for significant accounting policies in the Annual Report.

7. In the event that any of the accounting methods used by your company have changed over the last two years provide an explanation of the changes, the date of change, and the reasons for it.

JSWSL had to effect a change in estimated useful life of Plant & Machinery and Buildings as per the requirements of schedule II of the Company Act, 2013 with effect from 01<sup>st</sup> Apr'14 and 1<sup>st</sup> April 2015 (Please refer Page-151, Note-25 – Point 6 (a) & (b) for Standalone Financial Statements, Page-207, Note-27 – Point 6 (a) & (b) for Consolidated Financial Statements). The financial statements have been attached as Exhibit A.3.10a.

## A-5 Income statement

Please fill in the following table. It requires information concerning all products produced and for the goods under consideration ('goods under consideration' (the goods) is defined in the Glossary of Terms in the appendix to this form). You should explain how costs have been allocated.

Note: if your financial information does not permit you to present information in accordance with this table please present the information in a form that closely matches the table.

Prepare this information on a spreadsheet named "**Income statement**".

Please refer to "Income Statement A-5" spreadsheet provided in the Confidential Tables 30112016 JSW Steel.

## A-6 Sales

State your company's net turnover (after returns and all discounts), and free of duties and taxes. Use the currency in which your accounts are kept, in the following format:

Prepare this information in a spreadsheet named "TURNOVER".

*This information will be used to verify the cost allocations to the goods under consideration in Section G.*

*Also, you should be prepared to demonstrate that sales data shown for the goods is a complete record by linking total sales of these goods to relevant financial statements.*

Please refer to "Turnover A-6" spreadsheet provided in the Confidential Tables 30112016 JSW Steel.

## SECTION B

### SALES TO AUSTRALIA (EXPORT PRICE)

*This section requests information concerning your export practices and prices to Australia. You should include costs incurred beyond ex-factory. Export prices are usually assessed at FOB point, but the Commission may also compare prices at the ex-factory level.*

*You should report prices of **all** goods under consideration (the goods) **shipped** to Australia during the investigation period.*

*The invoice date will normally be taken to be the date of sale. If you consider:*

*the sale date is not the invoice date (see 'date of sale' column in question B4 below) and;*

*an alternative date should be used when comparing export and domestic prices*

*you **must** provide information in section D on domestic selling prices for a matching period - even if doing so means that such domestic sales data predates the commencement of the investigation period.*

**B-1** For each customer in Australia to whom you shipped goods in the investigation period list:

name;  
address;  
contact name and phone/fax number where known; and  
trade level (for example: distributor, wholesaler, retailer, end user, original equipment).

**The relevant information is provided at Exhibit B.1 (Confidential) attached herewith.**

**B-2** For each customer identified in B1 please provide the following information.

- (a) Describe how the goods are sent to each customer in Australia, including a diagram if required.

**[Goods shipped to Australia and export channel information].**

- (b) Identify each party in the distribution chain and describe the functions performed by them. Where commissions are paid indicate whether it is a pre or post exportation expense having regard to the date of sale.

**[ Distribution chain and its functions related information]**

- (c) Explain who retains ownership of the goods at each stage of the distribution chain. In the case of DDP sales, explain who retains ownership when the goods enter Australia.

- **All the transactions shipped to Australia by JSWSL are made on [REDACTED] terms.**
- **The responsibility and ownership of goods lies with JSWSL from the manufacturing stage up to the stage of loading on the vessel.**
- **Once the consignment is loaded on the vessel, the title of the goods is transferred to the [REDACTED].**

- (d) Describe any agency or distributor agreements or other contracts entered into in relation to the Australian market (supply copy of the agreement if possible).

**JSWSL has no agreement / exclusivity with any agency or distributor in the Australian region. All the transactions made during the period of investigation are on [spot] basis.**

- (e) Explain in detail the process by which you negotiate price, receive orders, deliver, invoice and receive payment. If export prices are based on price lists supply copies of those lists.

**JSWSL does not maintain any price lists for export sales. The prices are negotiated based on specification of the goods under consideration, order size and other market conditions.**

**[The price negotiation, order receipt, delivery, invoicing and payment process]**

- (f) State whether your firm is related to any of its Australian customers. Give details of any financial or other arrangements (e.g. free goods, rebates, or promotional subsidies) with the customers in Australia (including parties representing either your firm or the customers).

**JSWSL is not related to any of its Australian customers and does not have any financial arrangement with its customers. Further no free goods, rebates or promotional subsidies have been offered to the customers during the Period of Investigation.**

- (g) Details of the forward orders of the goods under consideration (include quantities, values and scheduled shipping dates).

**JSWSL has no forward orders of the goods under consideration as on date.**

**As explained above,**

\*\*\*\*\*  
\*\*\*\*\*  
\*\*\*\*\*  
\*\*\*\*\*

Column heading	Explanation
Customer name	names of your customers
Level of trade	the level of trade of your customers in Australia
Model/grade/type	commercial model/grade or type
Product code	code used in your records for the model/grade/type identified. Explain the product codes in your submission.
Grade	Reports the steel grade of Galvanised steel. The steel grade determines the guaranteed or typical mechanical properties of the product. The Australia standard AS 1397 range of steel grades are noted in bold with the equivalent Japanese standard JIS 3302 steel grades noted alongside in unbolded.
Base Steel (hot rolled or cold rolled)	Whether the galvanised steel substrate is a hot rolled base or whether it is cold rolled base (i.e. hot rolled further processed via pickling, side trimming and cold reduction).
Hot Dipped coating type	The type of zinc coating on the steel surface. This is either a hot dipped coating of zinc or a coating of zinc that has been converted to a zinc/iron alloy post the hot dip process (excludes electro galvanised steel). The common term for zinc/iron alloy galvanised steel is Galvanneal for this product.
Coating mass (weight)	The amount of zinc (Z) or zinc/iron (ZF) coating that has been applied to the base steel. This is expressed as the total (both top and bottom sides) in grams/square metre of surface area. The designated coating mass is guaranteed minimum value. Note: JIS 3302 expresses coating mass in shortened manner compared to AS 1397 (i.e. AS 1397 coating of Z275 (g/m <sup>2</sup> ) = Z27 in the JIS 3302 standard and AS 1397 coating of ZF100 (g/m <sup>2</sup> ) = F10 in the JIS 3302 standard).
Thickness (BMT)	The Base Metal Thickness (BMT) of the substrate steel before the zinc coating or the zinc/iron coating is applied. For galvanised steel of the same coating mass, the thinner the base metal, the more square metres per tonne and therefore more coating metal is required to be applied and higher the cost and selling price.
Width	The width of the galvanised steel. In general narrow steel products require extra processing via a slitting operation and incur a price extra.
Form (Coil or Sheet)	The final shape of the galvanised steel - either in coil form or in sheet form. Sheeted product requires extra processing via a shearing operation and incurs a price extra.
Prime / Non Prime	Whether the product is prime or non-prime (secondary) product. Non-prime could also be described as not meeting the intended or applicable specification.
Invoice number	invoice number

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Invoice date	invoice date
Date of sale	refer to the explanation at the beginning of this section. If you consider that a date <i>other than</i> the invoice date best establishes the material terms of sale, report that date. For example, order confirmation, contract, or purchase order date.
Order number	if applicable, show order confirmation, contract or purchase order number you have shown a date other than invoice date as being the date of sale.
Shipping terms	Delivery terms e.g. CIF, C&F, FOB, DDP (in accordance with Incoterms)
Payment terms	agreed payment terms e.g. 60 days=60 etc
Quantity	Quantity in units shown on the invoice. Show basis e.g. kg.
Gross invoice value	gross invoice value shown on invoice <i>in the currency of sale, excluding taxes.</i>
Discounts on the invoice	if applicable, the amount of any discount deducted on the invoice on each transaction. If a % discount applies show that % discount applying in another column.
Other charges	any other charges, or price reductions, that affect the net invoice value. Insert additional columns and provide a description.
Invoice currency	the currency used on the invoice
Exchange rate	Indicate the exchange rate used to convert the currency of the sale to the currency used in your accounting system
Net invoice value in the currency of the exporting country	the net invoice value expressed in your domestic currency as it is entered in your accounting system
Rebates or other allowances	the amount of any deferred rebates or allowances paid to the importer in the currency of sale
Quantity discounts	the actual amount of quantity discounts not deducted from the invoice. Show a separate column for each type of quantity discount.
Ocean freight**	the actual amount of ocean freight incurred on each export shipment listed.
Marine insurance	Amount of marine insurance
FOB export price**	the free on board price at the port of shipment.
Packing*	Packing expenses
Inland transportation costs*	inland transportation costs included in the selling price. For export sales this is the inland freight from factory to port in the country of export.
Handling, loading & ancillary expenses*	handling, loading & ancillary expenses. For example, terminal handling, export inspection, wharfage & other port charges, container tax, document fees & customs brokers fees, clearance fees, bank charges, letter of credit fees, & other ancillary charges incurred in the exporting country.
Warranty & guarantee expenses	warranty & guarantee expenses
Technical assistance & other services*	expenses for after sale services, such as technical assistance or installation costs.
Commissions*	Commissions paid. If more than one type is paid insert additional column of data. Indicate in your response to question B2 whether the commission is a pre or post exportation expense having regard to the date of sale.
Other factors*	<b>any other</b> costs, charges or expenses incurred in relation to the exports to Australia (include additional columns as required). See question B5.

\*\* FOB export price and Ocean Freight:



FOB export price: An FOB export price must be calculated for each shipment - regardless of the shipping terms. FOB price includes inland transportation to the port of exportation, inland insurance, handling, and loading charges. It excludes post exportation expenses such as ocean freight and insurance. Use a formula to show the method of the calculation on each line of the export sales spreadsheet.

Ocean freight: as ocean freight is a significant cost it is important that the actual amount of ocean freight incurred on each exportation be reported. If estimates must be made you must explain the reasons and set out the basis - estimates must reflect changes in freight rates over the investigation period.

Freight allocations must be checked for consistency.

\* All of these costs are further explained in section E-1.

**Please refer to “B-4 Australia Sales” spreadsheet provided in the Confidential Tables 30112016 JSW Steel.**

**B-5** If there are any other costs, charges or expenses incurred in respect of the exports listed above which have not been identified in the table above, add a column (see “other factors” in question B-4) for each item, and provide a description of each item. For example, other selling expenses (direct or indirect) incurred in relation to the export sales to Australia.

**The following other expenses have been incurred and reported with regard to exports:**

- [
1. 

\*\*\*\*\*  
\*\*\*\*\*  
\*\*\*\*\*  
\*\*\*\*\*

.
  2. 

\*\*\*\*\*  
\*\*\*\*\*  
\*\*\*\*\*  
\*\*\*\*\*

.]

**B-6** For each type of discount, rebate, allowance offered on export sales to Australia:

- provide a description; and
- explain the terms and conditions that must be met by the importer to obtain the discount.

Where the amounts of these discounts, rebates etc. are not identified on the sales invoice, explain how you calculated the amount shown in your response to question B4. If they vary by customer or level provide an explanation.

**There are no transactions where JSWSL has offered discount, rebate, allowance.**

- B-7** If you have issued credit notes (directly or indirectly) to the customers in Australia, in relation to the invoices listed in the detailed transaction by transaction listing in response to question B4, provide details of each credit note if the credited amount has **not** been reported as a discount or rebate.

**There are no transactions where JSWSL has issued credit notes.**

- B-8** If the delivery terms make you responsible for arrival of the goods at an agreed point within Australia (e.g. delivered duty paid), insert additional columns in the spreadsheet for all other costs incurred. For example:

**JSWSL have not done any DDP transaction during investigation period.**

Import duties	Amount of import duty paid in Australia
Inland transport	Amount of inland transportation expenses within Australia include in the selling price
Other costs	Customs brokers, port and other costs incurred (itemise)

- B-9** Select two shipments, in different quarters of the investigation period, and provide a complete set of all of the documentation related to the export sale. For example:

- the importer's purchase order, order confirmation, and contract of sale;
- commercial invoice;
- bill of lading, export permit;
- freight invoices in relation to movement of the goods from factory to Australia, including inland freight contract;
- marine insurance expenses; and
- letter of credit, and bank documentation, proving payment.

The Commission will select additional shipments for payment verification at the time of the visit.

\*\*\*\*\*  
 \*\*\*\*\*  
 \*\*\*\*\*.] JSWSL has attached the sample transaction documents as Exhibit B.9 (Confidential).

## SECTION C

### EXPORTED GOODS & LIKE GOODS

- C-1** Fully describe all of the goods you have exported to Australia during the investigation period. Include specification details and any technical and illustrative material that may be helpful in identifying, or classifying, the exported goods.

**JSWSL has exported goods under investigation to Australia during the period of investigation. Detailed information regarding grade, coating thickness, width, finish and other critical parameters may be found at Confidential “Australian sales” worksheet as well as the Product Brochure submitted as part of “Exhibit A.3.10b”.**

- C-2** List each type of goods exported to Australia (these types should cover all types listed in spreadsheet “**Australian sales**” – see section B of this questionnaire).

**Attached as Confidential “Exhibit C.2”**

- C-3** If you sell like goods on the domestic market, for each type that your company has exported to Australia during the investigation period, list the most comparable model(s) sold domestically; and

provide a detailed explanation of the differences where those goods sold domestically (i.e. the like goods – see explanation in glossary) are not identical to goods exported to Australia.

EXPORTED TYPE	DOMESTIC TYPE	IDENTICAL?	DIFFERENCES
Product code of each model of the goods exported to Australia	Product code of comparable model sold on the domestic market of the country of export	If goods are identical indicate “YES”. Otherwise “NO”	Where the good exported to Australia is not identical to the like goods, describe the specification differences. If it is impractical to detail specification differences in this table refer to documents which outline differences

**Please refer to Confidential “Exhibit C.3a” for the Product Comparison methodology. Further the above table is also provided as Confidential “Exhibit C.3b”.**

- C-4** Please provide any technical and illustrative material that may be helpful in identifying or classifying the goods that your company sells on the domestic market.

