

Sunset review in anti-dumping investigation against imports of “Black Toner - in powder form” from China PR, Malaysia and Taiwan

Sukhbir Singh Badhal <jd15-dgtr@gov.in>

Fri, Oct 4, 2024 at 4:43 PM

To: jkjoburg <jk.joburg@gmail.com>, india <india@sa.moea.gov.tw>, annysharma091 <annysharma091@gmail.com>, sheilatecc <sheilatecc@gmail.com>

Cc: Rita Mahna <adg16-dgtr@gov.in>, "Sh. G S Sahu" <adv13-dgtr@gov.in>, Vikas Mathur <dir16-dgtr@gov.in>, Neel Nikhar <legal1-dgtr@supportgov.in>

**F. No. 7/12/2024-DGTR
Government of India
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Trade Remedies**

To,

Embassy of Taiwan
No. 34, Paschimi Marg, Vasant Vihar
South West Delhi 110057
Delhi, India

Sir/Madam,

I have been directed to inform you that sun-set review in anti-dumping investigation concerning imports of “Black Toner - in powder form” originating in or exported from China PR, Malaysia and Taiwan has been initiated by the Designated Authority. A copy of the initiation notification no. 7/12/2024-DGTR, Case no. AD(SSR)-04/2024 dated 30/09/2024, issued by the Authority, is available on the website at the given link <https://www.dgtr.gov.in/anti-dumping-cases/anti-dumping-investigation-concerning-imports-%E2%80%9Cblack-toner-powder-form%E2%80%9D>

2. The exporters and other interested parties known to the Authority to be concerned with the above mentioned investigation has been requested separately by e-mail to furnish the relevant information in the form of response to the questionnaire available at the link <https://www.dgtr.gov.in/anti-dumping-guidelines/exporters-questionnaire> and offer their comments, if any. However, it is possible that either the addresses are not complete or all exporters of the subject goods might not have been intimated directly by the Authority. It is, therefore, requested that this investigation may be brought to the notice of all concerned.

3. A list of exporters/producers being addressed by the Authority is provided in the attached non-confidential application. These exporters/producers, including those whose e-mail addresses are not available with the Authority (as indicated in the non-confidential application), as also other exporters/producers having interest in export of the subject goods to India may be advised to furnish information in the form and manner prescribed in the questionnaire to the Authority within the time frame stipulated. Embassy is advised to make extra efforts to contact those exporters/producers whose email addresses are not indicated in the attached list in order to ensure their participation in the investigation.

4. The information should be e-mailed to the investigation team members at adg16-dgtr@gov.in, adv13-dgtr@gov.in, dir16-dgtr@gov.in and jd15-dgtr@gov.in.

Regards,

Dr Sukhbir Singh Badhal
Investigating Officer & Joint Director General Foreign Trade
Directorate General of Trade Remedies
Jeevan Tara Building, Patel Chowk
New Delhi

Attachments:

1. Soft copy of non-confidential version of the application.

Application
For Continued Imposition of
Anti-Dumping Duty
on imports of
Black Toner

From

China PR, Malaysia and Taiwan

BY

**Pure Toners and Developers Pvt. Ltd and Indian
Toners and Developers Ltd.**

Through

ASL-Legal
F-21, Geetanjali Enclave,
New Delhi-110017

Tel: 26692007, 26692008, 26693232, Fax: 26691878

E-mail: shailendra@asl-legal.com / bhansali@asl-legal.com

NON-CONFIDENTIAL

Index and Statement of confidentiality

S. No.	Exhibits	Description	Page No	Confidential
1	-	Authorization Letter	1-2	No
2	Format X	Declaration by company	3-4	No
3	Format Y	Declaration by the legal representative	5	No
4	-	Application	6-19	Yes, Business Sensitive information
6	Annexure 1	Import data	20	Yes, Not available in public domain
7	Annexure 2	Details of known Producers / Exporters from subject countries	21	No
8	Annexure 3	Details of known Importers / users of the subject goods	22	No
9	Annexure 4	Declaration about self-imports and relation with exporter / importers	23-24	No
11	Annexure 5	Details of Normal value for subject countries	25	Yes, Business Sensitive information
12	Annexure 6	Details of computation of export price for subject countries	26	No
13	Annexure 7	Details of Dumping Margin	27	Yes, Business Sensitive information
14	Annexure 8	Injury Analysis	28-43	Yes, Business Sensitive information
15	Annexure 9	Proforma IV-A	44-48	Yes, Business Sensitive information
16	Annexure 10	Proforma IV-B	49-50	No
17	Annexure 11	Production Process	51-52	Yes, Business Sensitive information
18	Annexure 12	Format VI-1 to Format VI-5	53	Yes, Business Sensitive information
19	Annexure 13	Audited Financial Statements	54-706	Yes for Pure Toner, Business Sensitive information
21	Annexure 14	Declaration as per Trade Notice No. 04/2021	707-708	No
22	Annexure 15	MSME Certificate	709-714	Yes, Business Sensitive information
23	Annexure 16	Capacity Backup	715-724	Yes, Business Sensitive information
23	Annexure 17	Evidence of capacity & production in the subject countries	725-744	Yes, Not available in public domain
23	Annexure 18	Evidence of exports from China PR to third countries	745-753	Yes, Not available in public domain



Indian Toners & Developers Ltd.

(A Govt. recognized Export House) CIN No. : L74993UP1990PLC015721
Corporate Office : 1223, DLF Tower B, Jasola, New Delhi - 110 025 (India)

AUTHORIZATION LETTER

We hereby authorize/appoint the following persons/firm in India to represent us in the anti-dumping investigation against imports of "Black Toner in Powder Form" from China PR, Taiwan and Malaysia.

Mr. Sharad Bhansali / Mr. Jitendra Singh / Mr. Shailendra Dubey / Mr. Jinendra Singhvi / Mr. Akshay Soni / Mr. Vikas Pandey / Babita Rawat / Mr. Pankaj Kumar

**ASL-Legal
F-21, Geetanjali Enclave
New Delhi 110 017**

Tel: +91 (11) 79697140 / 79697184

**E-mail: bhansali@asl-legal.com
jsingh@asl-legal.com
shailendra@asl-legal.com
jinendra@asl-legal.com
akshay@asl-legal.com
vikas@asl-legal.com
babita@asl-legal.com
pankaj@asl-legal.com**

M/s **ASL-Legal** is authorized, inter-alia for the following:

- 1) To receive communication from the Designated Authority.
- 2) To make submission on our behalf.
- 3) To appear for and on our behalf.

We request that all correspondence relating to this matter may please be addressed to our legal representative M/s. ASL-Legal, with a copy direct to us.

Date: 31 July, 2024

Indian Toners & Developers Ltd.

(Signature)

+91-11-4501 7000 +91-11-4501 7043 info@indiantoners.com

Registered. Office & UNIT (1) : 10.5 km, Milestone, Rampur-Bareilly Road, Rampur – 244901 (U.P.) INDIA
Phone: +91-595-2356271 (20 Lines) Fax : +91-595-2356273

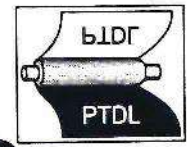
UNIT (2) : D-11, Phase-II, Eldeco-Sidcul Industrial Park, Sitarganj, (Uttarakhand) INDIA - 262405
Phone: +91-97583 45100 Fax : +91-5948 256061



www.indiantoners.com



CIN : U24299GJ2000PTC038501



Pure
Toners And Developers Private Limited

AUTHORIZATION LETTER

We hereby authorize/appoint the following persons/firm in India to represent us in the anti-dumping investigation against imports of "Black Toner in Powder Form" from China PR, Taiwan and Malaysia.