**The relevant specifications and material is attached herewith at “Exhibit A.3.10b”.**

## SECTION D DOMESTIC SALES

*This section seeks information about the sales arrangements and prices in the domestic market of the country of export.*

*All domestic sales made during the investigation period must be listed transaction by transaction. If there is an extraordinarily large volume of sales data and you are unable to provide the complete listing electronically you **must** contact the case officer **before** completing the questionnaire. If the case officer agrees that it is not possible to obtain a complete listing he or she will consider a method for sampling that meets the Commission requirements. If agreement cannot be reached as to the appropriate method the Commission may not visit your company.*

*The Commission will normally take the invoice date as being the date of sale in order to determine which sales fall within the investigation period.*

*If, in response to question B4 (Sales to Australia, Export Price), you have reported that the date of sale is not the invoice date and you consider that this alternative date should be used when comparing domestic and export prices –*

*you **must** provide information on domestic selling prices for a matching period - even if doing so means that such domestic sales data predates the commencement of the investigation period.*

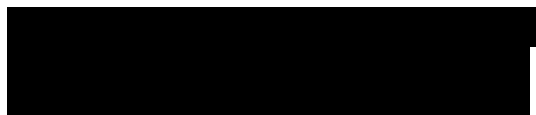
*If you do not have any domestic sales of like goods you must contact the case officer who will explain the information the Commission requires for determining a normal value using alternative methods.*

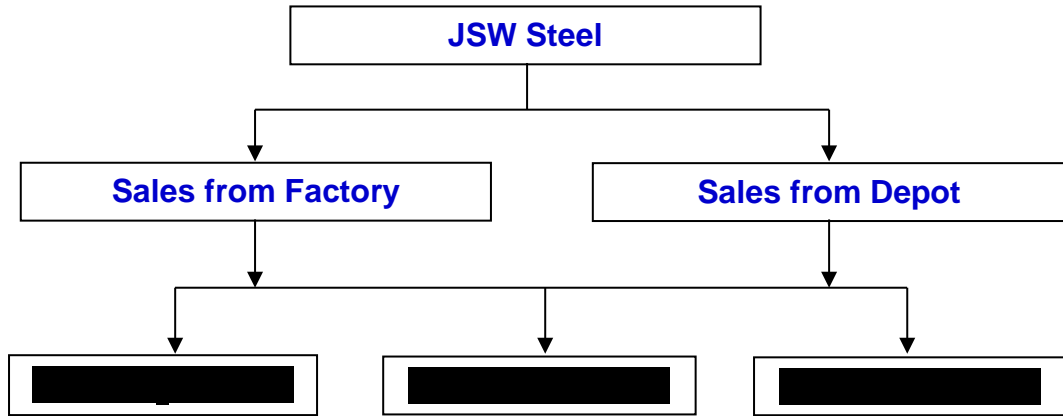
### **D-1** Provide:

- a detailed description of your distribution channels to domestic customers, including a diagram if appropriate;
- information concerning the functions/activities performed by each party in the distribution chain; and
- a copy of any agency or distributor agreements, or contracts entered into.

**As regards the distribution channel for sales made in the home market of the Goods under consideration, the following are the different channels:**

- i)
- ii)
- iii)





[REDACTED]

[REDACTED]

[REDACTED]

If any of the customers listed are associated with your business, provide details of that association. Describe the effect, if any, that association has upon the price.

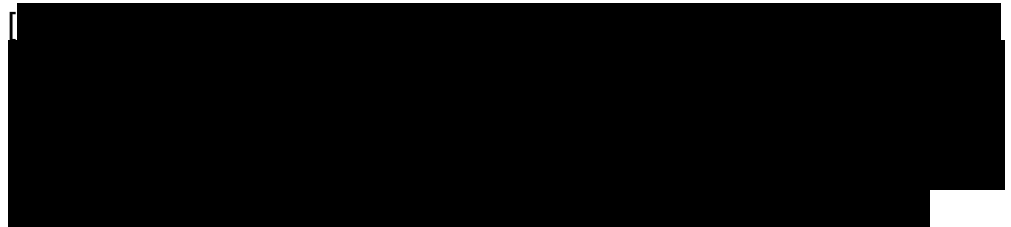
JSWSL has sold the goods under consideration to [REDACTED]

- D-2** Do your domestic selling prices vary according to the distribution channel identified? If so, provide details. Real differences in trade levels are characterised by consistent and distinct differences in functions and prices.

**Price list is same for all channels of distribution in retail / trade segment. For OEMs prices are negotiated on case to case basis as detailed below in response to D-3.**

- D-3** Explain in detail the sales process, including:

- the way in which you set the price, receive orders, make delivery, invoice and finally receive payment; and the terms of the sales; and



- whether price includes the cost of delivery to customer.

**Delivery terms for domestic sales are as below:**

- a. directly from the Company's plant on delivered basis in which cost of delivery is included in the invoice value.**
- b. from the Company's plant on Ex-works basis, whereby the cost of delivery is borne by the customer.**

- c. from Company Depot wherein the cost of delivery from Plant to Depot is borne by JSWSL and there after the cost of delivery ex-depot is borne by the customer.

If sales are in accordance with price lists, provide copies of the price lists.

Price lists are attached for Retail as Confidential “Exhibit D.3” for the quarter of April 2016 to June 2016.

- D-4** Prepare a spreadsheet named “**domestic sales**” listing **all** sales of like goods made during the investigation period. The listing must be provided on a CD-ROM. Include all of the following information.

Please refer to “**Domestic Sales**” spreadsheet provided in the Confidential Tables 30112016 JSW Steel.

Column heading	Explanation
Customer name	names of your customers. If an English version of the name is not easily produced from your automated systems show a customer code number and in a separate table list each code and name.
Level of trade	the level of trade of your domestic customer
Model/grade/type	commercial model/grade or type of the goods
Product code	code used in your records for the model/grade/type of the goods identified. Explain the product codes in your submission.
Grade	Reports the steel grade of Galvanised steel. The steel grade determines the guaranteed or typical mechanical properties of the product. The Australian standard AS 1397 range of steel grades are noted in bold with the equivalent Japanese standard JIS 3302 steel grades noted alongside unbolded.
Base Steel (hot rolled or cold rolled)	Whether the galvanised steel substrate is a hot rolled base or whether it is a cold rolled base (i.e. hot rolled further processed via pickling, side trimming and cold reduction).
Hot Dipped coating type	The type of zinc coating on the steel surface. This is either a hot dipped coating of zinc or a coating of zinc that has been converted to a zinc/iron alloy post the hot dip process (excludes electro galvanised steel). The common term for zinc/iron alloy galvanised steel is Galvanneal for this product.
Coating mass (weight)	The amount of zinc (Z) or zinc/iron (ZF) coating that has been applied to the base steel. This is expressed as the total (both top and bottom sides) in grams/square metre of surface area. The designated coating mass is a guaranteed minimum value. Note: JIS 3302 expresses coating mass in a shortened manner compared to AS 1397 (i.e. AS 1397 coating of Z275 (g/m <sup>2</sup> ) = Z27 in the JIS 3302 standard and AS 1397 coating of ZF100 (g/m <sup>2</sup> ) = F10 in the JIS 3302 standard).
Thickness (BMT)	The Base Metal Thickness (BMT) of the substrate steel before the zinc coating or the zinc/iron coating is applied. For galvanised steel of the same coating mass, the thinner the base metal, the more square metres per tonne and therefore more coating metal is required to be applied and higher the cost and selling price.
Width	The width of the galvanised steel. In general narrow steel product requires extra processing via a slitting operation and incurs a price extra.
Form (Coil or Sheet)	The final shape of the galvanised steel - either in coil form or in sheet form. Sheeted product requires extra processing via a shearing operation and incurs a price extra

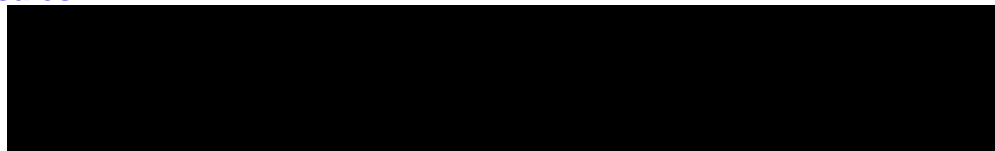


Prime / Non Prime	Whether the product is prime or non-prime (secondary) product. Non-prime could also be described as not meeting the intended or applicable specification.
Invoice number	invoice number
Invoice date	invoice date
Date of sale	refer to the explanation at the beginning of this section. If you consider that a date <i>other than</i> the invoice date best establishes the material terms of sale and should be used, report that date. For example, order confirmation contract, or purchase order date.
Order number	show order confirmation, contract or purchase order number if you have shown a date other than invoice date as being the date of sale.
Delivery terms	e.g. ex-factory, free on truck, delivered into store
Payment terms	payment terms agreed with the customer e.g. 60 days=60 etc
Quantity	quantity in units shown on the invoice e.g. kg.
Gross Invoice value	gross value shown on invoice <i>in the currency of sale</i> , net of taxes.
Discounts on the Invoice	the amount of any discount deducted on the invoice on each transaction. If a % discount applies show that % discount applying in another column.
Other charges	any other charges, or price reductions, that affect the net invoice value. Insert additional columns and provide description.
Net invoice value in the currency of the exporting country	the net invoice value expressed in your domestic currency as recorded in your accounting system
Rebates or other Allowances	the actual amount of any deferred rebates or allowances in the currency of sale
Quantity discounts	the actual amount of quantity discounts not deducted from the invoice. Show a separate column for each type of quantity discount.
Packing*	packing expenses
Inland transportation Costs*	amount of inland transportation costs included in the selling price.
Handling, loading And ancillary Expenses*	handling, loading & ancillary expenses.
Warranty & Guarantee expenses*	warranty & guarantee expenses
Technical assistance & other services*	expenses for after sale services such as technical assistance or installation costs.
Commissions*	commissions paid. If more than one type is paid insert additional columns of data.
Other factors*	<b>any other</b> costs, charges or expenses incurred in relation to the domestic sales (include additional columns as required). See question D5.

Costs marked with \* are explained in section E-2.

**D-5** If there are any other costs, charges or expenses incurred in respect of the sales listed which have not been identified in the table in question D-4 above add a column for each item (see “other factors”). For example, certain other selling expenses incurred.

**The following expenses have been incurred and reported with regard to domestic sales:**



[REDACTED]

[REDACTED]

**D-6** For each type of commission, discount, rebate, allowance offered on domestic sales of like goods:

- provide a description; and
- explain the terms and conditions that must be met by the customer to qualify for payment.

1) JSWSL has reported following types of discounts in discount column 21 in D-4:

[REDACTED]

[REDACTED]



Where the amounts of these discounts, rebates etc. are not identified on the sales invoice, explain how you calculated the amounts shown in your response to question D4.

**The discounts and rebates which are not appearing in invoice are given through an actual credit note as per the eligibility. The credit notes were accordingly linked with the relevant transaction and reported in the “Domestic Sales” spreadsheet provided in D-4.**

If you have issued credit notes, directly or indirectly to the customers, provide details if the credited amount has **not** been reported as a discount or rebate.

<b>Supplementary</b>	<b>Invoice/Rate</b>	<b>Difference:</b>
A large black rectangular redaction box covering the entire body of the table.		

**All the credited amounts featuring in the credit notes have been reported as discounts/rebates/credit notes for rate difference.**

- D-7** Select two domestic sales, in different quarters of the investigation period, that are at the same level of trade as the export sales. Provide a complete set of documentation for those two sales. (Include, for example, purchase order, order acceptance, commercial invoice, discounts or rebates applicable, credit/debit notes, long or short term contract of sale, inland freight contract, bank documentation showing proof of payment.)

The Commission will select additional sales for verification at the time of our visit.

**Please refer to Confidential “Exhibit D.7a” and Confidential “Exhibit D.7b”.**

## SECTION E FAIR COMPARISON

*Section B sought information about the export prices to Australia and Section D sought information about prices on your domestic market for like goods (i.e. the normal value).*

*Where the normal value and the export price are not comparable adjustments may be made. This section informs you of the fair comparison principle and asks you to quantify the amount of any adjustment.*

*As prices are being compared, the purpose of the adjustments is to eliminate factors that have unequally modified the prices to be compared.*

*To be able to quantify the level of any adjustment it will usually be necessary to examine cost differences between sales in different markets. The Commission must be satisfied that those costs are likely to have influenced price. In practice, this means that the expense item for which an adjustment is claimed should have a close nexus to the sale. For example, the cost is incurred because of the sale, or because the cost is related to the sale terms and conditions.*

*Conversely, where there is not a direct relationship between the expense item and the sale a greater burden is placed upon the claimant to demonstrate that prices have been affected, or are likely to have been affected, by the expense item. In the absence of such evidence the Commission may disallow the adjustment.*

*Where possible, the adjustment should be based upon actual costs incurred when making the relevant sales. However, if such specific expense information is unavailable cost allocations may be considered. In this case, the party making the adjustment claim must demonstrate that the allocation method reasonably estimates costs incurred.*

*A party seeking an adjustment has the obligation to substantiate the claim by relevant evidence that would allow a full analysis of the circumstances, and the accounting data, relating to the claim.*

*The investigation must be completed within strict time limits therefore you must supply information concerning claims for adjustments in a timely manner. Where an exporter has knowledge of the material substantiating an adjustment claim that material is to be available at the time of the verification visit. The Commission will not consider new claims made after the verification visit.*

**E-1 Costs associated with export sales**

(These cost adjustments will relate to your responses made at question B-4, 'Australian sales')

**1. Transportation**

Explain how you have quantified the amount of inland transportation associated with the export sale ("**Inland transportation costs**"). Identify the general ledger account where the expense is located. If the amount has been determined from contractual arrangements, not from an account item, provide details and evidence of payment.

[The merchandise is usually delivered  
[Inland transportation costs]

**2. Handling, loading and ancillary expenses**

List all charges that are included in the export price and explain how they have been quantified ("**Handling, loading & ancillary expenses**"). Identify the general ledger account where the expenses are located. If the amounts have been determined using actual observations, not from a relevant account item, provide details.

The various export related ancillary costs are identified in the table at question B4, for example:

- terminal handling;
- wharfage and other port charges;
- container taxes;
- document fees and customs brokers fees;
- clearance fees;
- bank charges, letter of credit fees
- other ancillary charges.

Following export related ancillary costs are identified in the table at Section B-4:

[

Expense	G/L Code
*****	*****
*****	*****

\*\*\*\*\*  
\*\*\*\*\*.] Detailed calculation of such charges is annexed hereto as Confidential "E-1.2 Handling Expenses".

3. **Credit**

The cost of extending credit on export sales is not included in the amounts quantified at question B4. However, the Commission will examine whether a credit adjustment is warranted and determine the amount. Provide applicable interest rates over each month of the investigation period. Explain the nature of the interest rates most applicable to these export sales e.g., short term borrowing in the currency concerned.

If your accounts receivable shows that the average number of collection days differs from the payment terms shown in the sales listing, *and if* export prices are influenced by this longer or shorter period, calculate the average number of collection days. See also item 4 in section E-2 below.

**JSWSL terms of sales to Australia is ["\*\*\*\*\*"]. The applicable interest rates during investigation period is [\*\*\*\*\*].**

4. **Packing costs**

List material and labour costs associated with packing the export product. Describe how the packing method differs from sales on the domestic market, for each model. Report the amount in the listing in the column headed 'Packing'.

**There is no difference in the packing for domestic and exports sales. Hence, packing cost has not been claimed as adjustment by JSWSL.**

5. **Commissions**

For any commissions paid in relation to the export sales to Australia:

- provide a description; and
- explain the terms and conditions that must be met.

Report the amount in the sales listing in question B-4 under the column headed "**Commissions**". Identify the general ledger account where the expense is located.

**There are no commission expenses paid for sales of the Goods under consideration made to Australia in the Period of Investigation.**

6. **Warranties, guarantees, and after sales services**

List the costs incurred. Show relevant sales contracts. Show how you calculated the expenses (“**Warranty & guarantee expenses**” and “**Technical assistance & other services**”), including the basis of any allocations. Include a record of expenses incurred. Technical services include costs for the service, repair, or consultation. Where these expenses are closely related to the sales in question, an adjustment will be considered. Identify the ledger account where the expense is located.

**There are no warranties, guarantees or after sales services for sales of the Goods under consideration made to Australia during the Period of Investigation.**

**7. Other factors**

There may be other factors for which an adjustment is required if the costs affect price comparability – these are identified in the column headed “**Other factors**”. For example, other variable or fixed selling expenses, including salesmen’s salaries, salesmen’s travel expenses, advertising and promotion, samples and entertainment expenses. Your consideration of questions asked at Section G, concerning domestic and export costs, would have alerted you to such other factors.

**The following other expenses have been incurred and reported with regard to exports:**

- [
1. \*\*\*\*\*  
\*\*\*\*\*.
  2. \*\*\*\*\*  
\*\*\*\*\*.]

**8. Currency conversions**

In comparing export and domestic prices a currency conversion is required. Fluctuations in exchange rates can only be taken into account when there has been a ‘sustained’ movement during the period of investigation (see article 2.4.1 of the WTO Agreement). The purpose is to allow exporters 60 days to adjust export prices to reflect ‘sustained’ movements. Such a claim requires detailed information on exchange movements in your country over a long period that includes the investigation period.

**There are no adjustments claimed under ‘Currency conversions’.**

**E-2 Costs associated with domestic sales**

(These cost adjustments will relate to your responses made at question D-4, “**domestic sales**”)



*The following items are not separately identified in the amounts quantified at question D-4. However you should consider whether any are applicable.*

**1. Physical characteristics**

The adjustment recognises that differences such as quality, chemical composition, structure or design, mean that goods are not identical and the differences can be quantified in order to ensure fair comparison.

The amount of the adjustment shall be based upon the market value of the difference, but where this is not possible the adjustment shall be based upon the difference in cost plus the gross profit mark-up (i.e. an amount for selling general and administrative costs (S G & A) plus profit).

The adjustment is based upon actual physical differences in the goods being compared and upon the manufacturing cost data. Identify the physical differences between each model. State the source of your data.

**[JSWSL has reported exports to Australia and domestic sales using the**

\*\*\*\*\*  
\*\*\*\*\*  
\*\*\*\*\*  
\*\*\*\*\*  
\*\*\*\*\* ]

**2. Import charges and indirect taxes**

If exports to Australia:

- are partially or fully exempt from internal taxes and duties that are borne by the like goods in domestic sales (or on the materials and components physically incorporated in the goods), or
- if such internal taxes and duties have been paid and are later remitted upon exportation to Australia;

the price of like goods must be adjusted downwards by the amount of the taxes and duties.

The taxes and duties include sales, excise, turnover, value added, franchise, stamp, transfer, border, and excise taxes. Direct taxes such as corporate income tax are not included as such taxes do not apply to the transactions.

Adjustment for drawback is not made in every situation where drawback has been received. Where an adjustment for drawback is appropriate you must provide information showing the import duty borne by the domestic sales. (That is, it is not sufficient to show the drawback amount and the export sales quantity to Australia. For example, you may calculate the duty borne on domestic sales by quantifying the total amount of import duty paid and subtracting the duty refunded on exports to all countries. The difference, when divided by the domestic sales volume, is the amount of the adjustment).

In substantiating the drawback claim the following information is required:

- a copy of the relevant statutes/regulations authorising duty exemption or remission, translated into English;
- the amount of the duties and taxes refunded upon *exportation* and an explanation how the amounts were calculated and apportioned to the exported goods;
- an explanation as to how you calculated the amount of duty payable on imported materials is borne by the goods sold *domestically* but is not borne by the exports to Australia;

Substitution drawback systems

Annex 3 of the WTO Agreement on Subsidies provides: *“Drawback systems can allow for the refund or drawback of import duties on inputs which are consumed in the production process of another product and where the export of this latter product contains domestic inputs having the same quality and characteristics as those substituted for the imported inputs”*

If such a scheme operates in the country of export adjustments can also be made for the drawback payable on the substituted domestic materials, provided the total amount of the drawback does not exceed the total duty paid.

[JSWSL receives indirect tax related information  
\*\*\*\*\*  
\*\*\*\*\*.]

**3. Level of trade**

Question D-4 asks you to indicate the level of trade to the domestic customer. To claim an adjustment for level of trade differences you will need to quantify the amount by which level of trade influences price.

Trade level is the level a company occupies in the distribution chain. The trade level to which that company in turn sells the goods and the functions carried out distinguish a level of trade. Examples are producer, national distributor, regional distributor, wholesaler, retailer, end user, and original equipment.

It may not be possible to compare export prices and domestic prices at the same level of trade. Where relevant sales of like goods at the next level of trade must be used to determine normal values an adjustment for the difference in level of trade may be required where it is shown that the difference affects price comparability.

The information needs to establish that there are real trade level differences, not merely nominal differences. Real trade level differences are characterised by a consistent pattern of price differences between the levels and by a difference in functions performed. If there is no real trade level differences all sales are treated as being at the same level of trade.

A real difference in level of trade (may be adjusted for using either of the following methods:

- (a) *costs arising from different functions:* the amount of the costs, expenses etc. incurred by the seller in domestic sales of the like goods resulting from activities that would not be performed were the domestic sales made at the same level as that of the importer.

This requires the following information:

- a detailed description of each sales activity performed in selling to your domestic customers (for example sales personnel, travel, advertising, entertainment etc.);
- the cost of carrying out these activities in respect of like goods;
- for each activity, whether your firm carries out the same activity when selling to importers in Australia;
- an explanation as to why you consider that you are entitled to a level of trade adjustment.

or

- (b) *level discount:* the amount of the discount granted to purchasers who are at the same level of trade as the importer in Australia. This is determined by an examination of price differences between the two levels of trade in the exporter's domestic market, for example sales of like goods by other vendors or sales of the same general category of goods by the exporter. For this method to be used it is important that a clear pattern of pricing be established for the differing trade levels. Such pattern is demonstrated by a general availability of the discounts to the level - isolated instances would not establish a pattern of availability.

**There are no adjustments claimed under 'Level of trade'.**

**[Exports to Australia**  
\*\*\*\*\*  
\*\*\*\*\*.]

**4. Credit**

The cost of extending credit on domestic sales is not included in the amounts quantified at question D-4. However, the Commission will examine whether a credit adjustment is warranted and determine the amount. An adjustment for credit is to be made even if funds are not borrowed to finance the accounts receivable.

The interest rate on domestic sales in order of preference is:

- the rate, or average of rates, applying on actual short term borrowings by the company; or
- the prime interest rate prevailing for commercial loans in the country for credit terms that most closely approximate the credit terms on which the sales were made; or
- such other rate considered appropriate in the circumstances.

Provide the applicable interest rate over each month of the investigation period.

If your accounts receivable shows that the average number of collection days differs from the payment terms shown in the sales listing, and if domestic prices are influenced by this longer or shorter period, calculate the average number of collection days.

Where there is no fixed credit period agreed at the time of sale the period of credit is determined on the facts available. For example, where payment is made using an open account system<sup>1</sup>, the average credit period may be determined as follows:

*1. Calculate an accounts receivable turnover ratio*

This ratio equals the total credit sales divided by average accounts receivable. (It is a measure of how many times the average receivables balance is converted into cash during the year).

In calculating the accounts receivable turnover ratio, credit sales should be used in the numerator whenever the amount is available from the financial statements. Otherwise net sales revenue may be used in the numerator.

An average accounts receivable over the year is used in the denominator. This may be calculated by:

- using opening accounts receivable at beginning of period plus closing accounts receivable at end of period divided by 2, or

---

<sup>1</sup> Under an open account system, following payment the balance of the amount owing is carried into the next period. Payment amounts may vary from one period to the next, with the result that the amount owing varies.

- total monthly receivables divided by 12.

2. Calculate the average credit period

The average credit period equals 365 divided by the accounts receivable turnover ratio determined above at 1.

The resulting average credit period should be tested against randomly selected transactions to support the approximation.

The following items are identified in the amounts quantified at question D-4:

JSWSL has reported the credit period offered to each customer in the domestic market. [he applicable interest rates during investigation period is \*\*\*\*\*]

5. Transportation

Explain how you have quantified the amount of inland transportation associated with the domestic sales (“Inland transportation Costs”). Identify the general ledger account where the expense is located. If the amount has been determined from contractual arrangements, not from an account item, provide details and evidence of payment.

[The merchandise is usually delivered from plant to port / warehouse / customer \*\*\*\*\*  
 \*\*\*\*\*  
 \*\*\*\*\*  
 \*\*\*\*\*  
 \*\*\*\*\*.]

6. Handling, loading and ancillary expenses

List all charges that are included in the domestic price and explain how they have been quantified (“Handling, loading and ancillary Expenses”). Identify the general ledger account where the expense is located. If the amounts have been determined using actual observations, not from a relevant account item, provide details.

Following domestic related “Handling, loading and ancillary Expenses have been included:

[

Expense	G/L Code
*****	*****
*****	*****



\*\*\*\*\*.]  
**Detailed calculation of such charges is annexed hereto as Confidential “E-1.2 Handling Expenses”.**

**7. Packing**

List material and labour costs associated with packing the domestically sold product. Describe how the packing method differs from sales on the domestic market, for each model. Report the amount in the listing in the column headed **“Packing”**.

**There is no difference in the packing for domestic and exports sales. Hence, packing cost has not been claimed as adjustment by JSWSL.**

**8. Commissions**

For any commissions paid in relation to the domestic sales:

- provide a description
- explain the terms and conditions that must be met.

Report the amount in the sales listing under the column headed **“Commissions”**. Identify the general ledger account where the expense is located.

**Commissions is paid [\*\*\*\*\*].**  
**General Ledger details:**

Expense	G/L Code
*****	*****
*****	*****

\*\*\*\*\*.] **Detailed calculation of such charges is annexed hereto as Confidential “E-2.8 Commissions”.**

**9. Warranties, guarantees, and after sales services**

List the costs incurred. Show relevant sales contracts. Show how you calculated the expenses (**“Warranty & Guarantee expenses”** and **“Technical assistance & other services”**), including the basis of any allocations. Include a record of expenses incurred. Technical services include costs for the service, repair, or consultation. Where these expenses are closely related to the sales in question, an adjustment will be considered. Identify the ledger account where the expense is located.

**JSWSL has paid quality/rejection related claims to various customers. These claims have been claimed as adjustment to the domestic sales.**

**General Ledger details:**

<b>Expense</b>	<b>G/L Code</b>
*****	*****
*****	*****

\*\*\*\*\*] Detailed calculation of such charges is annexed hereto as Confidential “E-2.9a Warranty and E-2.9b Warranty”.

**10. Other factors**

There may be other factors for which an adjustment is required if the costs affect price comparability – these are identified in the column headed “**Other factors**”. List the factors and show how each has been quantified in per unit terms. For example:

- *inventory carrying cost*: describe how the products are stored prior to sale and show data relating to the average length of time in inventory. Indicate the interest rate used;
- *warehousing expense*: an expense incurred at the distribution point;
- *royalty and patent fees*: describe each payment as a result of production or sale, including the key terms of the agreement;
- *advertising*; and
- *bad debt*.

**JSWSL has included the following charges under in the column headed “Other factors”.**

[

- a) \*\*\*\*\*  
b) \*\*\*\*\*

**These claims have been claimed as adjustment to the domestic sales.**

\*\*\*\*\*  
\*\*\*\*\*  
\*\*\*\*\*

**Detailed calculation of such charges is annexed hereto as Confidential “E-2.10 Bank Charges”.**

**Insurance**

**JSWSL has taken blanket policy which covers all its products irrespective of terms of sales. The insurance charges are calculated as under**

- a) \*\*\*\*\* (annexed hereto as Confidential “Exhibit D.5a”).  
b) \*\*\*\*\* annexed hereto as Confidential “Exhibit D.5b”.]



### **E-3 Duplication**

In calculating the amount of the adjustments you must ensure that there is no duplication.

For example:

- adjustments for level of trade, quantity or other discounts may overlap, or
- calculation of the amount of the difference for level of trade may be based upon selling expenses such as salesperson's salaries, promotion expenses, commissions, and travel expenses.

Separate adjustment items must avoid duplication.

An adjustment for quantities may not be granted unless the effect on prices for quantity differences is identified and separated from the effect on prices for level of trade differences.

## SECTION F

### EXPORT SALES TO COUNTRIES OTHER THAN AUSTRALIA (THIRD COUNTRY SALES)

*Your response to this part of the questionnaire may be used by the Commission to select sales to a third country that may be suitable for comparison with exports to Australia.*

*Sales to third countries may be used as the basis for normal value in certain circumstances. The Commission may seek more detailed information on particular third country sales where such sales are likely to be used as the basis for determining normal value.*

**F-1 Using the column names and column descriptions below provide a summary of your export sales to countries other than Australia.**

Column heading	Explanation
Country	Name of the country that you exported like goods to over the investigation period.
Number of customers	The number of different customers that your company has sold like goods to in the third country over the investigation period.
Level of trade	The level of trade that you export like goods to in the third country.
Quantity	Indicate quantity, in units, exported to the third country over the investigation period.
Unit of quantity	Show unit of quantity e.g. kg
Value of sales	Show net sales value to all customers in third country over the investigation period
Currency	Currency in which you have expressed data in column SALES
Payment terms	Typical payment terms with customer(s) in the country e.g. 60 days=60 etc
Shipment terms	Typical shipment terms to customers in the third country e.g. CIF, FOB, ex-factory, DDP etc.

Supply this information in spreadsheet file named "Third country"

**Please refer to the attached spreadsheet file named "F-1 Third country" in Confidential Tables 30112016 JSW Steel**

**F-2 Please identify any differences in sales to third countries which may affect their comparison to export sales to Australia.**

**There are no such differences for similar grades.**

## SECTION G

### COSTING INFORMATION AND CONSTRUCTED VALUE

*The information that you supply in response to this section of the questionnaire will be used for various purposes including:*

- testing the profitability of sales of like goods on the domestic market;*
- determining a constructed normal value of the goods under consideration (the goods) - i.e. of the goods exported to Australia; and*
- making certain adjustments to the normal value.*

*You will need to provide the cost of production of both the exported goods (the goods) and for the like goods sold on the domestic market. You will also need to provide the selling, general, and administration costs relating to goods sold on the domestic market; the finance expenses; and any other expenses (e.g. non-operating expenses not included elsewhere) associated with the goods.*

*In your response please include a worksheet showing how the selling, general, and administration expenses; the finance expenses; and any other expenses have been calculated.*

*If, in response to question B4 (Sales to Australia, Export Price) you:*

- reported that the date of sale is not the invoice date and consider that this alternative date should be used when comparing domestic and export prices, and*
- provided information on domestic selling prices for a matching period as required in the introduction to Section D (Domestic Sales)*

*you must provide cost data over the same period as these sales even if doing so means that such cost data predates the commencement of the investigation period.*

*At any verification meeting you must be prepared to reconcile the costs shown to the accounting records used to prepare the financial statements.*

#### **G-1. Production process and capacity**

1. Describe the production process for the goods. Provide a flowchart of the process. Include details of all products manufactured using the same production facilities as those used for the goods. Also specify all scrap or by-products that result from producing the goods.