Mr. Sharad Bhansali / Mr. Jitendra Singh / Mr. Shailendra Dubey / Mr. Jinendra Singhvi / Mr. Akshay Soni / Mr. Vikas Pandey / Babita Rawat / Mr. Pankaj Kumar

**ASL-Legal
F-21, Geetanjali Enclave
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babita@asl-legal.com

pankaj@asl-legal.com

M/s **ASL-Legal** is authorized, inter-alia for the following:

- 1) To receive communication from the Designated Authority.
- 2) To make submission on our behalf.
- 3) To appear for and on our behalf.

We request that all correspondence relating to this matter may please be addressed to our legal representative M/s. ASL-Legal, with a copy direct to us.



(Signature)

Date: 31 July, 2024

AN ISO 9001:2015, 14001-2015 & OHSAS 45001-2018 CERTIFIED COMPANY

Regd. Office & Works: Plot No. C1-237/2, 3 & 4 and C1-238/1, Por-Ramangamdi, G.I.D.C., POR-391243, Dist. Vadodara. **INDIA.**
Unit II: Survey No.:25/A Paiki - 2, Vill. Kashipura, AT & PO - POR - 391243, Dist. - Vadodara. **INDIA.**
Ph.: ++91 - 265 - 2636900 Telefax: ++91 - 265 - 2830407 Website: www.puretoners.com



Indian Toners & Developers Ltd.

(A Govt. recognized Export House) CIN No. : L74993UP1990PLC015721
Corporate Office : 1223, DLF Tower B, Jasola, New Delhi - 110 025 (India)

Format-X

In the matter of application for initiation of anti-dumping investigation concerning imports of "Black Toner in Powder Form" from China PR, Taiwan and Malaysia.

CERTIFICATE BY THE CHIEF EXECUTIVE OF THE COMPANY /DIRECTORS/PARTNERS OR THE PROPRIETOR OF THE FIRM

I, I, Shri Subhash Chander Singhal (full name) am the Executive Director .(designation) of M/s Indian Toners & Developers Limited (name of applicant company constituting the 'domestic industry for the PUC') and am authorized for filing the submissions for the subject application on behalf of the company. I have personally verified all documents/information/evidence (as given in Annexure) with the original documents, books of accounts and records and on the basis of such verification do hereby certify:

- That the data/information/documents/evidence so provided in the application are accurate and adequate inter-alia in terms of Rule 5(3) of the AD Rules 1995, the Customs Tariff Act 1975 and the trade notices/circulars issued thereunder by the Authority from time to time;
- That the documents provided in the application are complete, authentic, and correct extracts of or compilation from the books of accounts consistently maintained by the company in the ordinary course of business;
- That the documents provided in the application are true and exact copies of original documents available in the company for verification;
- That all the information/ documents/ evidence submitted are true and correct to the best of my knowledge and belief;
- That I have neither knowingly and/ or wilfully concealed or misrepresented any information nor made any false statement;
- That there is no misstatement/ misrepresentation of facts in the documents/information/ data/ evidence submitted herewith.

2. I am fully aware:

- I shall be responsible for the consequences of any deliberate or willful and/or fraudulent concealment, mis-declaration or misrepresentation in any manner whatsoever;
- That in the event of:
 - any statement/document/data/information/evidence found to be incorrect, misleading, misrepresented, fraudulent, concealed or mis-declared or contrary to the facts;
 - any refusal of access to the information/documents/data/evidence on demand as and to the extent deemed necessary by the Authority; or
 - impeding the investigation in any manner whatsoever.

the Designated Authority reserves the right to take any action against my company including the whole/partial rejection of our submissions, use of best/adverse facts available, rejection of our application/petition or debaring my company from representing in DGTR as an interested party for any specified period.

- That I herewith undertake to provide the relevant books of accounts, records, original documents, evidences, etc. for verification as and when demanded by the Authority.

Signature: _____

S. C. Singhal

Name of Signatory : S .C. Singhal
Designation: Executive Director
Date: 31st July, 2024



+91-11-4501 7000 +91-11-4501 7043 info@indiantoners.com

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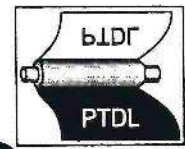
UNIT (2) : D-11, Phase-II, Eldeco-Sidcul Industrial Park, Sitarganj, (Uttarakhand) INDIA - 262405
Phone: +91-97583 45100 Fax : +91-5948 256061



www.indiantoners.com



CIN : U24299GJ2000PTC038501



Pure
Toners And Developers Private Limited

In the matter of application for initiation of anti-dumping investigation concerning imports of "Black Toner in Powder Form" from China PR, Taiwan and Malaysia.

CERTIFICATE BY THE CHIEF EXECUTIVE OF THE COMPANY /DIRECTORS/PARTNERS OR THE PROPRIETOR OF THE FIRM

1. I, Shri Asit B Choksi, am the Wholetime Director of M/s Pure Toners and Developers Private Limited and am authorized for filing the submissions for the subject application on behalf of the company. I have personally verified all documents/information/evidence (as given in Annexure) with the original documents, books of accounts and records and on the basis of such verification do hereby certify:

- a) That the data/information/documents/evidence so provided in the application are accurate and adequate inter-alia in terms of Rule 5(3) of the AD Rules 1995, the Customs Tariff Act 1975 and the trade notices/circulars issued thereunder by the Authority from time to time;
- b) That the documents provided in the application are complete, authentic, and correct extracts of or compilation from the books of accounts consistently maintained by the company in the ordinary course of business;
- c) That the documents provided in the application are true and exact copies of original documents available in the company for verification;
- d) That all the information/ documents/ evidence submitted are true and correct to the best of my knowledge and belief;
- e) That I have neither knowingly and/ or wilfully concealed or misrepresented any information nor made any false statement;
- f) That there is no misstatement/ misrepresentation of facts in the documents/information/ data/ evidence submitted herewith.

2. I am fully aware:

- a) I shall be responsible for the consequences of any deliberate or willful and/or fraudulent concealment, mis-declaration or misrepresentation in any manner whatsoever;
- b) That in the event of:
 - (i) any statement/document/data/information/evidence found to be incorrect, misleading, misrepresented, fraudulent, concealed or mis-declared or contrary to the facts;
 - (ii) any refusal of access to the information/documents/data/evidence on demand as and to the extent deemed necessary by the Authority; or
 - (iii) impeding the investigation in any manner whatsoever.

the Designated Authority reserves the right to take any action against my company including the whole/partial rejection of our submissions, use of best/adverse facts available, rejection of our application/petition or debarring my company from representing in DGTR as an interested party for any specified period.

- c) That I herewith undertake to provide the relevant books of accounts, records, original documents, evidences, etc. for verification as and when demanded by the Authority.