**JSWSL is an integrated steel producer with its corporate headquarters in Mumbai, Maharashtra. JSWSL operates three steel plants in India:**

- The Vijayanagar Plant (“VJNR”) -- an integrated mill in the state of Karnataka that produces carbon and alloy steel slabs, billets, long products, and flat steel products, including hot-rolled, cold-rolled, and subject galvanized / galvanealed steel sheet and strip. Only this plant is involved in production of goods under consideration.**

- The Dolvi Plant -- an integrated steel mill in the state of Maharashtra that produces flat-rolled carbon and alloy steel, including hot-rolled steel; and Long Products. This plant is not involved in production of goods under consideration.
- The Salem Plant – a mill in the state of Tamil Nadu that exclusively produces non-subject specialty steel long products. This plant is not involved in production of goods under consideration.

As indicated above, JSWSL only produces goods under consideration at the Vijayanagar plant. JSWSL does not produce the goods under consideration at the Dolvi and Salem plants. [

]. The Production Process flow charts are enclosed in two parts, i.e. Exhibit G.1.1a (Confidential) and Exhibit G.1.1b (Confidential). Exhibit G.1.1a contains the process up to the production from pellet / sinter to cold rolled material whereas Exhibit G.1.1b covers the intricate detail of Galvanised steel in particular.

The major by-products generated in the course of manufacture are by-product gases, slag, scrap, coal tar, zinc dross.

**G-2. Provide information about your company's total production in the following table:**

	PREVIOUS FINANCIAL YEAR	MOST RECENT FINANCIAL YEAR	Investigation Period
A – Production capacity (e.g. kg tonnes)*			
B – Actual production in volume (e.g. kg, tonnes)			
C – Capacity utilisation (%) (B/A x 100)			

\* rather than showing a 'name-plate' optimal capacity it is more meaningful to show the maximum level of production that may reasonably be attained under normal operating conditions. For example assuming: normal levels of maintenance and repair; a number of shifts and hours of operation that is not abnormally high; and a typical production mix.

Provide this information on a spreadsheet named "**Production**".

Please refer to the “G-2 Production” spreadsheet provided in Confidential 30112016 JSW Steel.

### **G-3. Cost accounting practices**

1. Outline the management accounting system that you maintain and explain how that cost accounting information is reconciled to your audited financial statements.

**JSWSL does not have separate management accounting system as the information/data recorded in the financial statements is used for management as well as audit purposes.**

2. Is your company's cost accounting system based on standard (budgeted) costs? State whether standard costs were used in your responses to this questionnaire. If they were state whether all variances (i.e. differences between standard and actual production costs) have been allocated to the goods - and describe how those variances have been allocated.

**This question is not applicable as JSWSL has determined its cost on an actual basis for each quarter in period of investigation.**

3. Provide details of any significant or unusual cost variances that occurred during the investigation period.

**There is no significant or unusual cost variance occurred during the investigation period. JSWSL has determined its cost on an actual basis for each quarter in period of investigation.**

4. Describe the profit/cost centres in your company's cost accounting system.

**Different Location (specific Plant) is treated as profit centres & different process (i.e. PLTCM & Coating) is treated as cost centre. A list of Profit Centres & Cost Centres is attached hereto as Exhibit G.3.4 (Confidential).**

5. For each profit/cost centre describe in detail the methods that your company normally uses to allocate costs to the goods under consideration. In particular specify how, and over what period, expenses are amortised or depreciated, and how allowances are made for capital expenditures and other development costs.

6 Describe the level of product specificity (models, grades etc.) that your company's cost accounting system records production costs.

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7 List and explain all production costs incurred by your company which are valued differently for cost accounting purposes than for financial accounting purposes.

1

[illegible]

- This question is not applicable as JSWSL is not involved in start-up operations relating to goods under consideration.**

- This question is not applicable as JSWSL is not involved in start-up operations.**

**G-4 Cost to make and sell on domestic market**

*This information is relevant to testing whether domestic sales are in the ordinary course of trade.<sup>2</sup>*

1. Please provide (in the format shown in the table below) the actual unit cost to make and sell each model/type\* (identified in section C) of the like goods sold on the domestic market. Provide this cost data for each quarter over the investigation period. If your company calculates costs monthly, provide monthly costs.

**Please refer to the “G-4 Domestic CTMS” spreadsheet provided in Confidential 30112016 JSW Steel.**

2. Indicate the source of cost information (account numbers etc.) and/or methods used to allocate cost to the goods. Provide documentation and worksheets supporting your calculations.

	Quarter 1	Quarter 2	Quarter 3	Quarter 4
<b>Like Domestic Model/Type – from spreadsheet LIKE GOO (section C-3)</b>				
Production Volume				
Material Costs <sup>1</sup>				
Thickness (BMT)				
Coating mass (weight)				
Base Steel (hot rolled or cold rolled)				
Form (Coil or Sheet)				
Direct Labour				
Manufacturing Overheads				
Other Costs <sup>2</sup>				
<b>Total Cost to Make</b>				
Selling Costs				
Administration Costs				
Financial Costs				
Delivery Expenses <sup>3</sup>				
Other Costs <sup>3</sup>				
<b>Unit Cost to Make and Sell</b>				

<sup>2</sup> The Commission applies the tests set out in s.269TAAD of the Customs Act 1901 to determine whether goods are in ordinary course of trade. These provisions reflect the WTO anti-dumping agreement – see Article 2.2.1.



Prepare this information in a spreadsheet named "**Domestic CTMS**".

<sup>1</sup> Identify each cost separately. Include indirect material costs as a separate item only if not included in manufacturing overheads.

<sup>2</sup> Relating to costs of production only; identify each cost separately.

<sup>3</sup> Identify each cost separately. Please ensure non-operating expenses **that relate to the goods under consideration** are included. Where gains/losses due to foreign currency exchange are incurred, please provide detail of the amounts separately for transaction and translation gains/losses.

*Provide this information for each quarter (or month if your company calculates costs on a monthly basis) over the period of the investigation.*

*Provide the information broken down into fixed and variable costs, and indicate the % total cost represented by fixed costs.*

*If you are unable to supply this information in this format, please contact the case officer for this investigation at the address shown on the cover of this questionnaire.*

*Please specify unit of currency.*

**Please refer to the "G-4 Domestic CTMS", "Domestic CTMS Yearly and Total Domestic Cost" spreadsheet provided in Confidential 30112016 JSW Steel.**

## G-5 Cost to make and sell goods under consideration (goods exported to Australia)

*The information is relevant to calculating the normal values based on costs. It is also relevant to calculating certain adjustments to the normal value.*

	Quarter 1	Quarter 2	Quarter 3	Quarter 4
<b>Model/Type exported to Australia – from spreadsheet LIKEGOOD</b>				
Material Costs <sup>1</sup>				
Thickness (BMT)				
Coating mass (weight)				
Base Steel (hot rolled or cold rolled)				
Form (Coil or Sheet)				
Direct Labour				
Manufacturing Overheads				
Other Costs <sup>2</sup>				
<b>Total Cost to Make</b>				
Selling Costs				
Administration Costs				
Financial Costs				
Delivery Expenses <sup>3</sup>				
Other Costs <sup>3</sup>				
<b>Unit Cost to Make and Sell</b>				

Prepare this information in a spreadsheet named "**Australian CTMS**".

<sup>1</sup> Identify each cost separately. Include indirect material costs as a separate item only if not included in manufacturing overheads.

<sup>2</sup> Relating to costs of production only; identify each cost separately.

<sup>3</sup> Identify each cost separately. Please ensure non-operating expenses **that relate to the goods** are included. Where gains/losses due to foreign currency exchange are incurred, please provide detail of the amounts separately for transaction and translation gains/losses.

*Provide this information for each quarter (or month if your company calculates costs on a monthly basis) over the period of the investigation.*

*Provide the information broken down into fixed and variable costs, and indicate the % total cost represented by fixed costs.*

*If you are unable to supply this information in this format, please contact the case officer for this investigation at the address shown on the cover of this questionnaire.*

*Please specify unit of currency.*

**Please refer to the “G-5 Australian CTMS” and “G-5 Total Australian Cost” spreadsheet provided in Confidential 30112016 JSW Steel**

- 1 Where there are cost differences between goods sold to the domestic market and those sold for export, give reasons and supporting evidence for these differences.

**There are no cost differences between goods sold in domestic market and goods sold to Australia for similar grades and therefore this question is not applicable. The differences in cost only arise due to differences in specification sold.**

- 2 Give details and an explanation of any significant differences between the costs shown, and the costs as normally determined in accordance with your general accounting system. Reference should be made to any differences arising from movements in inventory levels and variances arising under standard costing methods.

**There are no cost differences between goods sold in domestic market and goods sold to Australia for similar grades and therefore this question is not applicable.**

- 3 In calculating the unit cost to make and sell, provide an explanation if the allocation method used (e.g. number, or weight etc.) to determine the unit cost differs from the prior practice of your company.

**There is no difference in calculating the unit cost to make and sell as the allocation method used to determine the unit cost does not differ from the prior practice of your company.**

## **G-6 Major raw material costs**

List major raw material costs, which individually account for 10% or more of the total production cost.

**The major raw material, which individually accounts for 10% or more of the total production cost for manufacturing the goods under consideration is Hot Rolled Coil. The base raw materials used to manufacture Hot Rolled Coils at Vijayanagar are iron ore and coking coal, which would also individually account for 10% or more of the total production cost of goods under consideration.**

For these major inputs:

- identify materials sourced in-house and from associated entities;

**Hot Rolled Coils are sourced in-house by JSWSL for manufacturing the goods under consideration.**

**[\*\*\*\*\*]  
[\*\*\*\*\*].**

- identify the supplier; and

**A list of suppliers, which supply major raw materials such as iron ore and coking coal are provided as Exhibit G.6 (Confidential).**

- Show the basis of valuing the major raw materials in the costs of production you have shown for the goods (e.g. market prices, transfer prices, or actual cost of production).

**JSWSL has regarded the actual cost of production as the basis of valuing Hot Rolled Coils in the cost of production for the goods under consideration.**

Where the major input is produced by an associate of your company the Commission will compare your purchase price to a normal market price. If the associate provides information on the cost of production for that input such cost data may also be considered.

Normal market price is taken to be the price normally available in the market (having regard to market size, whether the input is normally purchased at 'spot prices' or under long term contracts etc.).

The term associate is defined in section 269TAA of the *Customs Act*. Included in that definition are companies controlled by the same parent company (a company that controls 5% or more of the shares of another is taken to be an associated company); companies controlled by the other company; and companies having the same person in the board of directors.

**Important note: If the major input is sourced as part of an integrated production process you should provide detailed information on the full costs of production of that input.**

## SECTION H SUBSIDISATION

The applicant alleges that producers of galvanised steel in India have benefited from a number of subsidies granted by the Government of India (the GOI)<sup>3</sup>, and that these subsidies are countervailable.

### THE FOLLOWING PROGRAMS ARE BEING INVESTIGATED

Program no.	Program Title
1	Duty-Free Importation of Capital Goods and Raw Materials, Components, Consumables, Intermediates, Spare Parts and Packing Material in Special Economic Zones (SEZs)
2	Export Income Tax Exemptions in SEZs
3	Exemption in SEZs from Minimum Alternate Tax
4	Exemption in SEZs from Payment of Central Sales Tax on Purchases of Capital Goods and Raw Materials, Components, Consumables, Intermediates, Spare Parts and Packing Material
5	Exemption in SEZs from Service Tax
6	Discounted Land Fees and Leases in SEZs
7	Discounted Electricity Rates in SEZs
8	Exemption in SEZs from State Sales Tax and Other Levies as Extended by State Governments
9	Duty-Free Importations for Companies Designated as Export Oriented Units (EOUs)
10	Reimbursement to EOUs of Central Sales Tax
11	Duty Drawback for EOUs on Fuel Procured from Domestic Oil Companies
12	Credit for Service Tax paid by EOUs
13	Exemptions from Income Tax for EOUs
14	Exemption from Central Excise Duty on Goods Procured from Domestic Tariff Areas and On Goods Manufactured in India
15	Assistance to States for Developing Export Infrastructure and Allied Activities
16	Market Access Initiative
17	Market Development Assistance
18	Meeting Expenses for Statutory Compliances in Buyer Country for Trade Related Matters
19	Brand Promotion and Quality
20	Test Houses
21	Focus Product Scheme
22	Rupee/Foreign Currency Export Credit & Customer Service to Exporters
23	Export Promotion Capital Goods Scheme
24	Duty Exemption/Remission Schemes – Duty-Free Import Authorization Scheme
25	Duty Exemption/Remission Schemes – Advance Authorization Scheme
26	Duty Exemption/Remission Schemes – Duty Entitlement Passbook Scheme

<sup>3</sup> Meaning any level of government – refer to the Glossary of Terms for further information



27	Duty Exemption/Remission Schemes – Duty Drawback Scheme
28	Provision of Captive Mining Rights for Minerals Including Iron Ore and Coal
29	Purchase of Iron Ore From State-owned Enterprises for Less Than Fair Market Value
30	80-IB Income Deduction Program
31	80-IA Income Tax Deduction Program
32	Steel Development Fund Loans
33	Steel Development Fund R&D Grants
34	State Government of Maharashtra (SGOM) – Industrial Promotion Subsidy
35	SGOM – Exemption from Electricity Duty
36	SGOM – Waiver of Stamp Duty
37	SGOM – Power Tariff Subsidy
38	SGOM – Incentives to Strengthen Micro, Small and Medium Enterprises (MSME)
39	SGOM – Special Incentives of the SGOM for Mega Projects
40	State Government of Gujarat (SGOG) – Assistance to MSMEs – Interest Subsidy
41	SGOG – Assistance to MSMEs – Quality Certification
42	SGOG – Sales Tax Exemptions and Deferrals On Purchase of Goods
43	SGOG – VAT Remission Scheme
44	SGOG – Scheme for Assistance to Industrial Parks/Industrial Estates Set Up By Private Institutions
45	SGOG – Critical Infrastructure Projects
46	State Government of Chhattisgarh (SGOC) – Industrial Policy 2009-2014: Fixed Capital Investment Subsidy
47	SGOC – Industrial Policy 2009-2014: Interest Subsidy
48	SGOC – Industrial Policy 2009-2014: Quality Certification
49	SGOC – Industrial Policy 2009-2014: Electricity Duty Exemption
50	SGOC – Industrial Policy 2009-2014: Stamp Duty Exemption
51	SGOC – Industrial Policy 2009-2014: Provision of Land for Less than Adequate Remuneration
52	State Government of Jharkhand (SGOJ) – Comprehensive Project Investment Subsidy
53	SGOJ – Stamp Duty and Registration
54	SGOJ – Incentive for Quality Certification
55	SGOJ – VAT and Tax Incentives

The Commission has categorised the alleged programs into following five categories.