Signature: _____

Name of Signatory: Asit B Choksi

Designation: Wholetime Director

Date: 27-07-2024



"AN ISO 9001:2015, 14001-2015 & OHSAS 45001-2018 CERTIFIED COMPANY"

Regd. Office & Works: Plot No. C1-237/2, 3 & 4 and C1-238/1, Por-Ramangamdi, G.I.D.C., POR-391243, Dist. Vadodara. INDIA.
Unit II: Survey No.:25/A Paiki - 2, Vill. Kashipura, AT & PO - POR - 391243, Dist. - Vadodara. INDIA.
Ph.: ++91 - 265 - 2636900 Telefax: ++91 - 265 - 2830407 Website: www.puretoners.com

Format-Y

In the matter of application for initiation of anti-dumping investigation concerning imports of "Black Toner in Powder Form" from China PR, Taiwan and Malaysia.

DECLARATION BY AUTHORISED LEGAL REPRESENTATIVE (ALR)

1. I, Shailendra Dubey, Advocate, of ASL-Legal hereby declare that I have been duly authorized by Pure Toners and Developers Pvt. Ltd and Indian Toners and Developers Ltd. for filing the subject application/submission on behalf of the domestic industry. I do hereby certify:

- a) That I have sought and obtained all the data/information/documents/evidence/explanations as necessary and sufficient for the purposes of preparation of application/petition in terms of the AD Rules 1995, the Customs Tariff Act 1975 and the trade notices/ circulars issued thereunder by the Authority from time to time;
- b) That I have duly incorporated the said information, explanations, etc. provided by the above-named companies constituting the domestic industry in the subject application after following the principles specified in the relevant Act/Rules/trade notices/circulars, etc. mentioned in the preceding paragraph;
- c) That the said information, explanations, evidences, etc. are accurate and adequate in terms of Rule 5(3) of the AD Rules 1995;
- d) That all the information, documents, evidence, etc. submitted are true and correct to the best of my knowledge and belief;
- e) That I have neither knowingly and/ or wilfully concealed or misrepresented any information nor made any false statement;
- f) That there is no misstatement/ misrepresentation of facts in the documents/information/ data/ evidence submitted herewith.

2. I am fully aware:

- a) That I shall be responsible for the consequences of any deliberate or wilful and/or fraudulent concealment, mis-declaration or misrepresentation in any manner whatsoever;
- b) That in the event of:
 - (iv) any statement/document/data/information/evidence found to be incorrect, misleading, misrepresented, fraudulent, concealed or mis-declared or contrary to the facts;
 - (v) any refusal of access to the information/documents/data/evidence on demand as and to the extent deemed necessary by the Authority; or
 - (vi) impeding the investigation in any manner whatsoever.

the Designated Authority reserves the right to take any action against my firm including the whole/partial rejection of our submissions, use of best/adverse facts available, rejection of the subject application/petition or debarring my firm from representing in DGTR for any specified period.

- c) That I herewith undertake to arrange the relevant books of accounts, records, original documents, evidences, etc. for verification as and when demanded by the Authority.



Signature
Shailendra Dubey
Advocate
Date: 31/07/2024

PART – I:

IMPORTED PRODUCT INFORMATION

1. Complete description of alleged dumped goods, including information on its size, quality, category and uses of such goods along with any applicable technical specifications or standards (national or international) and the ITC (HS) Code, Basic Customs Duty and applicable cess, Existing Import Policy (free/ restricted/ prohibited/ imports through STE) and change in import policy, if any, during the POI.

The product under consideration is Black Toner in Powder Form (hereinafter referred to as “PUC” / “Subject Goods”). The following types of Toners are not covered within the scope of the investigation.

- a) Color Toner
- b) MICR Toner (Specialized Toner used for printing in Cheques)
- c) Toners imported for the use by Original Equipment Manufacturers of Printing Equipment
- d) Toner in Cartridge
- e) Toner in liquid form

Technical Specifications / Standards:

There are no technical specifications either local or international to the best of the knowledge of the domestic industry / applicants.

Usage

The subject goods are used in laser printers, photocopiers, multifunction devices (MFD), etc. to print text and images on the paper.

Category / Tariff Classification:

The subject products are classified under Chapter Heading 37 “Photographic or cinematographic goods” of the Customs Tariff Act. The classification at the 8-digit level is 37079010. However, it has been also noted from the import data that the subject goods were also imported under 37079090 HS classification. It is also submitted that the custom classification is indicative only and in no way, it is binding upon the product scope.

Complete description of Chapter 37 in so far as it relates to Photographic or cinematographic goods as per Customs Tariff Act is as follows:

<i>*Chapter Heading</i>	<i>Description</i>
<i>37</i>	<i>Photographic or cinematographic goods</i>

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<i>Sub-Heading</i>	<i>At Four digits</i>
3707	<i>Chemical preparations for photographic uses (other than varnishes, glues, adhesives and similar preparations); unmixed products for photographic uses, put up in measured portions or put up for retail sale in a form ready for use</i>
<i>Sub-heading</i>	<i>At Eight digits</i>
3707 90 10	<i>Chemical products mixed or compounded for photographic uses (for example, developers and fixers), whether or not in bulk</i>

The subject goods are freely importable and there is no restriction on imports. The details of the custom duties on the imports of the subject goods are as follows:

Basic Custom Duties	China PR	Malaysia	Taiwan
<i>FY 2020-2021</i>	<i>4%</i>	<i>5%</i>	<i>10%</i>
<i>FY 2021-2022</i>	<i>4%</i>	<i>5%</i>	<i>10%</i>
<i>FY 2022-2023</i>	<i>4%</i>	<i>5%</i>	<i>10%</i>
<i>POI (Apr 2023 to Mar 2024)</i>	<i>4%</i>	<i>5%</i>	<i>10%</i>

The normal rate of basic customs duty is 10%. However, China PR and Malaysia enjoy a concessional duty of 4% and 5% respectively under Asia Pacific Trade Agreement (APTA).

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

The subject goods are being dumped from China PR, Malaysia and Taiwan (hereinafter referred to as "Subject Countries").

3. Details of concluded or ongoing investigations, if any, relating to the PUC.

The Authority issued a public notice vide Notification No. 6/6/2020 - DGTR dated 10th February, 2020 initiating anti-dumping investigation against imports of subject goods originating in or exported from subject countries. The Authority issued Preliminary Finding vide Notification No 6/6/2020-DGTR, dated 18th June, 2020, recommending imposition of provisional Anti-dumping duty on the imports of the subject goods originating in or exported from subject countries. The provisional anti-dumping duty was imposed by Ministry of finance vide notification number 22/2020- Customs (ADD) dated 10th August, 2020.

The Authority issued Final Finding vide Notification No 6/6/2020-DGTR, dated 28th January, 2021, recommending imposition of Anti-dumping duty on the imports of the subject goods originating in or exported from subject

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countries. The anti-dumping duty was imposed by Ministry of finance vide notification number 12/2021- Customs (ADD) dated 05th March, 2021 w.e.f from the date of imposition of the provisional anti-dumping duty i.e., 10th August, 2020.

4. The proposed Period of Investigation (POI) and the Injury period. If the proposed POI is not a period of 12 months, then justification for the same.

The proposed period of investigation is April 2023 to March 2024. The Injury investigation period is FY 2020-2021, FY 2021-2022 and FY 2022-2023.

5. Country-wise Volume, value and average CIF value of the subject goods imported into India, from all countries whether alleged to be dumped or not, for the past three years and the proposed POI and the source of information thereof. *

*The requested information is enclosed as **Annexure 1.***

Please note that the import data received from market intelligence sources cannot be shared as publishing of such data is prohibited under Section 135AA of the Customs Act, 1962. Accordingly, same has been claimed as confidential.

6. Name(s), address(es), phone numbers and functional email ids of the following:
 - (a) known producers/exporters of the alleged dumped goods in each of the subject countries.

*The requested information is provided as **Annexure 2.***

- (b) known importers of the alleged dumped goods in India and/or the associations thereof.

*The requested information is provided as **Annexure 3.***

- (c) known users of the alleged dumped goods in India and/or the associations thereof.

*The requested information is provided as **Annexure 3.***

- (d) other domestic producers of the like product in India and/or the associations thereof.

As per the best available information of the applicants, there are no other domestic producers of the subject goods.

PART – II

INDIAN INDUSTRY PROFILE**

1. Provide the following relating to the Indian producers of the subject goods who are filing the Application:

- (a) Functional email id, address and phone numbers of the Regd ./ Head Office including the Name, email id and mobile number of its contact person.

*M/s Pure Toners and Developers Pvt Ltd
Plot No. C1-237/2, 3 & 4 and C1-238/1
Por-Ramangamdi GIDC.,
Por- 391 243 Dist. Vadodara
Contact Person: Mr. Asit Choksi
Phone No: +91-265-2606901*

*M/s Indian Toners and Developers Ltd
1223, DLF Tower 'B', Jasola,
New Delhi-110025
Contact Person: Mr. S.C. Singhal
Phone No: +91-011-45017000, +91-011-45017019*

- (b) Name, Functional email id, address and phone numbers of the manufacturing unit(s) of the subject goods including the Name, email id and mobile number of its contact person

*M/s Pure Toners and Developers Pvt Ltd
1. Factory 1 - Plot No. C1-237/2, 3 & 4 and C1-238/1
Por-Ramangamdi GIDC., Por- 391243 Dist. Vadodara
2. Factory 2 – 25/A Paiki-2, Vill. Kashipura, Por- 391243 Dist. Vadodara*

*M/s Indian Toners and Developers Ltd
1. Factory 1 – Rampur-Bareilly Road Rampur- 244901 (U.P), India
2. Factory 2 – D-11, Phase-II, Eldeco-Sidcul Industrial Park,
Sitarkhanj (Uttarakhand) India - 262405*

2. Name(s), Functional email ids and address(es) of all Indian producers including the Applicant(s) along with their production volume of subject good during the injury period (POI and past three financial years in continuity). Also indicate the status of each such producer (i.e. whether supporter, opposer or neutral).

The requested details are provided above and in proforma IV-A.

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3. The supporter must provide (relating to the subject goods) the Installed capacity with supporting evidence, production quantity and Sales Volume & Value (separately for Domestic, Export and Captive consumption).

Not applicable as the applicants are the only domestic producers of the subject goods.

4. Provide the details of the concerned line ministry and department in Govt. of India for the subject goods.

Ministry of Commerce and Industry

5. Provide the following details relating to the end-use product(s) manufactured out of the subject goods:

- (a) Concerned line ministry and department in Govt. of India.

Ministry of Commerce and Industry

- (b) The impact of the duty on the end-use product(s) (quantify such impact)

The impact of the duty on the end-use product is negligible.

6. Whether the product(s) manufactured by the Applicants are commercially and technically substitutable for the alleged dumped goods.

The subject goods, which are being dumped into India, are identical to the goods produced by the domestic industry. There are no differences either in the technical specifications, functions or end-uses of the dumped imports and the domestically produced subject goods. The two are technically and commercially substitutable and hence should be treated as 'like articles' under the Anti-Dumping Rules.

7. Subject goods (including size, type, range, models) that petitioner(s) produces.

The applicants are engaged in the production of Black Toner in powder form used in laser printers, photocopiers, multifunction devices (MFD), etc. to print text and images on the paper. It is further submitted that the applicants have not purchased any goods which are in the nature of complementing their product line of subject goods.

8. (a) Do any of the petitioner(s) import the subject goods. If Yes, provide the country-wise value and volume of such imports from all countries. Also provide the detailed reasons for importing the subject goods. Give details of selling price to the end-users of such imported goods including a list of such end users.

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*The applicants have not imported the subject goods from the subject countries. The declarations from the applicants are enclosed as **Annexure 4**.*

- (b) Are any of the petitioners related to the exporters or importers of the alleged dumped article? If yes, provide the country-wise value and volume of such imports from all countries relating to such exports / imports so made by that related entity

*The applicants are not related to any of the exporters of the subject goods from the subject countries. The applicants are also not related to any of the importers of the subject goods. The declarations from the applicants are enclosed as **Annexure 4**.*

9. Whether the concerned product of the applicant is like-article of subject goods in terms of AD Rules. Also indicate any difference in the production process employed by the petitioner(s) and the foreign producers. Quantify the impact of such differences, if any, on cost and/or prices.

The subject goods, which are being dumped into India, are identical to the goods produced by the domestic industry. There are no differences either in the technical specifications, functions or end-uses of the dumped imports and the domestically produced subject goods. The two are technically and commercially substitutable and hence should be treated as 'like articles' under the Anti-Dumping Rules.

10. Provide the details of end-users/ consumers of like product in India including sales quantity and value for each of them. Quantify the impact of duty on cost of the end- product, if possible, with detailed calculations.

The requested details are already provided above.

11. Details of volume losses during the injury period due to:

- (a) shutdown (normal/maintenance/planned and abnormal/unplanned) and reasons therefore along with stock position during the shutdown

Not applicable as there was no shutdown.

- (b) force-majeure situations like flood, earthquake, fire, other natural calamities, etc.

Not applicable as there was no force-majeure situation impacting production.

PART – III EVIDENCE OF DUMPING

3.1 Estimates of Normal Value

1. Provide the estimates of normal value of the subject goods in subject countries as below:
 - a. If domestic sales can be used, then provide price lists, commercial/ sales invoices, trade journals, etc. indicating domestic prices.

OR

- b. Evidence of export price to an appropriate third country.

OR

- c. Cost of Production (COP) of the subject goods in the country of export/origin for construction of normal value (provide source of data and calculation of such COP)
2. Adjustments for normal value at ex-factory level (supported with evidence).
3. Normal Value at ex-factory level (after adjustments).

Domestic Industry has filed the application against dumped imports of China PR. In this context, it is submitted that China PR is a non-market economy country.

It is noted that while the provision contained in Article 15 (a) (ii) have expired on 11.12.2016, the provision under Article 2.2.1.1 of WTO read with obligation under 15 (a) (i) of the Accession Protocol require criterion stipulated in Para 8 of the Annexure I of the Rules to be satisfied through the information/data to be provided in the supplementary questionnaire on claiming the market economy status.

It is further noted that China PR has been considered as a non-market economy country by various authority's world over including DGTR. Therefore, the Domestic Industry proposed to go by the presumption that China PR is a non-market economy country, and accordingly, the normal value is required to be determined in terms of Para 7 of Annexure I of the Rules.

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*The applicants have tried to get the information of the domestic prices in subject countries. However, the applicants were not in a position to obtain any price details for the subject goods in the subject countries, as this information is not available in the public domain. Therefore, the domestic industry has constructed the normal value for the same on the basis of price actually paid or payable in India for the like product, duly adjusted, to include a reasonable profit margin for China PR as well as other subject countries. The details relating to normal value for the subject countries are enclosed as **Annexure 5**.*

3.2 Estimates of Net Export Price:

Provide the following information, country-wise, with respect to the Net Export Price of the product for the POI.