**At the outset, provided below are details on the programs availed by JSWSL from the above list:**

Program no.	Program Title	JSWSL		
		Dolvi	Salem	Vijaynagar
1	Duty-Free Importation of Capital Goods and Raw Materials, Components, Consumables, Intermediates,			

	Spare Parts and Packing Material in Special Economic Zones (SEZs)	
2	Export Income Tax Exemptions in SEZs	
3	Exemption in SEZs from Minimum Alternate Tax	
4	Exemption in SEZs from Payment of Central Sales Tax on Purchases of Capital Goods and Raw Materials, Components, Consumables, Intermediates, Spare Parts and Packing Material	
5	Exemption in SEZs from Service Tax	
6	Discounted Land Fees and Leases in SEZs	
7	Discounted Electricity Rates in SEZs	
8	Exemption in SEZs from State Sales Tax and Other Levies as Extended by State Governments	
9	Duty-Free Importations for Companies Designated as Export Oriented Units (EOUs)	
10	Reimbursement to EOUs of Central Sales Tax	
11	Duty Drawback for EOUs on Fuel Procured from Domestic Oil Companies	
12	Credit for Service Tax paid by EOUs	
13	Exemptions from Income Tax for EOUs	
14	Exemption from Central Excise Duty on Goods Procured from Domestic Tariff Areas and On Goods Manufactured in India	
15	Assistance to States for Developing Export Infrastructure and Allied Activities	
16	Market Access Initiative	
17	Market Development Assistance	
18	Meeting Expenses for Statutory Compliances in Buyer Country for Trade Related Matters	
19	Brand Promotion and Quality	
20	Test Houses	
21	Focus Product Scheme	
22	Rupee/Foreign Currency Export Credit & Customer Service to Exporters	

23	<b>Export Promotion Capital Goods Scheme</b>	
24	Duty Exemption/Remission Schemes – Duty-Free Import Authorization Scheme	
25	<b>Duty Exemption/Remission Schemes – Advance Authorization Scheme</b>	
26	Duty Exemption/Remission Schemes – Duty Entitlement Passbook Scheme	
27	<b>Duty Exemption/Remission Schemes – Duty Drawback Scheme</b>	
28	Provision of Captive Mining Rights for Minerals Including Iron Ore and Coal	
29	Purchase of Iron Ore From State-owned Enterprises for Less Than Fair Market Value	
30	80-IB Income Deduction Program	
31	80-IA Income Tax Deduction Program	
32	Steel Development Fund Loans	
33	Steel Development Fund R&D Grants	
34	State Government of Maharashtra (SGOM) – Industrial Promotion Subsidy	
	<b>State Government of Maharashtra (SGOM) – Industrial Promotion Subsidy</b>	
35	SGOM – Exemption from Electricity Duty	
36	SGOM – Waiver of Stamp Duty	
37	SGOM – Power Tariff Subsidy	
38	SGOM – Incentives to Strengthen Micro, Small and Medium Enterprises (MSME)	
39	<b>SGOM – Special Incentives of the SGOM for Mega Projects</b>	
40	State Government of Gujarat (SGOG) – Assistance to MSMEs – Interest Subsidy	
41	SGOG – Assistance to MSMEs – Quality Certification	
42	SGOG – Sales Tax Exemptions and Deferrals On Purchase of Goods	
43	SGOG – VAT Remission Scheme	
44	SGOG – Scheme for Assistance to Industrial	



	Parks/Industrial Estates Set Up By Private Institutions	
45	SGOC – Critical Infrastructure Projects	
46	State Government of Chhattisgarh (SGOC) – Industrial Policy 2009-2014: Fixed Capital Investment Subsidy	
47	SGOC – Industrial Policy 2009-2014: Interest Subsidy	
48	SGOC – Industrial Policy 2009-2014: Quality Certification	
49	SGOC – Industrial Policy 2009-2014: Electricity Duty Exemption	
50	SGOC – Industrial Policy 2009-2014: Stamp Duty Exemption	
51	SGOC – Industrial Policy 2009-2014: Provision of Land for Less than Adequate Remuneration	
52	State Government of Jharkhand (SGOJ) – Comprehensive Project Investment Subsidy	
53	SGOJ – Stamp Duty and Registration	
54	SGOJ – Incentive for Quality Certification	
55	SGOJ – VAT and Tax Incentives	
56	Other Programs	
	Merchandise Exports from India Scheme	

## CATEGORY H-1: PREFERENTIAL TAX PROGRAMS

Programs 1-14, 23-27, 30, 31, 35, 36, 37, 42, 43, 49, 50, 53 & 55

Please complete the following questions a spreadsheet named "H-1.1 Income Tax Programs"

- Did your business or any company/entity related to your business receive any benefit<sup>4</sup> under the any of the above tax programs identified above during the investigation period (1 July 2015 to 30 June 2016).

<sup>4</sup> Refer to the Glossary of Terms for a definition of benefit in this context.

**JSWSL** was **eligible**  
[REDACTED].]

2. It is our understanding that the general tax rate for enterprises in India from 1 July 2011 was 32.4%. Confirm whether this is correct and if not, please identify the general tax rate for enterprises in India from 1 July 2011, indicating any changes in the taxation rate over the period July 2011 – June 2016.

**The effective corporate income tax rate in India for the period July 2011 – June 2016 is as per the table below:**

<b>Financial Year</b>	<b>Income Tax</b>	<b>Surcharge</b>	<b>Cess</b>	<b>Total Effective tax rate</b>
2010-11	30%	5%	3%	32.4%
2011-12	30%	5%	3%	32.4%
2012-13	30%	10%	3%	34%
2013-14	30%	10%	3%	34%
2014-15	30%	12%	3%	34.6%
2015-16	30%	12%	3%	34.6%

3. If your business currently pays corporate income tax at a rate less than 34% (or whatever the rate of general tax is as discussed above), or paid at a rate less than that during the investigation period, please indicate whether the reduced rate relates to any of the preferential income tax programs identified above.

**As noted above, JSWSL was eligible**  
[REDACTED].]

4. If the income tax rate of less than the general rate does not relate to any of the programs identified above, please provide an explanation for the reduced income tax rate and answer the questions 5 -18 below in relation to the income tax rate reduction.

**The deduction is covered under Program 31 identified, but**  
[REDACTED]

For **each program** that you have identified above as conferring benefit on your entity, answer the following.

5. Provide complete details of the amount of the benefit received, including whether it was received in total or in instalments.

6. Indicate which goods you produced that benefited from the program (e.g. the program may have benefited all production or only certain products that have undergone research and development).
7. Describe the application and approval procedures for obtaining a benefit under the program.
8. Where applicable, provide copies of the application form or other documentation used to apply for the program, all attachments and all contractual agreements entered into between your business and the GOI in relation to the program.
9. Outline the fees charged to, or expenses incurred by your business for purposes of receiving the program.
10. Outline the eligibility criteria your business had to meet in order to receive benefits under this program.
11. State whether your eligibility for the program was conditional on one or more of the following criteria:
  - a) whether or not your business exports or has increased its exports;
  - b) the use of domestic rather than imported inputs;
  - c) the industry to which your business belongs; or
  - d) the region in which your business is located.
12. If the benefit was provided in relation to a specific activity or project of your entity, please identify the activity and provide supporting documentation.
13. What records does your business keep regarding each of the benefits received under this program? Provide copies of any records kept in relation to the program.
14. Indicate where benefits under this program can be found in your accounting system (i.e., specify the ledgers or journals) and financial statements.
15. To your knowledge, does the program still operate or has it been terminated?
16. If the program has been terminated, please provide details (including when and why). When is the last date that your business could apply for or claim benefits under the program? When is the last date that your business could receive benefits under the program?

If the program terminated has been substituted for by another program, identify the program and answer all the questions in Part H-1 to 4 above in relation to this program.

17. For each taxation year from 2011 to 2016, complete the "**H1.2 Preferential Tax Program**" tab
18. Provide a copy, bearing the official stamp of the appropriate level of the GOI of all
  - corporate income tax acknowledgement form(s) and the income tax return(s) that your company filed for the 2011, 2012, 2013, 2014, 2015 and 2016 tax years; and
  - income tax instalment payment receipts, and all applicable income tax forms and schedules for the 2011, 2012, 2013, 2014, 2015 and 2016 tax years.

*Note: If your company did not file an income tax return in any of the tax years indicated, provide an explanation stating the reasons why you were exempt from filing such a return and the applicable section[s] of the Income Tax Act under which you were exempt from doing so.*

It is our understanding that certain enterprises in India are eligible for exemption from the payment of import duty on imported inputs, technologies and machinery, and Duty exemption/Remission schemes, credit for Credit for Service Tax paid by Export Oriented Units (EOUs), Reimbursement to EOUs of Central Sales Tax on certain resources and goods.

If your business or any company/entity related to your business received benefits under any such program during the period 1 July 2005 to 30 June 2016, please answer the following questions.

**At the outset, it is clarified that in respect of imports into India, the duties applicable are basic customs duty, additional customs duty under Section 3(1) of the Customs Tariff Act, customs education cess, customs secondary and higher education cess and additional customs duty under Section 3(5) of the Customs Tariff Act.**

**In reference to any benefits calculated on the tariff programs below, only the amount of basic customs duty and customs education cess & customs secondary and higher education cess waived must be taken into consideration in calculating the benefit. The additional customs duty under Section 3(1) of the Customs Tariff Act and additional customs duty under Section 3(5) of the Customs Tariff Act are creditable under India's indirect taxation system (i.e., they are refunded regardless of whether a firm uses a particular program).**

For the following questions, please provide responses to questions in the "**H-1.3 Tariff Programs**"

**Program No. 23: Export Promotion of Capital Goods Scheme**

1. Did your company receive any benefit under the programs listed above or any other program related to exemptions/refunds/Duty drawback/Credit etc. for Service Tax paid exemptions or refunds?

**JSWSL imported capital goods under the Export Promotion of Capital Goods Scheme ("EPCGS") for the use in the manufacture of subject merchandise as well as in the manufacture of non-subject merchandise.**

2. What type of benefit was received (provide a list):  
(a) e.g. Tariff exemption,

**Under the EPCGS, companies that satisfy the eligibility requirements are exempt from the payment of basic customs duty, additional customs duty under Section 3(1) of the Customs Tariff Act, education cess, secondary and higher education cess and additional customs duty under Section 3(5) of the Customs Tariff Act on imports of capital goods.**

3. What was the amount of benefit received?

**The details on the amount of benefits received has been provided in Confidential Exhibit H-1.1.**

4. Was the benefit received as a lump sum payment or in multiple instalments?

**The benefit has been received at the time of importation of capital goods spread over various consignments.**

5. Describe the application and approval procedures for obtaining a benefit under the program.

**The steps undertaken for a company to avail of the EPCGS license is as under:**

- **A completed online application available on the Directorate General of Foreign Trade's ("DGFT") website is filled.**
- **The application fee is paid using electronic transfer.**
- **The license application form is then submitted to the proper regional office of the DGFT, which provides confirmation that the application has been submitted.**
- **A hard copy of the license application form with the other supporting documents is submitted to the DGFT.**
- **Subsequent to a review, the DGFT communicates to the applicant any problems with the application.**
- **On correction of errors, if any, the DGFT issues the EPCGS license to the company.**

In order to obtain the benefit under the EPCGS, a company must export 6 times of the duty saved amount in the period of 6 years from the date of issue of license. The benefit of EPCGS license is for two types of supplies:

- For import of capital goods from overseas suppliers where the benefit is in the form of exemption from basic customs duty, additional customs duty under Section 3(1) of the Customs Tariff Act, customs education cess, customs secondary and higher education cess and additional customs duty under Section 3(5) of the Customs Tariff Act. However, the actual benefit is only to the extent of basic customs duty, customs education cess and customs secondary and higher education cess as credit of other duties is otherwise available.
- For procurement of capital goods from indigenous suppliers where the benefit is in the form of exemption from the central excise duty. However, the actual benefit is only in the form of cash flow management because credit of central excise duty is otherwise available.

6. Where applicable, provide copies of the application form or other documentation used to apply for the program, all attachments and all contractual agreements entered into between your business and the GOI in relation to the program.

**The details have been provided in Confidential Exhibit H-1.2.**

7. Outline the fees charged to, or expenses incurred by your business for purposes of receiving the program.

**The fees charged is 1/1000 on the duty saved amount, subject to a maximum of Rs. 1,00,000.**

8. Outline the eligibility criteria your business had to meet in order to receive benefits under this program.

**The requirements for a company to be eligible under the EPCGS are as under:**

- 1) the company should export a certain value of goods; and**
- 2) there should be nexus between the imported/indigenously procured capital goods and the products sought to be exported.**

9. State whether your eligibility for the program was conditional on one or more of the following criteria:

- a) whether or not your business exports or has increased its exports;
- b) the use of domestic rather than imported inputs;
- c) the industry to which your business belongs; or
- d) the region in which your business is located.

**In order to be able to claim benefits under the program, the company must commit to export a certain value of goods.**

10. If the benefit was provided in relation to a specific activity or project of your entity, please identify the activity and provide supporting documentation.

**EPCGS is in relation to import of capital goods at concessional rates of duty.**

11. What records does your business keep regarding each of the benefits received under this program? Provide copies of any records kept in relation to the program.

**JSWSL maintains the records below in reference to the EPCGS:**

- **Supplier's order**
- **Application submitted to the DGFT authorities in order to receive the EPCGS license.**
- **The EPCGS license under which capital goods have been imported.**
- **Statement of imports and exports**
- **Application for redemption**
- **Redemption of EPCG**

**Copies of the records kept for two transactions is provided as Confidential Exhibit H-1.2.**

12. Indicate where benefits under this program can be found in your accounting system (i.e., specify the ledgers or journals) and financial statements.

**The benefits received under the program are**  
[REDACTED]  
**.]**

13. To your knowledge, does the program still operate or has it been terminated?

**The program is still in operation.**

14. If the program has been terminated, please provide details (including when and why). When is the last date that your business could apply for or claim benefits under the program? When is the last date that your business could receive benefits under the program?

**Not applicable.**



15. If the program terminated has been substituted for by another program, identify the program.

**Not applicable.**

16. Were the materials and/or equipment that were entitled to a refund of Sales tax /State tax (or any other form of tax) used in the production of the goods during the investigation period? If yes, provide the following information for each item that received a refund:

- (a) type of inputs;
- (b) cost of inputs;
- (c) quantity of inputs; and
- (d) amount of VAT/Sales Tax refunded.

**As noted above, certain capital goods imported under the EPCGS are entitled to concessional duty rate if used in the manufacture of goods during the period of investigation.**

17. Has your company received exemption from payment of or refunds and/or exemption of import duty imported material inputs at any time that were used in the production of the goods during the investigation period? If yes, provide the following information for each transaction:

- (a) description of imported product;
- (b) country of origin;
- (c) quantity of imported product;
- (d) purchase price;
- (e) terms of purchase (e.g. FOB, CIF);
- (f) ocean freight;
- (g) value for duty of imported product;
- (h) regular rate of taxes and/or duties;
- (i) concessional rate of taxes and/or duties;
- (j) amount of duties and taxes normally applicable;
- (k) amount of duties and taxes paid;
- (l) amount of duties and taxes exempt;
- (m) date of importation;
- (n) tariff classification number;
- (o) customs entry number; and
- (p) application fee.