1. Average Export Price to India and its basis (e.g. FOB, CIF, FOR, etc)
2. Adjustments for Export Price at ex-factory level (supported with evidence)
3. Net export price (after adjustments).

*For fair comparison between Normal Value and Export Price, we have to arrive at the ex-factory export prices. The export price has, therefore, to be adjusted for ocean freight, marine insurance, inland transportation, port handling and clearance charges, bank charges, commission, credit cost. The details for likely net export price along with the above-mentioned adjustments are enclosed as **Annexure 6**.*

3.3 Estimates of Dumping Margin:

Provide details of estimates of dumping margin for each subject country.

*The Dumping Margin based on the above computed normal value and the export price is enclosed as **Annexure 7**.*

PART IV

**EVIDENCE OF INJURY OR LIKELIHOOD OF CONTINUANCE OR
RECURRENCE OF INJURY**

The information relating to the following injury parameters for the period of investigation and previous three financial years may be furnished:

1. Change in imports from the subject country(ies), in absolute terms and in relation to production and consumption in India;
2. Changes in market share held by domestic industry, other Indian producers, imports from subject countries and imports from other countries;
3. Change in sales volumes, output/production, or utilization of capacity
4. Change in productivity, employment and wages
5. Change in profits, cash flow, return on investments, inventories, growth, ability to raise capital investments
6. Price injury parameters including price undercutting, price underselling and price suppression or price depression.

Provide the above information as per Proforma IV-A and IV-B.

The details on injury as well as likelihood of continuance or recurrence of injury are provided as **Annexure 8**.

PART – V

EVIDENCE OF CAUSAL LINK

The domestic industry submits that it is a settled position of law that causal link analysis is not mandatorily required to be done in sunset review investigations. In this connection, the domestic industry invites the attention of the Authority to the following excerpts from the Appellate Body decision in the case of Oil Country Tubular Goods from Mexico (WT/DS282/AB/R dated 2 November 2005):

“118. We therefore agree with Mexico that this fundamental principle is expressed in Article VI of the GATT 1994 and in various provisions of the Anti-Dumping Agreement. The United States does not question this principle per se. However, this does not mean that a causal link between dumping and injury is required to be established anew in a "review" conducted under Article 11.3 of the Anti-Dumping Agreement. This is because the "review" contemplated in Article 11.3 is a "distinct" process with a "different" purpose from the original investigation.”

119. The Appellate Body has underlined that "the nature of the determination to be made in a sunset review differs in certain essential respects from the nature of the determination to be made in an original investigation", and that "[t]he disciplines applicable to original investigations cannot, therefore, be automatically imported into review processes.”

X. Findings and Conclusions

219. for the reasons set forth in this Report, the Appellate Body:

(a) in relation to causation:

(i) finds that there is no requirement to establish the existence of a causal link between likely dumping and likely injury, as a matter of legal obligation, in a sunset review determination under Article 11.3 of the Anti-Dumping Agreement and that, therefore, the USITC was not required to demonstrate such a link in making its likelihood-of-injury determination in the sunset review at issue in this dispute;”

It is further submitted that there are good technical and logical reasons for not applying the requirement of causal link in a sunset review case. Extension of anti-dumping duties is envisaged, even if there are no imports during the review investigation period. Further, the test for extension of the period of duties under Section 9A (5) is only to examine whether the cessation of such duty is likely to lead to continuation or recurrence of dumping and injury. Nevertheless, we are giving information relating to causal link as follows:

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1. Volume and value of imports from countries other than the subject country(ies) and an explanation as to why imports from these country(ies) especially from where the imports are above *de-minimis* are not causing injury to domestic industry.

From the details of the imports given in the foregoing paragraphs, it is clear that the imports of subject goods from sources other than subject countries during the period of investigation are either de minimis or the import prices are significantly higher. Thus, based on the available data, it can be inferred at this stage that the imports from subject countries are being made at dumped prices and are above the de minimis limits causing material injury as well as likelihood of continuance or recurrence of injury to the domestic industry.

2. In case the demand has undergone decline substantially, an explanation on why such decline has not caused injury to the domestic industry.

The demand has increased significantly in the POI as compared to FY 20-21 and FY 2021-22. However, there is a small decline in the POI as compared to the immediately preceding year, which as per our understanding may be temporary or due to deliberate decline in the exports by the producers / exporters from subject countries considering in the mind the SSR investigation. According, it shows that decline in demand is not cause of injury as well as likelihood of continuance or recurrence of injury to the domestic industry.

3. State whether trade restrictive practices of and competition amongst the foreign and/or domestic producers, developments in technology, export performance or the productivity of the domestic industry or any other known factors has caused injury to the domestic industry. If no, explain why.

The relevant information is given below: -

a. Conditions of competition and Trade Restrictive Practices – There are no trade restrictive practices in India which could have contributed to the injury as well as likelihood of continuance or recurrence of injury to the domestic industry.

b. Technology – There has not been any significant development in the technology to produce the subject goods. Hence, possible development in technology could not have impacted the performance of the domestic industry.

c. Export performance – The economic parameters provided by the domestic industry are only for domestic performance. The export performance of the domestic industry is, therefore, not a possible cause of injury as well as likelihood of continuance or recurrence of injury to the domestic industry.

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d. Productivity – The productivity of the applicants has not declined due to the anti-dumping duties in force.

e. Performance of other product – The applicants are engaged only in the manufacture of the subject goods. Therefore, the performance of other products cannot be a cause of injury as well as likelihood of continuance or recurrence of injury to the applicant.

Hence, it is submitted that there are no other causes which could cause injury as well as likelihood of continuance or recurrence of injury to the domestic industry apart from the imports from subject countries.

4. Provide the production during any shut-down month/ quarter (segregating between normal and abnormal) in the plant during the injury period. Also provide the inventory levels and other relevant details during that time.

Not applicable as there was no shut-down.

5. Provide whether there are any constraints (related to raw materials shortage, power shortage, impact of any tax differential lack of adequate capacity or investment constraints, etc. as applicable to the domestic industry in relation to the production or sales of subject goods. Provide the relevant details in this regard.

The applicant has not faced any constraints relating to raw materials shortage, power shortage, impact of any tax differential, lack of adequate capacity or investment constraints etc. in relation to production or sales of subject goods.

6. Evidence of lost contracts

It is important to highlight that the sales of product under consideration is not based on contracts. Therefore, evidence of lost contracts is not applicable to the present investigation.

PART VI

**COSTING
INFORMATION**

1. **Production Process:** Stage-wise process of manufacturing including its various routes of such manufacturing along with process-flow chart indicating cycle time taken at each process.

*The requested information is enclosed as **Annexure 11.***

2. Statement of consumption of raw materials, packing materials and utilities used for PUC production and Details of expenses (procured domestically/imported or from related/unrelated party) during the POI as per **Format VI-1.**

*The requested information is enclosed as **Annexure 12.***

3. Statement of cost of production as per **Format VI-2.** The basis of allocation may be clearly mentioned. The PUC figures in Format VI-2 must be provided as per the financial records. Further, in case the Cost Audit Report has dedicated cost of production for the PUC, then provide the Cost Audit Report for the IIP along with the reconciliation of the financial and cost records maintained by the company.

*The requested information is enclosed as **Annexure 12.***

4. Provide the calculation of the ratios used in the costing formats for allocation of expenses, working capital or net fixed assets as per **Format VI-2R** which shall be duly linked with the respective formats, wherever used.

*The requested information is enclosed as **Annexure 12.***

5. Provide PCN-wise summarized Statement of Expenses, if proposed/claimed, as per **Format VI-3.**

Not applicable.

6. Calculations in Excel of Average Working Capital (for opening & closing period of POI) and Average Net fixed Assets (for the IIP) as per **Format VI-4.** The basis of allocation may be clearly mentioned.

*The requested information is enclosed as **Annexure 12.***

7. In case of major new investment (i.e. beyond small de-bottlenecking, etc.) for the PUC during the IIP, provide the date of installation of machinery, its average useful life on such date and its detailed project report as

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submitted to the relevant authorities/ financial institutions or, if not so submitted, as approved by the management of the company.

Please provide, if applicable

8. Statement showing plant-wise NIP for the applicant companies constituting DI separately along with the weighted average NIP for the DI as a whole as per **Format VI-5**.

*The requested information is enclosed as **Annexure 12**.*

9. A statement showing Installed Capacity, Production and Net Sales Realisation (Qty. and value) for the PUC (month-wise for the POI).

*The requested information is enclosed as **Annexure 12**.*

10. Provide for the POI, the Audited/certified signed (searchable pdf document) annual financial statements (and notes annexed thereto) including director's, auditor's report. Also provide for the POI, relevant excel of P&L and balance sheet including notes to financial statements and 'trial balance relevant to PUC as per **Format VI-2T** duly linked with costing formats.

*The requested information is enclosed as **Annexure 12**.*

11. Provide for the past three financial years, the Audited annual financial statements including director's and auditor's report (searchable pdf document).

*The annual financial statements for the last three financial years are enclosed as **Annexure 13**.*

Summary of Imports of Black Toner Powder

Row Labels	Sum of MT	Sum of Assesable Value in (INR)	Ass. Value (INR / MT)	Share (%)
FY 2020-21	1644	542254538	329927	100%
China	1064	317795975	298650	65%
Germany	3	3085697	1078915	0%
Ireland	1	983107	674951	0%
Japan	222	104238260	469143	14%
Korea Republic Of	18	8979938	489370	1%
Singapore	5	2656356	502099	0%
TAIWAN	282	94688583	335924	17%
Turkey	45	8196251	181695	3%
United States	2	1630371	703492	0%
FY 2021-22	1518	561098519	369589	100%
China	346	111101695	321518	23%
Germany	4	3615691	913053	0%
Italy	19	2243223	120603	1%
Japan	440	198709574	451775	29%
Korea Republic Of	11	12009185	1103785	1%
Singapore	2	977814	404055	0%
TAIWAN	599	199197554	332407	39%
Turkey	89	30864976	346953	6%
United States	9	2378808	273502	1%
FY 2022-23	1778	761401860	428179	100%
China	364	142845450	392173	20%
Indonesia	35	10731700	309271	2%
Japan	539	267990320	497320	30%
Korea Republic Of	19	22773140	1184867	1%
Singapore	1	944000	699000	0%
TAIWAN	802	309010830	385286	45%
Turkey	6	1936450	306886	0%
United Kingdom	6	3466200	541255	0%
United States	5	1703770	333419	0%
FY 2023-24	1400	603792704	431433	100.0%
China	208	79229300	381060	14.9%
HONG KONG	1	544540	388957	0.1%
Indonesia	42	13836722	326338	3.0%
Japan	422	206574425	489513	30.2%
Korea Republic Of	16	18281441	1154131	1.1%
TAIWAN	696	279683756	401939	49.7%
Turkey	14	5461890	404584	1.0%
United States	1	180630	296115	0.0%

Annexure 2

Details of major exporters from subject countries				
SI No.	After market Toner Producers	Name	Country	Address
1	Hubei Far East	Hubei Far East zhuoyue Technology Corp.	China PR	Heze, Shandong
2	Wuhan Point Role	Wuhan pointrole Technology Co.,	China PR	No.270 Huangjinkou Sancun Qinduankou Street Hanyang District Wuhan China
3	Handan Hanguang	Handan Hanguang OA Toner Co.,	China PR	NO.12 Zhongchuan Road, Economic Development Zone, Handan, Hebei, China
4	wuxi jiateng	Wuxi Jiateng Magnetic Powder Co. Ltd.	China PR	No. 1, Bada Avenue, Xinba Village, Xibei Town, Xishan Area, Wuxi, Jiangsu, China
5	Dinglong	Hubei Dinglong Co., LTD	China PR	NO.1 Dongjing River Road Wuhan Economic & Technological Development Zone WUHAN HUBEI- 430057
6	Nanjing Teshine	Tianjin Synthetic Material Research Institute Co., Ltd.	China PR	29 dongting road, hexi district, tianjin
7	Comet	Comet Chemical Co., Ltd.	China PR	Yabu Cossing, Zhucun Street, Zengcheng, Guangzhou, Guangdong, China
8	Wuhan Techwin Toner and Developer Limited	Wuhan Techwin Toner & Developer Co., Ltd. (WTTL)	China PR	1905/1906 Zhongbai Commercial Building, No.129 Jiangnan Road, Wuhan-430021, P.R.China.
9	Jadi	Jadi Imaging Technologies Sdn. Bhd (GLENMARIE)	Malaysia	No. 1 Jalan Peguam U1/25A, Seksyen U1, Hicom-Glenmarie Industrial Park, 40150 Shah Alam, Selangor, Malaysia.
10	TTI	Trend Tone Imaging, INC.	Taiwan	NO.3, GUNGYEDUNG 1ST ROAD, HSINCHU SCIENCE PARK, HSINCHU 300

Annexure 3

Name and address of Importers / Users		
SL.No.	Name	Address
1	Vedica Computer Pvt. Ltd.	P-39/40, Ezra Street, 3rd Floor, Kolkata - 700001, West Bengal, India
2	Datalink industrial corporation	A-70, Prodoot Group, Wazirpur Industrial Area, Delhi - 110052
3	Atul Automation Private Ltd	8, Bentinck Street, Kolkata – 700001
4	Cartridgewala.com	301/B, Upanishad Complex, Near Navkar Complex, Ambawadi, Ahmedabad, Gujrat - 380 015
5	Copytron Technology	Copytron Technology 22/24 Mody street, Fort , Mumbai
6	Indrayani Sales Pvt. Ltd.	3/A-128, Rahul Mittal Industrial Estate, Marol Naka, Andheri-Kurla Road, Andheri(E), Mumbai-400059, Maharashtra,
7	Best Mega international	GL-6 ANSAL BHAWAN K.G. MARG, NEW Delhi,India,110001.
8	Sumanglam international private limited	101-107, Satya Mansion, Ranjeet Nagar Commercial Complex, Community Center, Ranjeet Nagar, New Delhi-110008, Delhi, India
9	Rank office automation P Ltd.	Shop No.14, Ansari Market, opposite Ram Mandir, Daryaganj, New Delhi, Delhi 110002
10	Image Star Print Solutions Pvt Ltd	No.43, Langs Garden Road, Pudupet, Chennai – 600 002



Indian Toners & Developers Ltd.