**The details have been provided in Confidential Exhibit H-1.2.**

18. Provide sample documents for two items from two different quarters in the investigation period included in your response to Question 17. The sample documents should include:



- (a) copies of import entry documents (for example: bill of entry, invoice from supplier, etc.) for each type of importation covering duty-exempt inputs and duty-paid inputs imported for use in the manufacturing of the subject goods,
- (b) any applications submitted to and/or approval document received from the GOI relating to the exemption from the payment of import duty and exemption of duty on imported inputs and in relation to the duty refunded on the exportation of the subject goods.
- (c) copies of reports and audits by the GOI authority responsible for administering the duty rebate or duty drawback scheme with respect to the verification of the importation and use of inputs and the remittance or drawback of the related duty paid or payable.

**The details have been provided in Confidential Exhibit H-1.2.**

**Program No. 27: Duty Drawback Scheme**

1. Did your company receive any benefit under the programs listed above or any other program related to exemptions/refunds/Duty drawback/Credit etc. for Service Tax paid exemptions or refunds?

**JSWSL has availed of the Duty Drawback (“DDB”) program which provides a reimbursement of the duty paid on imported and indigenous material used in products that are exported.**

2. What type of benefit was received (provide a list):
  - (a) e.g. Tariff exemption,

**Under the DDB program, the customs and central excise duty payable on inputs used in the manufacture of products that are exported is reimbursed.**

3. What was the amount of benefit received?

**The details on the amount of benefits received has been provided in Confidential Exhibit H-1.3.**

4. Was the benefit received as a lump sum payment or in multiple instalments?

**The reimbursement has been received for each export shipment.**

5. Describe the application and approval procedures for obtaining a benefit under the program.

**There is no application procedure for receiving the reimbursement under the DDB program but rather the same is made for each shipment.**

**The procedure for availing of the reimbursement is as under:**

- **The exporter is required to file the necessary pre-shipment documentation with the Indian Customs authorities and provide information on the relevant DDB rate and the harmonized system code of the product.**
- **On verification of the documents, the Indian Customs authorities will generate a shipping bill that provides the drawback amount with a Let Export Order (“LEO”) number on the shipping bill.**
- **On clearance of the shipment, the Indian Customs authorities process the claim and credit the eligible amount to the exporter’s bank account.**

6. Where applicable, provide copies of the application form or other documentation used to apply for the program, all attachments and all contractual agreements entered into between your business and the GOI in relation to the program.

**There is no application form for the DDB program. The documentation for two transactions in regard to the operation of the DDB program is provided in Confidential Exhibit H-1.4.**

7. Outline the fees charged to, or expenses incurred by your business for purposes of receiving the program.

**There is no fee chargeable under the DDB program.**

8. Outline the eligibility criteria your business had to meet in order to receive benefits under this program.

**There are no specific requirements for a company to be eligible under the DDB program except that the company should export a particular product that is listed in the DDB schedule. The DDB schedule and the applicable rates are as per below:**

- **For the period 22 November 2014 to 22 November 2015: Notification No. 110/2014 – Customs (N.T.) dated 17 November 2014, provided as Exhibit H-1.5.**
- **For the period 23 November 2015 to 14 November 2016: Notification No. 110/2015 – Customs (N.T.) dated 16 November 2015, provided as Exhibit H-1.6.**

9. State whether your eligibility for the program was conditional on one or more of the following criteria:

- a) whether or not your business exports or has increased its exports;
- b) the use of domestic rather than imported inputs;
- c) the industry to which your business belongs; or
- d) the region in which your business is located.

**In order to be eligible under the program, the company must export a product that is listed in the DDB schedule.**

10. If the benefit was provided in relation to a specific activity or project of your entity, please identify the activity and provide supporting documentation.

**DDB program is not provided in relation to any specific activity or project.**

11. What records does your business keep regarding each of the benefits received under this program? Provide copies of any records kept in relation to the program.

**The company maintains internal statements correlating the exports of merchandise with the amount of claim being received.**

12. Indicate where benefits under this program can be found in your accounting system (i.e., specify the ledgers or journals) and financial statements.

**The duty drawback amount received is credited**  
[REDACTED].]

13. To your knowledge, does the program still operate or has it been terminated?

**The program is still in operation.**

14. If the program has been terminated, please provide details (including when and why). When is the last date that your business could apply for or claim benefits under the program? When is the last date that your business could receive benefits under the program?

**Not applicable.**

15. If the program terminated has been substituted for by another program, identify the program.

**Not applicable.**

16. Were the materials and/or equipment that were entitled to a refund of Sales tax /State tax (or any other form of tax) used in the production of the goods during the investigation period? If yes, provide the following information for each item that received a refund:

- (a) type of inputs;
- (b) cost of inputs;
- (c) quantity of inputs; and

(d) amount of VAT/Sales Tax refunded.

**The details have been provided in above.**

17. Has your company received exemption from payment of or refunds and/or exemption of import duty imported material inputs at any time that were used in the production of the goods during the investigation period? If yes, provide the following information for each transaction:

- (a) description of imported product;
- (b) country of origin;
- (c) quantity of imported product;
- (d) purchase price;
- (e) terms of purchase (e.g. FOB, CIF);
- (f) ocean freight;
- (g) value for duty of imported product;
- (h) regular rate of taxes and/or duties;
- (i) concessionary rate of taxes and/or duties;
- (j) amount of duties and taxes normally applicable;
- (k) amount of duties and taxes paid;
- (l) amount of duties and taxes exempt;
- (m) date of importation;
- (n) tariff classification number;
- (o) customs entry number; and
- (p) application fee.

**The details have been provided in Confidential Exhibit H-1.3.**

18. Provide sample documents for two items from two different quarters in the investigation period included in your response to Question 17. The sample documents should include:
- (a) copies of import entry documents (for example: bill of entry, invoice from supplier, etc.) for each type of importation covering duty-exempt inputs and duty-paid inputs imported for use in the manufacturing of the subject goods,
  - (b) any applications submitted to and/or approval document received from the GOI relating to the exemption from the payment of import duty and exemption of duty on imported inputs and in relation to the duty refunded on the exportation of the subject goods.
  - (c) copies of reports and audits by the GOI authority responsible for administering the duty rebate or duty drawback scheme with respect to the verification of the importation and use of inputs and the remittance or drawback of the related duty paid or payable.

**The details have been provided in Confidential Exhibit H-1.4**

Program No. 39: Special Incentives for Mega Projects (Exemption from Electricity Duty) - JSWSL

1. Did your company receive any benefit under the programs listed above or any other program related to exemptions/refunds/Duty drawback/Credit etc. for Service Tax paid exemptions or refunds?

JSWSL has availed of an exemption from electricity duty under the Package Scheme of Incentives 1993 ("1993 Scheme") of the Government of Maharashtra. The 1993 Scheme has been provided as Exhibit H-1.7. As per the 1993 Scheme, units designated as Mega Units are exempt from the payment of electricity. The

[REDACTED]

The period of eligibility under the 1993 Scheme was from

[REDACTED].]

JSWSL has

[REDACTED].]

2. What type of benefit was received (provide a list):  
(a) e.g. Tariff exemption,

Under the 1993 Scheme, an electricity duty exemption is provided to units certified as Mega Units.

3. What was the amount of benefit received?

As noted above, JSWSL

[REDACTED]

] The data on benefit has been provided as Confidential Exhibit H-1.9.

4. Was the benefit received as a lump sum payment or in multiple instalments?

The benefit, [REDACTED], will be in multiple instalments. In particular, the electricity bill is paid on a monthly basis and therefore it should have been received in 12 instalments during the period.

5. Describe the application and approval procedures for obtaining a benefit under the program.

The Government of Maharashtra under the 1993 Scheme issued notification, as per which any unit which receives an eligibility certificate would be exempt from electricity duty. Pursuant to the same, companies applied as per the guidelines and Eligibility Certificates were issued for the period [REDACTED].

JSWSL has [REDACTED].

6. Where applicable, provide copies of the application form or other documentation used to apply for the program, all attachments and all contractual agreements entered into between your business and the GOI in relation to the program.

In reference to JSWSL, the eligibility certificate under the 1993 Scheme was issued to [REDACTED].

7. Outline the fees charged to, or expenses incurred by your business for purposes of receiving the program.

There is no fee chargeable under the 1993 Scheme.

8. Outline the eligibility criteria your business had to meet in order to receive benefits under this program.

As per Government Resolution Number IDL-1096/(13211)/U-8 dated 20 June 1997, the [REDACTED].

9. State whether your eligibility for the program was conditional on one or more of the following criteria:

a) whether or not your business exports or has increased its exports;

- b) the use of domestic rather than imported inputs;
- c) the industry to which your business belongs; or
- d) the region in which your business is located.

**The eligibility under the 1993 Scheme is based on the location of the plant.**

10. If the benefit was provided in relation to a specific activity or project of your entity, please identify the activity and provide supporting documentation.

**The above benefit has been provided to the Dolvi plant of JSWSL based on the investment in the plant and its location. The details have been provided above.**

11. What records does your business keep regarding each of the benefits received under this program? Provide copies of any records kept in relation to the program.

**The company does not maintain any separate records for the same.**

12. Indicate where benefits under this program can be found in your accounting system (i.e., specify the ledgers or journals) and financial statements.

**At the outset it is clarified that for the period June 2015 to July 2016, the exemption from the electricity duty [REDACTED].**

**In particular, the company does not maintain a separate ledger for accounting the electricity exemption. [REDACTED]”.]**

13. To your knowledge, does the program still operate or has it been terminated?

**The program is still in operation. However, [REDACTED].]**

14. If the program has been terminated, please provide details (including when and why). When is the last date that your business could apply for or claim benefits under the program? When is the last date that your business could receive benefits under the program?

**Not applicable.**



15. If the program terminated has been substituted for by another program, identify the program.

**Not applicable.**

16. Were the materials and/or equipment that were entitled to a refund of Sales tax /State tax (or any other form of tax) used in the production of the goods during the investigation period? If yes, provide the following information for each item that received a refund:

- (a) type of inputs;
- (b) cost of inputs;
- (c) quantity of inputs; and
- (d) amount of VAT/Sales Tax refunded.

**Not applicable.**

17. Has your company received exemption from payment of or refunds and/or exemption of import duty imported material inputs at any time that were used in the production of the goods during the investigation period? If yes, provide the following information for each transaction:

- (a) description of imported product;
- (b) country of origin;
- (c) quantity of imported product;
- (d) purchase price;
- (e) terms of purchase (e.g. FOB, CIF);
- (f) ocean freight;
- (g) value for duty of imported product;
- (h) regular rate of taxes and/or duties;
- (i) concessionary rate of taxes and/or duties;
- (j) amount of duties and taxes normally applicable;
- (k) amount of duties and taxes paid;
- (l) amount of duties and taxes exempt;
- (m) date of importation;
- (n) tariff classification number;
- (o) customs entry number; and
- (p) application fee.

**Not applicable.**

18. Provide sample documents for two items from two different quarters in the investigation period included in your response to Question 17. The sample documents should include:

- (a) copies of import entry documents (for example: bill of entry, invoice from supplier, etc.) for each type of importation covering duty-exempt inputs and duty-paid inputs imported for use in the manufacturing of the subject goods,

- (b) any applications submitted to and/or approval document received from the GOI relating to the exemption from the payment of import duty and exemption of duty on imported inputs and in relation to the duty refunded on the exportation of the subject goods.
- (c) copies of reports and audits by the GOI authority responsible for administering the duty rebate or duty drawback scheme with respect to the verification of the importation and use of inputs and the remittance or drawback of the related duty paid or payable.

**Not applicable.**

**Program No. 34: Industrial Promotion Subsidy (Exemption from Electricity Duty) – Amba River Coke Limited**

**Amba River Coke Limited (“ARCL”) is a company or entity related to JSWSL and has also received benefits under Program No. 34 relating to the incentives given by the Government of Maharashtra. Therefore, ARCL is also providing information below relating to the program.**

1. Did your company receive any benefit under the programs listed above or any other program related to exemptions/refunds/Duty drawback/Credit etc. for Service Tax paid exemptions or refunds?

**ARCL has availed of an exemption from electricity duty under the Package Scheme of Incentives 2007 (“2007 Scheme”) for its [REDACTED]**

2. What type of benefit was received (provide a list):  
(a) e.g. Tariff exemption,

**Under the 2007 Scheme, an electricity duty exemption is provided to ARCL.**

3. What was the amount of benefit received?

**ARCL has received the above benefits for its [REDACTED]. The total amount of benefit for the [REDACTED].**

4. Was the benefit received as a lump sum payment or in multiple instalments?

The benefit was received in multiple instalments. In particular, the electricity bill is paid on a monthly basis and therefore it could be considered as having been received in 12 instalments during the period.

5. Describe the application and approval procedures for obtaining a benefit under the program.

The Government of Maharashtra under the 2007 Scheme issued by Government Resolution No. PSI-1707 (CR-50)/IND-8 dated 30 March 2007 as per which any unit which receives an eligibility certificate would be exempt from electricity duty. The procedures by ARCL for availing the benefit are as under:

- ARCL submitted applications to the Industries, Energy and Labour Department of the Government of Maharashtra for availing of the above benefit. The [REDACTED] are provided as Confidential Exhibit H-1.10 and Confidential Exhibit H-1.11 respectively.
- The department thereafter issued letters offering ARCL incentives as per the 2007 Scheme. The [REDACTED] are provided as Exhibit H-1.12 and Exhibit H-1.13 respectively.
- On the basis of the offer letter, applications were filed by ARCL to the Directorate of Industries for issuing the eligibility certificates.
- On verification of the documents, the Government of Maharashtra issued [REDACTED] are provided as Confidential Exhibit H-1.14 and Exhibit H-1.15 respectively.

As per the Eligibility Certificates, the period for availing of the incentives is from

[REDACTED].

6. Where applicable, provide copies of the application form or other documentation used to apply for the program, all attachments and all contractual agreements entered into between your business and the GOI in relation to the program.

**The necessary documentation has been provided above.**

7. Outline the fees charged to, or expenses incurred by your business for purposes of receiving the program.

**There is no fee chargeable under the 2007 Scheme.**

8. Outline the eligibility criteria your business had to meet in order to receive benefits under this program.

**As per Government Resolution No. PSI-1707 (CR-50)/IND-8 dated 30 March 2007, a company is eligible for receiving benefits under the 2007 Scheme if:**

- **The minimum investment is Rs. 750 crore or above; and**
- **It is located in an economically challenged zone.**

**In specific reference to ARCL,**  
[REDACTED]  
].

9. State whether your eligibility for the program was conditional on one or more of the following criteria:

- a) whether or not your business exports or has increased its exports;
- b) the use of domestic rather than imported inputs;
- c) the industry to which your business belongs; or
- d) the region in which your business is located.

**The eligibility under the 2007 Scheme is not conditional on any of the above factors.**

10. If the benefit was provided in relation to a specific activity or project of your entity, please identify the activity and provide supporting documentation.

**The above benefit has been provided to ARCL based on the investment in the plant and its location. The details have been provided above.**

11. What records does your business keep regarding each of the benefits received under this program? Provide copies of any records kept in relation to the program.

**The company does not maintain any separate records for the same.**

12. Indicate where benefits under this program can be found in your accounting system (i.e., specify the ledgers or journals) and financial statements.

The company does not maintain a separate ledger for accounting the electricity exemption. As the electricity duty is not paid, the cost of power consumed is lower. This is recorded in General Ledger code:

[“  
[REDACTED]  
”.]

13. To your knowledge, does the program still operate or has it been terminated?

**The 2007 Scheme has been terminated on 1 April 2013.**

14. If the program has been terminated, please provide details (including when and why). When is the last date that your business could apply for or claim benefits under the program? When is the last date that your business could receive benefits under the program?

**The 2007 Scheme was terminated and replaced by the Package of Incentives 2013 (“2013 Scheme”). The 2013 Scheme was amended in light of the Industrial Policy 2013 of the Government of Maharashtra.**

**The 2007 Scheme expired on 31 March 2013 and the 2013 Scheme came into effect on 1 April 2013. Therefore, for any new applications for further eligibility that ARCL would intend on filing post 1 April 2013, the same would be under the 2013 Scheme.**

15. If the program terminated has been substituted for by another program, identify the program.

**The 2007 Scheme was replaced by the Package of Incentives 2013 under Government Resolution No. PSI-2013/(CR-54)/IND-8.**

16. Were the materials and/or equipment that were entitled to a refund of Sales tax /State tax (or any other form of tax) used in the production of the goods during the investigation period? If yes, provide the following information for each item that received a refund:

- (a) type of inputs;
- (b) cost of inputs;
- (c) quantity of inputs; and
- (d) amount of VAT/Sales Tax refunded.

**Not applicable.**

17. Has your company received exemption from payment of or refunds and/or exemption of import duty imported material inputs at any time that were used in the production of the goods during the investigation period? If yes, provide the following information for each transaction:

- (a) description of imported product;
- (b) country of origin;
- (c) quantity of imported product;
- (d) purchase price;
- (e) terms of purchase (e.g. FOB, CIF);
- (f) ocean freight;
- (g) value for duty of imported product;
- (h) regular rate of taxes and/or duties;
- (i) concessionary rate of taxes and/or duties;
- (j) amount of duties and taxes normally applicable;
- (k) amount of duties and taxes paid;
- (l) amount of duties and taxes exempt;
- (m) date of importation;
- (n) tariff classification number;
- (o) customs entry number; and
- (p) application fee.

**Not applicable.**

18. Provide sample documents for two items from two different quarters in the investigation period included in your response to Question 17. The sample documents should include:

- (a) copies of import entry documents (for example: bill of entry, invoice from supplier, etc.) for each type of importation covering duty-exempt inputs and duty-paid inputs imported for use in the manufacturing of the subject goods,
- (b) any applications submitted to and/or approval document received from the GOI relating to the exemption from the payment of import duty and exemption of duty on imported inputs and in relation to the duty refunded on the exportation of the subject goods.
- (c) copies of reports and audits by the GOI authority responsible for administering the duty rebate or duty drawback scheme with respect to the verification of the importation and use of inputs and the remittance or drawback of the related duty paid or payable.

**Not applicable.**

## **CATEGORY H-2: FINANCIAL GRANT PROGRAMS**

**Programs 15-21, 33, 34, 38, 39, 41, 44-46, 48, 52 & 54**

The Commission understands that the Government of India may be providing grants to enterprises in India including the above programs (as identified by the applicant).

For the following questions, please provide responses to questions in the "H-2 Grants" .

1. Did your business or any company/entity related to your business receive any benefit under the above programs during the period **1 July 2011 to 30 June 2016**?

**JSWSL received certain benefits under the Package Scheme of Incentives relating to VAT deferral and stamp duty waiver. Details on the same have been provided below.**

**Further, ARCL which is a company related to JSWSL also received certain benefits under the Package Scheme of Incentives 2007 relating to VAT refund. Therefore, ARCL is also providing details on the benefits availed under the program below.**

2. Did your business receive benefits under any other grant program during the period **1 July 2011 to 30 June 2016**?

**JSWSL did not receive benefits under any other grant program during the period 1 July 2011 to 30 June 2016.**

**Program No. 39: Special Incentives for Mega Projects (VAT deferral) – JSWSL**

For each program identified in your answer to 1 and 2 above, answer the following questions:

3. Provide complete details involving the amount of the grant received, including whether the grant was received in a lump sum or multiple instalments.

**Under the 1993 Scheme, JSWSL was entitled to defer the sales tax payment for 14 years and thereafter pay the same in 5 equal instalments. The deferred sales tax however could also be paid at an earlier date on a net present value ("NPV") basis.**

**[REDACTED]**

**The details on the nature of the benefit received is provided in Confidential Exhibit H-2.1.**

4. Indicate which goods you produced that benefited from the program (e.g. the program may have benefited all production, or only certain products that have undergone research and development).



**The sales tax or VAT deferral is applicable for all finished goods and by-products or scrap produced by the blast furnace and hot strip plant.**

5. Describe the application and approval procedures for obtaining a benefit under the program.

**The Government of Maharashtra under the 1993 Scheme issued a notification, as per which any unit which receives an eligibility certificate would be entitled to certain sales tax incentives. Pursuant to the same, companies applied as per the guidelines and Eligibility Certificates were issued for the period**

\*\*\*\*\*  
\*\*\*\*\*  
\*\*\*\*\*  
\*\*\*\*\*.]

6. Where applicable, provide copies of the application form or other documentation used to apply for the program, all attachments and all contractual agreements entered into between your business and the Government of India in relation to the program.

**The documents are provided above.**

7. Outline the fees charged to, or expenses incurred by your business for purposes of receiving the program.

**There is no fee chargeable under the 1993 Scheme.**

8. Outline the eligibility criteria your business had to meet in order to receive benefits under this program.

**As per Government Resolution Number IDL-1096/(13211)/U-8 dated 20 June 1997, the Dolvi unit of JSWSL is considered as a Mega Unit as it satisfies the requirements of having an investment of Rs. 1000 crore under the particular area.**

9. State whether your eligibility for the program was conditional on one or more of the following criteria:

- a) whether or not your business exports or has increased its exports;
- b) the use of domestic rather than imported inputs;
- c) the industry to which your business belongs; or
- d) the region in which your business is located.

**The eligibility under the 1993 Scheme is based on the location of the Dolvi plant.**

10. If the benefit was provided in relation to a specific activity or project of your entity, please identify the activity and provide supporting documentation.

**The above benefit has been provided to the Dolvi plant of JSWSL based on the investment in the plant and its location. The details have been provided above.**

11. What records does your business keep regarding each of the benefits received under this program? Provide copies of any records kept in relation to the program.

**The company maintains purchase and sales registers. However, the company is filing quarterly returns with the authorities, which specify the amount of monetary ceiling exhausted till date.**

12. Indicate where benefits under this program can be found in your accounting system (i.e., specify the ledgers or journals) and financial statements.

**When a sale is made, VAT is collected but is deferred for payment after 14 years. It is shown as a "Long term liability" in the financials and under GL code**

**[“  
[REDACTED]  
”.]**

13. To your knowledge, does the program still operate or has it been terminated?

**The program is still in operation.**

14. If the program has been terminated, please provide details (including when and why). When is the last date that your business could apply for or claim benefits under the program? When is the last date that your business could receive benefits under the program?

If the program terminated has been substituted for by another program, identify the program and answer all the questions in Part H-1 in relation to this programme.

**Not applicable.**

15. Identify the body responsible for administering the grant.

Up to the year 2004, the implementing agency was State Industrial and Investment Corporation of Maharashtra Limited. At present, the program is administered by the Directorate of Industries, Government of Maharashtra.

16. Identify the date of approval of the grant and the date the grant was received.

JSWSL has been eligible for the incentive from [REDACTED].]

17. Indicate where the grant was accounted for on your business' financial statements.

The benefits are shown as [REDACTED] in JSWSL's financial statements.

**Program No. 39: Special Incentives for Mega Projects (Stamp Duty Waiver) – JSWSL**

For each program identified in your answer to 1 and 2 above, answer the following questions:

3. Provide complete details involving the amount of the grant received, including whether the grant was received in a lump sum or multiple instalments.

Under the Package Scheme of Incentives 2007 ("2007 Scheme"), JSWSL received an exemption of 50 percent from payment of stamp duty on land purchased. The benefit has been received on every land purchase.

The details on the benefit received has been provided as Confidential Exhibit H-2.3.

4. Indicate which goods you produced that benefited from the program (e.g. the program may have benefited all production, or only certain products that have undergone research and development).

The stamp duty waiver was provided to JSWSL in regard to procurement of land.

5. Describe the application and approval procedures for obtaining a benefit under the program.

**JSWSL had applied to the Industries, Energy, and Labour Department of the Government of Maharashtra, as per the guidelines given in Package Scheme of Incentives 2007 ("2007 Scheme") in application dated [REDACTED]. The application is attached as Confidential Exhibit H-2.4.**

**The [REDACTED] department [REDACTED] has [REDACTED]. Based on this offer letter**

**JSWSL applied for exemption of stamp duty and received a certificate for exemption from the Directorate of Industries, Government of Maharashtra. The Eligibility Certificate is attached as Confidential Exhibit H-2.5.**

6. Where applicable, provide copies of the application form or other documentation used to apply for the program, all attachments and all contractual agreements entered into between your business and the Government of India in relation to the program.

**The documents are provided above.**

7. Outline the fees charged to, or expenses incurred by your business for purposes of receiving the program.

**There is no fee chargeable under the 2007 Scheme.**

8. Outline the eligibility criteria your business had to meet in order to receive benefits under this program.

**JSWSL had to meet two broad conditions to be eligible to receive benefits under the 2007 Scheme:**

- Minimum investment of INR 750/- Crores; and**
- Being located in an economically challenged zone.**

9. State whether your eligibility for the program was conditional on one or more of the following criteria:

- a) whether or not your business exports or has increased its exports;
- b) the use of domestic rather than imported inputs;
- c) the industry to which your business belongs; or
- d) the region in which your business is located.

**The eligibility under the 2007 Scheme is based on the location of the Dolvi plant.**

10. If the benefit was provided in relation to a specific activity or project of your entity, please identify the activity and provide supporting documentation.

**The above benefit has been provided to JSWSL based on the investment in the plant and its location. The details have been provided above.**

11. What records does your business keep regarding each of the benefits received under this program? Provide copies of any records kept in relation to the program.

**The company does not maintain separate records in relation to this program.**

12. Indicate where benefits under this program can be found in your accounting system (i.e., specify the ledgers or journals) and financial statements.

**As regards the program,**  
[REDACTED]

13. To your knowledge, does the program still operate or has it been terminated?

**The program is still in operation.**

14. If the program has been terminated, please provide details (including when and why). When is the last date that your business could apply for or claim benefits under the program? When is the last date that your business could receive benefits under the program?

If the program terminated has been substituted for by another program, identify the program and answer all the questions in Part H-1 in relation to this programme.

**Not applicable.**

15. Identify the body responsible for administering the grant.

**The Industries, Energy and labour Department of the State of Maharashtra is responsible for administering the program.**

16. Identify the date of approval of the grant and the date the grant was received.

JSWSL has been eligible based on the  
[REDACTED]  
[REDACTED]  
[REDACTED].]

17. Indicate where the grant was accounted for on your business' financial statements.

As noted above, a separate ledger of benefits received is not maintained. Since  
[REDACTED]  
[REDACTED]  
[REDACTED].

**Program 34: SGOM – Industrial Promotion Subsidy (VAT Refund) – Amba River Coke Limited**

For each program identified in your answer to 1 and 2 above, answer the following questions:

3. Provide complete details involving the amount of the grant received, including whether the grant was received in a lump sum or multiple instalments.

Amba River Coke Limited (“ARCL”) has availed of certain benefits under the Package Scheme of Incentives 2007 (“2007 Scheme”) for its pellet plant and coke oven plant.

As per the eligibility certificate, the Industrial Promotion Subsidy (“IPS”) is equivalent to 50 percent of eligible investments under the 2007 Scheme. The benefit is in the form of refund of Value Added Tax paid under the Maharashtra Value Added Tax (2002) and Central Sales Tax Act, 1956.

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

4. Indicate which goods you produced that benefited from the program (e.g. the program may have benefited all production, or only certain products that have undergone research and development).

The benefit is provided to the products set out below in each of the plants:

- [REDACTED]



5. Describe the application and approval procedures for obtaining a benefit under the program.

The Government of Maharashtra under the 2007 Scheme issued by Government Resolution No. PSI-1707 (CR-50)/IND-8 dated 30 March 2007 as per which any unit which receives an eligibility certificate would be exempt from electricity duty. The procedures by ARCL for availing the benefit are as under:

- ARCL submitted applications to the Industries, Energy and Labour Department of the Government of Maharashtra for availing of the above benefit. The applications dated [REDACTED] are provided as Confidential Exhibit H-1.10 and Confidential Exhibit H-1.11 respectively.
- The department thereafter issued letters offering ARCL incentives as per the 2007 Scheme. The [REDACTED] are provided as Confidential Exhibit H-1.12 and Confidential Exhibit H-1.13 respectively.
- On the basis of the offer letter, applications were filed by ARCL to the Directorate of Industries for issuing the eligibility certificates.
- On verification of the documents, the Government of Maharashtra issued Eligibility Certificates for the coke oven and pellet plant of ARCL. The [REDACTED] dated 3 February 2015 are provided as Confidential Exhibit H-1.14 and Confidential Exhibit H-1.15 respectively.

As per the Eligibility Certificates, the period for availing of the incentives is from [REDACTED].

6. Where applicable, provide copies of the application form or other documentation used to apply for the program, all attachments and all contractual agreements entered into between your business and the Government of India in relation to the program.

The necessary documentation has been provided above.

7. Outline the fees charged to, or expenses incurred by your business for purposes of receiving the program.

There is no fee chargeable under the 2007 Scheme.

8. Outline the eligibility criteria your business had to meet in order to receive benefits under this program.

**As per Government Resolution No. PSI-1707 (CR-50)/IND-8 dated 30 March 2007, a company is eligible for receiving benefits under the 2007 Scheme if:**

- **The minimum investment is Rs. 750 crore or above; and**
- **It is located in an economically challenged zone.**

**In specific reference to ARCL,**  
[REDACTED]  
.]

9. State whether your eligibility for the program was conditional on one or more of the following criteria:

- a) whether or not your business exports or has increased its exports;
- b) the use of domestic rather than imported inputs;
- c) the industry to which your business belongs; or
- d) the region in which your business is located.