(A Govt. recognized Export House) CIN No. : L74993UP1990PLC015721
Corporate Office : 1223, DLF Tower B, Jasola, New Delhi - 110 025 (India)

Declaration

Annexure 4

We have not imported the subject goods from subject countries during the period of Investigation.

It is also certified that the company is not related to any of the producers / exporters in the subject countries. The company is also not related to any of the importers of the subject goods in India.

Indian Toners & Developers Ltd
(Signature)
Executive Director

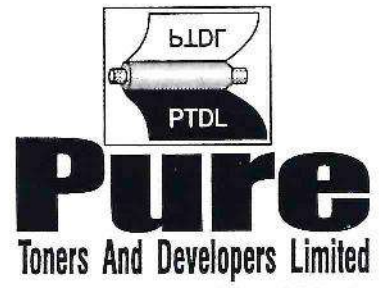
Date: 31 July, 2024

+91-11-4501 7000 +91-11-4501 7043 info@indiantoners.com

Registered. Office & UNIT (1) : 10.5 km, Milestone, Rampur-Bareilly Road, Rampur – 244901 (U.P.) INDIA
Phone: +91-595-2356271 (20 Lines) Fax : +91-595-2356273

UNIT (2) : D-11, Phase-II, Eldeco-Sidcul Industrial Park, Sitarganj, (Uttarakhand) INDIA - 262405
Phone: +91-97583 45100 Fax : +91-5948 256061



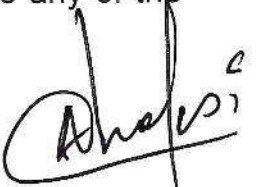


Annexure 4

Declaration

We have not imported the subject goods from subject countries during the period of Investigation.

It is also certified that the company is not related to any of the producers / exporters in the subject countries. The company is also not related to any of the importers of the subject goods in India.


(Signature)

Date: 31 July, 2024

CIN : U24299GJ2000PLC038501

"AN ISO 9001:2015, 14001-2015 & OHSAS 45001-2018 CERTIFIED COMPANY"

Regd. Office & Works: Plot No. C1-237/2, 3 & 4 and C1-238/1, Por-Ramangamdi, G.I.D.C., POR-391243, Dist. Vadodara. INDIA.

Unit II:

Survey No.:25/A Paiki - 2, Vill. Kashipura, AT & PO - POR - 391243, Dist. - Vadodara. INDIA.
Ph: ++91 - 265 - 2636900 Telefax: ++91 - 265 - 2830407 Website: www.puretoners.com

Annexure 5

Calculation of Normal Value

Particulars	Unit	China PR	Taiwan	Comment
Raw Material	Rs. / MT	***	***	International Price of Raw Material
Utilities	Rs. / MT	***	***	Power prices in the respective subject countries
Conversion Cost	Rs. / MT	***	***	Based on cost of the domestic industry
Total Cost	Rs. / MT	***	***	
Profit	Rs. / MT	***	***	5% of the cost
Normal Value	Rs. / MT	***	***	
Exchange Rate	USD / INR	83.70	83.70	
Normal Value	USD / MT	***	***	

Calculation of Export Price (China PR)

S.No.	Particular	Unit	2020-21	2021-22	2022-23	2023-24 (POI-12 Months)
1	Exchange Rate	USD/INR	75.19	75.34	81.15	83.70
2	Import Volume in MT	MT	1064	346	364	208
3	Import Value (CIF)	Rs.Lacs	3178	1111	1428	792
4	CIF Price	Rs/MT	298650	321518	392173	381060
5	Ocean Freight	Rs/MT	8271	8288	8926	9207
6	Marine Insurance	Rs/MT	1493	1608	1961	1905
7	FOB Price	Rs/MT	288886	311623	381287	369948
8	Port Expenses	Rs/MT	2889	3116	3813	3699
9	Inland Freight Expenses	Rs/MT	1880	1884	2029	2092
10	Sales Commission	Rs/MT	8667	9349	11439	11098
11	Bank Charges	Rs/MT	2889	3116	3813	3699
12	Credit Cost	Rs/MT	1473	1586	1934	1879
13	Net Export Price in INR	Rs/MT	271089	292573	358260	347479
14	Net Export Price in US\$	US\$/MT	3605	3883	4415	4152

Calculation of Export Price (Taiwan)

S.No.	Particular	Unit	2020-21	2021-22	2022-23	2023-24 (POI-12 Months)
1	Exchange Rate	USD/INR	75.19	75.34	81.15	83.70
2	Import Volume in MT	MT	282	599	802	696
3	Import Value (CIF)	Rs.Lacs	947	1992	3090	2797
4	CIF Price	Rs/MT	335924	332407	385286	401939
5	Ocean Freight	Rs/MT	8647	8665	9332	9625
6	Marine Insurance	Rs/MT	1680	1662	1926	2010
7	FOB Price	Rs/MT	325598	322080	374028	390305
8	Port Expenses	Rs/MT	3256	3221	3740	3903
9	Inland Freight Expenses	Rs/MT	1880	1884	2029	2092
10	Sales Commission	Rs/MT	9768	9662	11221	11709
11	Bank Charges	Rs/MT	3256	3221	3740	3903
12	Credit Cost	Rs/MT	1657	1639	1900	1982
13	Net Export Price in INR	Rs/MT	305781	302453	351398	366715
14	Net Export Price in US\$	US\$/MT	4067	4014	4330	4381

Calculation of Export Price (Subject Countries)

S.No.	Particular	Unit	2020-21	2021-22	2022-23	2023-24 (POI-12 Months)
1	Exchange Rate	USD/INR	75.19	75.34	81.15	83.70
2	Import Volume in MT	MT	1346	945	1166	904
3	Import Value (CIF)	Rs.Lacs	4125	3103	4519	3589
4	CIF Price	Rs/MT	306456	328425	387437	397136
5	Ocean Freight	Rs/MT	8350	8527	9205	9529
6	Marine Insurance	Rs/MT	1532	1642	1937	1986
7	FOB Price	Rs/MT	296574	318256	376295	385621
8	Port Expenses	Rs/MT	2966	3183	3763	3856
9	Inland Freight Expenses	Rs/MT	1880	1884	2029	2092
10	Sales Commission	Rs/MT	8897	9548	11289	11569
11	Bank Charges	Rs/MT	2966	3183	3763	3856
12	Credit Cost	Rs/MT	1511	1620	1911	1958
13	Net Export Price in INR	Rs/MT	278354	298840	353541	362289
14	Net Export Price in US\$	US\$/MT	3702	3966	4357	4329

Annexure 7

Dumping Margin Calculation

S. No.	Particulars	UoM	China PR	Taiwan	Subject Countries
1	Export Quantity	MT	208	696	904
2	CIF	INR/MT	381060	401939	397136
3	NORMAL VALUE	INR/MT	***	***	***
4	NET EXPORT REALIZATION	INR/MT	347479	366715	362289
5	DUMPING MARGIN	INR/MT	***	***	***
6	DUMPING MARGIN %	%	*** %	*** %	*** %
7	DUMPING MARGIN % (Range)	%	0-10	(10)-0	(10)-0

Annexure 8

EVIDENCE OF INJURY & LIKELIHOOD OF CONTINUANCE OR RECURRENCE OF DUMPING AND INJURY

The domestic industry is thankful to the Authority for recommending the duties and protecting the domestic industry from the dumped imports from the subject countries which led to improvement in the performance of the domestic industry, *albeit* in the initial years. The performance of the domestic industry, however, started declining in the period of investigation on account of the continued dumped imports from the subject countries.