**The eligibility under the 2007 Scheme is based on the location of the plants.**

10. If the benefit was provided in relation to a specific activity or project of your entity, please identify the activity and provide supporting documentation.

**The above benefit has been provided to the entire activity of the coke and pellet plant.**

11. What records does your business keep regarding each of the benefits received under this program? Provide copies of any records kept in relation to the program.

**ARCL**  
[REDACTED]  
.]

12. Indicate where benefits under this program can be found in your accounting system (i.e., specify the ledgers or journals) and financial statements.

[REDACTED]  
.]

13. To your knowledge, does the program still operate or has it been terminated?

**The 2007 Scheme has been terminated on 1 April 2013.**

If the program has been terminated, please provide details (including when and why). When is the last date that your business could apply for or claim benefits under the program? When is the last date that your business could receive benefits under the program?

**The 2007 Scheme was terminated and replaced by the Package of Incentives 2013 ("2013 Scheme"). The 2013 Scheme was amended in light of the Industrial Policy 2013 of the Government of Maharashtra.**

**The 2007 Scheme expired on 31 March 2013 and the 2013 Scheme came into effect on 1 April 2013. Therefore, for any new applications for further eligibility that ARCL would intend on filing post 1 April 2013, the same would be under the 2013 Scheme.**

If the program terminated has been substituted for by another program, identify the program and answer all the questions in Part H-1 in relation to this programme.

**The 2007 Scheme was replaced by the Package of Incentives 2013 under Government Resolution No. PSI-2013/(CR-54)/IND-8.**

**However, ARCL has not availed of any benefits under the 2013 Scheme.**

14. Identify the body responsible for administering the grant.

**The Directorate of Industries, Government of Maharashtra is responsible for administering the 2013 Scheme.**

15. Identify the date of approval of the grant and the date the grant was received.

**The**

[REDACTED]

16. Indicate where the grant was accounted for on your business' financial statements.

**The benefits are shown as**

["REDACTED"]

## CATEGORY H-3: PREFERENTIAL LOANS

### Programs 22, 32, 40 and 47

It is our understanding that certain enterprises in India benefit from low (subsidised) interest rates from state owned commercial banks (SOCB) and government banks in accordance with the GOI policy to support and develop the expansion of the Indian steel industry.

If your business or any company/entity related to your business received benefits under any such program during the period 1 July 2011 to 30 June 2016, answer the following questions.

**JSWSL has not availed any such program.**

1. Provide give a general overview of how your company secures necessary financial resources on the financial market (e.g. Loans, issuance of bonds etc.)

Provide answers to the following questions in "**H-3 Preferential Loans**".

2. Provide a list of all the loans provided to your company from banks and financial institutions which have not been fully reimbursed by the end of the investigation period.
3. Provide specific details of the loan, including the start date of the loan, the principal amount of the loan, terms and conditions of the loan, purpose of the loan, the repayment terms/frequency, repayment amount, interest rate, interest type (e.g. fixed, variable etc.), if the loan has been redrawn any time during its duration, please provide the redraw date, amount and the reason for redraw.
4. Indicate whether each bank is Indian or foreign-owned and give the percentage of government ownership of each bank (including ownership by entities owned or controlled by a government).
5. In the case of each loan from government-owned or controlled, please explain the reason for borrowing from such a bank rather than a commercial bank. What are the differences in the terms and conditions of loans between the government and commercial banks?
6. Explain how the decisions to grant the loan or its conditions are dependent on the purpose of the loan and give details on the process your company went through to apply for the loan. Please provide detail on what conditions or criteria your company needed to fulfil to be granted the loan.

7. For each of the loans listed, provide copies of signed loan agreements between the bank which provided the loan and company which was the addressee of the loan specifying the conditions of the loan such as amount, term of repayment, interest rate etc. Also provide a copy of your application for the loan.

*Note: If your company has more than one loan from same bank/financial Institution which were not repaid by the end of the investigation period and the loan agreements for these loans are standardised, it is sufficient **at this stage** to provide an English translation for one of them only (e.g. If your company has multiple loans from one particular bank which only differ in amounts you only need to translate one of them into English for your questionnaire response. However it is necessary to translate all credit line agreements from which loans not repaid by the end of the investigation period were drawn.*

8. Please explain whether the granting of the specific loan depended on the link between the purpose of the loan and the goals specified in any government plan or development program. Provide a copy of the laws, regulations, administrative guidelines and any other acts relevant for the operation of this lending with any subsequent amendments. Also include a copy of any governmental or development plan of which the scheme represents a direct implementation.
9. For each loan application, please explain the involvement of third parties such as government departments, local councils, party committees in the whole process since the application for the loan up to the decision whether the loan is granted or not.
10. In the ““H-3 Preferential Loans”” spreadsheet, provide the information requested on guarantees for the loans provided to your company.
11. Please give details of all loan applications during the investigation period which were refused; give the name of the bank, the amount of the loan requested and the reasons for refusal.
12. Provide any other information you may deem necessary for the commission to make an assessment on the subsidisation of producers/exporters of the product under investigation. You may adjust the table in the “Loans” tab as necessary to include this additional information.

## CATEGORY H-4: PROVISION OF GOODS

### Programs 29 and 51

**JSWSL has not availed any such program.**

In relation to the above programs, provide the following information.

1. Describe the nature of your production process for galvanised steel, including an itemised list of all raw materials used by your company in the process.
2. Did your business or any company/entity related to your business receive any benefit under the above programs during the period **1 July 2011 to 30 June 2016**? If yes, provide details.
3. Does your business purchase any raw materials (e.g. HRC, iron ore, coking coal, coke, scrap, etc.) in the manufacture of galvanised steel?

Provide responses to this category in tables provided on the “**H-4 Raw Materials Purchases**”

4. Provide data on a transaction-by-transaction basis, for all purchases of raw materials during the period 1 July 2014 to 30 June 2015. This data should be provided for all purchases, not only those of Indian origin (i.e. include imported materials as well). In the list, please be sure provide a contact name and address, of all your suppliers of raw materials and indicate whether the supplier is a SIE.

Please add more space for additional suppliers and/or categories of product as required.

5. Did your business receive any reduction/reduced price for the purchase of these goods/services during the investigation period? If so, describe the eligibility criteria that your business had to meet in order to qualify for any reduction in the price paid for the goods/services.
6. Provide copies of all contractual agreements that detail the obligations of the SIE and your business with reference to the granting and receipt of the assistance/benefits.
7. If your business purchased imported raw materials, explain the reason/s for your business' decision to purchase imported over domestic raw materials, including the key factors affecting the decision such as price, availability etc.

## **CATEGORY H-5: OTHER PROGRAM**

### **Program 28 - Provision of Captive Mining Rights for Minerals Including Iron Ore and Coal**

Provide answers to the following questions in relation to the above program in the “**H-5 other program**” tab

1. Indicate whether your company benefited from any of the listed programs.

**JSWSL has not availed the listed program.**



2. If yes, indicate which goods you produced that benefited from the program (e.g. the program may have benefited all production, or only certain products that have undergone research and development).
3. Describe the application and approval procedures for obtaining a benefit under the program.
4. Where applicable, provide copies of the application form or other documentation used to apply for the program, all attachments and all contractual agreements entered into between your business and the Government of India in relation to the program.
5. Outline the fees charged to, or expenses incurred by your business for purposes of receiving the program.
6. Outline the eligibility criteria your business had to meet in order to receive benefits under this program.
7. State whether your eligibility for the program was conditional on one or more of the following criteria:
  - a) whether or not your business exports or has increased its exports;
  - b) the use of domestic rather than imported inputs;
  - c) the industry to which your business belongs; or
  - d) the region in which your business is located.
8. If the benefit was provided in relation to a specific activity or project of your entity, please identify the activity and provide supporting documentation.
9. What records does your business keep regarding each of the benefits received under this program? Provide copies of any records kept in relation to the program.
10. Indicate where benefits under this program can be found in your accounting system (i.e., specify the ledgers or journals) and financial statements.
11. To your knowledge, does the program still operate or has it been terminated?
12. If the program has been terminated, please provide details (including when and why). When is the last date that your business could apply for or claim benefits under the program? When is the last date that your business could receive benefits under the program?

If the program terminated has been substituted for by another program, identify the program and answer all the questions in category H-5 in relation to this program.

## CATEGORY H-6 ANY OTHER PROGRAMS

Provide answers to the following questions in the "H-6 Any Other programs" tab.

1. Provide a list of all the economic zones in which you have business operations (including locations of factories, sales offices, or other places of business).

**JSWSL does not have any unit located in a Special Economic Zone.**

2. Are you aware of any programs of the Government of India, any of its agencies or any other authorised body, that benefits<sup>5</sup> manufacturers of galvanised steel that have not been accounted for in this questionnaire? Provide the name of those programs you are aware of (even if your company is not eligible to receive benefit under the program.)

**In addition to the programs listed above, JSWSL has availed of benefits under the Merchandise Exports from India Scheme ("MEIS"). Details in reference to the program have been provided below.**

**Further, JSWSL also received benefits under the Market Linked Focus Product Scheme ("MLFPS") and the Focus Market Scheme ("FMS"). However, the points below are relevant for MLFPS and FMS programs:**

- Both programs were terminated in April 2015 and replaced by the Merchandise Exports from India Scheme.
- The product under consideration is not covered within the scope of the Market Linked Focus Product Scheme, therefore no benefits were availed by JSWSL in respect to exports of the goods under consideration to Australia.
- Australia was not a market eligible for benefits under the Focus Market Scheme, therefore no benefits were availed by JSWSL in respect to exports to Australia.

**JSWSL has therefore not provided details in relation to the MLFPS and FMS.**

3. Indicate the location of the program by state, region, province or municipal level.

**The MEIS program is administered at the central level.**

4. Indicate the type of program, for example:
  - a) the provision of grants, awards or prizes;
  - b) the provision of goods or services at a reduced price (e.g. electricity, gas, raw materials (including, for example, zinc), transport);
  - c) the reduction of tax payable including income tax, state tax and sales tax;
  - d) reduction in land use fees;
  - e) loans from Policy Banks at below-market rates; or

---

<sup>5</sup> Refer to the Glossary of Terms for a definition of benefit in this context.

- f) any other form of assistance.

**The MEIS program is a tariff program.**

For **each program** that you have identified, answer the following.

**Merchandise Exports from India Scheme**

5. Indicate whether your company benefited from any of the listed programs.

**JSWSL has availed of benefits under the MEIS. The details regarding the MEIS licenses received by JSWSL during the period of investigation and other details is provided in Confidential Exhibit H-6.1.**

6. Indicate which goods you produced that benefited from the program (e.g. the program may have benefited all production or only certain products that have undergone research and development).

**The MEIS is provided for exports of notified goods or products to notified markets as listed in Appendix 3B of the Handbook of Procedures – Volume 1 under the Foreign Trade Policy 2015-2020.**

7. Describe the application and approval procedures for obtaining a benefit under the program.

**The procedure for filing and application and obtaining the benefit under the program is as under:**

- **The application is made on the basis of entitlement and eligibility on products being exported to specified countries.**
- **After scrutiny of the application, the office of the Additional Director General Foreign Trade issues an import licences.**
- **The said import licences are utilised for clearance against which the import duties applicable to the particular import items are debited on the debit sheet of the licence.**

8. Where applicable, provide copies of the application form or other documentation used to apply for the program, all attachments and all contractual agreements entered into between your business and the Government of India in relation to the program.

**The documents in regard to availing of the benefit under the MEIS is provided in Confidential Exhibit H-6.2.**

9. Outline the fees charged to, or expenses incurred by your business for purposes of receiving the program.

**The application fee is Rs. 1000 per license.**

10. Outline the eligibility criteria your business had to meet in order to receive benefits under this program.

**The eligibility criteria for the program is based on the product exported and the country of export.**

11. State whether your eligibility for the program was conditional on one or more of the following criteria:

- a) whether or not your business exports or has increased its exports;
- b) the use of domestic rather than imported inputs;
- c) the industry to which your business belongs; or
- d) the state in which your business is located.

**In order to be eligible under the program, the company must export specific products to the notified list of countries.**

12. If the benefit was provided in relation to a specific activity or project of your entity, please identify the activity and provide supporting documentation.

**The benefit was provided in reference to the company's exporting activities to specific countries.**

13. What records does your business keep regarding each of the benefits received under this program? Provide copies of any records kept in relation to the program.

**JSWSL maintains the records below in reference to the MEIS:**

- **Shipping bills demonstrating that the particular product has been exported to the specific country**
- **Copy of e-BRC**
- **Application filed**
- **Import licenses**

14. Indicate where benefits under this program can be found in your accounting system (i.e., specify the ledgers or journals) and financial statements.

**The amount received is**  
[REDACTED]  
[REDACTED]. ]

15. To your knowledge, does the program still operate or has it been terminated?

**The MEIS program is still in operation.**

16. If the program has been terminated, please provide details (including when and why). When is the last date that your business could apply for or claim benefits

under the program? When is the last date that your business could receive benefits under the program?

If the program terminated has been substituted for by another program, identify the program and answer all the questions in Category H-6 in relation to this programme.

**Not applicable.**

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SECTION I  
EXPORTER'S DECLARATION

☒ I hereby declare that.....**JSW Steel Limited**..... (company)  
did, during the period of investigation export the goods under consideration  
and have completed the attached questionnaire and, having made due  
inquiry, certify that the information contained in this submission is complete  
and correct to the best of my knowledge and belief.

☐ I hereby declare that.....(company)  
did not, during the period of investigation, export the goods under  
consideration and therefore have not completed the attached questionnaire.

Name : Rakesh Sharma.....

Signature : 



Position in

Company : Vice President.....

Date : 30 November 2016.....



## SECTION J CHECKLIST

*This section is an aid to ensure that you have completed all sections of this questionnaire.*

Section	Please tick if you have responded to all questions
Section A – general information	√
Section B – export price	√
Section C – like goods	√
Section D – domestic price	√
Section E – fair comparison	√
Section F – exports to third countries	√
Section G – costing information	√
Section H – Subsidisation	√
Section I – declaration	√

Electronic Data	Please tick if you have provided spreadsheet
<b>INCOME STATEMENT</b>	√
<b>TURNOVER</b> – sales summary	√
<b>AUSTRALIAN SALES</b> – list of sales to Australia	√
<b>DOMESTIC SALES</b> – list of all domestic sales of like goods	√
<b>THIRD COUNTRY</b> – third country sales	√
<b>PRODUCTION</b> – production figures	√
<b>DOMESTIC COSTS</b> – costs of goods sold domestically	√
<b>AUSTRALIAN COSTS</b> – costs of goods sold to Australia	√
<b>INCOME TAX PROGRAMS</b>	<input type="checkbox"/>
<b>PREFERENTIAL TAX PROGRAMS</b>	<input type="checkbox"/>
<b>TARIFF PRGRAMS</b>	√
<b>GRANTS</b>	√
<b>RAW MATERIAL PURCHASES</b>	<input type="checkbox"/>
<b>OTHER PROGARM</b>	<input type="checkbox"/>
<b>ALL OTHER PROGRAMS</b>	√