The domestic industry respectfully submits that in the case of sunset review, the Hon'ble Designated Authority is required to examine the need for continued imposition of anti-dumping duties in force and whether the cessation / discontinuance of anti-dumping duties in force is likely to lead to recurrence of dumping and injury. The Hon'ble Designated Authority is required to examine the level of dumping, volume of imports, various injury parameters, surplus capacities available with the exporters, and price attractiveness of the Indian market to evaluate the likelihood of continuance or recurrence of dumping and injury. The analysis of dumping and injury to the domestic industry is required to be made keeping in view the level of anti-dumping duty in existence and the likely future behaviour of the exporters. We would also like to draw the kind attention of the Hon'ble Designated Authority to Section 9A (5) of Custom Tariff Act and the same is reproduced below:

(5) The anti-dumping duty imposed under this section shall, unless revoked earlier, cease to have effect on the expiry of five years from the date of such imposition:

Provided that if the Central Government, in a review, is of the opinion that the cessation of such duty is likely to lead to continuation or recurrence of dumping and injury, it may, from time to time, extend the period of such imposition for a further period of five years and such further period shall commence from the date of order of such extension:

It is clear from the above that the authority is required to examine whether the cessation of existing anti-dumping duty is likely to lead to continuance or recurrence of dumping and injury. It may also be seen that the anti-dumping duties can be discontinued only and only when the Authority comes to a conclusion that the cessation / discontinuance of anti-dumping duty would not lead to continuance or recurrence of dumping or injury to the domestic industry.

It is clear from the above that the Authority has to reach a conclusion that there is no possibility of any continued dumping or injury or otherwise recurrence of dumping or injury to the domestic industry from the dumped imports from the subject countries before deciding not to extend the anti-dumping duties. Moreover, it is reiterated that the performance of the domestic industry has shown some improvement as the positive outcome of the anti-dumping duty levied by the Authority. However, producers / exporters from the subject countries have continued significant exports of the subject goods. Therefore, the continuation of anti-dumping duties would be in the interest of domestic producers and the discontinuance of anti-dumping duties would certainly lead to continuation, and recurrence in even greater extent, of dumping and injury.

It is reiterated that improvement in the performance of the domestic industry does not imply that the duties cannot be continued. In a sunset review, the Authority is required to undertake a prospective analysis, to evaluate the likely effect of the expiry of duty on the volume and price of imports, and its consequent impact on the performance of the domestic industry in the event duties are withdrawn.

The domestic industry is filing the application in terms of Rule 23(1B) of the anti-dumping Rules for continued imposition of the existing anti-dumping duty levied on the imports of "Black Toner in Powder Form" (hereinafter also referred to as "subject goods" or "Product under consideration") from China PR, Taiwan and Malaysia (hereinafter also referred to as "subject countries") imposed *vide* Customs Notification No. 12/2021- Customs (ADD) dated 05th March, 2021 w.e.f from the date of imposition of the provisional anti-dumping duty i.e., 10th August, 2020.

I. Assessment of Demand

- i. For the purpose of the present investigation, demand or apparent consumption of the subject goods has been taken as the sum of domestic sales of the domestic industry and imports from all sources. The demand so assessed is given in the table below:

Particulars	UoM	2020-21	2021-22	2022-23	POI
Imports from China	MT	1064	346	364	208
Imports from Taiwan	MT	282	599	802	696
Imports from Subject Countries	MT	1346	945	1166	904
Imports from Other Countries	MT	298	573	612	496
Total Imports	MT	1644	1518	1778	1400
% share of Imports in Total Imports					
Imports from China	%	64.7%	23%	20%	15%
Imports from Taiwan	%	17.2%	39%	45%	50%
Imports from Subject Countries	%	82%	62%	66%	65%

Particulars	UoM	2020-21	2021-22	2022-23	POI
Imports from Other Countries	%	18%	38%	34%	35%
Domestic Sales	MT	***	***	***	***
Trend	Indexed	100	139	171	169
Sales of the Other Producers	MT	-	-	-	-
Trend	Indexed	-	-	-	-
Total Demand	MT	-	-	-	-
Trend	Indexed	100	120	145	136
Share in Demand					
Imports from China	%	***%	***	***	***
Trend	Indexed	100	27	24	14
Imports from Taiwan	%	***%	***%	***%	***%
Trend	Indexed	100	177	196	182
Imports from Subject Countries	%	***%	***%	***%	***%
Trend	Indexed	100	59	60	50
Imports from Other Countries	%	***%	***%	***%	***%
Trend	Indexed	100	161	141	123
Total Imports	%	***%	***%	***%	***%
Trend	Indexed	100	77	74	63
Domestic Sales	%	***%	***%	***%	***%
Trend	Indexed	100	115	117	125

ii. From the above it is seen that:

a. It may be seen that the overall imports from subject countries declined in the POI on account of the duties in force. However, imports from the Taiwan increased significantly from 282 MT in the base year to 696 MT in the POI i.e., by around 146%. It is also submitted that the decline in the overall imports may be deliberate to get favourable results in the sunset review investigation considering the following facts:

- Major producers / exporters from the subject countries namely Trend Tone imagine Inc. (TTI) and Tianjin Zhonghuan TCOA Electronics Co Ltd. (TCOA) has a proven history of resorting to manipulation to get favourable results. This fact is categorically mentioned in the Final Findings of the original investigation.
- Estimation of the period of investigation and period of injury is possible considering the timeframe provided under the law to file the application for the initiation of the sunset review investigation which allows the exporters to plan their sales to India in a manner which would result in a favourable outcome.

In view of the above facts, it is amply clear that the apparent decline in overall imports is, at best, a temporary phenomenon and that there is every likelihood of surge in the dumped imports from the subject countries in the event duties are not continued.

- b. Demand of the subject goods increased by 36% in the POI as compared to the base year.
- c. Share of imports from Taiwan in demand increased significantly by 6% the POI as compared to the base year.

II. Volume of Dumped Imports

i. Import Volume and Market Share of Imports from subject countries (% of Total Imports)

The above table clearly shows that the imports from the Taiwan increased significantly from 282 MT in the base year to 696 MT in the POI i.e., by around 146%. The overall imports from subject countries declined in the POI on account of the duties in force. It is reiterated that the decline in the imports may be deliberate to get favourable results in the sunset review investigation considering manipulative behaviour of the producers / exporters from the subject countries and possibility of estimation of the period of investigation and period of injury in a sunset review investigation.

In view of the above facts, it is amply clear that there is every likelihood of surge in the dumped imports from the subject countries in the event duties are not continued.

ii. Market Share of Imports from Subject countries (% of Total Demand)

It is clear from the above table that while the imports from the subject countries in comparison to the total demand in India has declined in the period of investigation, it is essentially on account of the duties in force. It may be noted that the imports from the Taiwan increased significantly from 282 MT in the base year to 696 MT in the POI i.e., by around 146%. There is every likelihood of surge in the dumped imports from the subject countries in the event duties are not continued.

iii. Imports from subject countries in relation to Domestic Production and Consumption

As stated above, the imports from the subject countries Taiwan increased significantly from 282 MT in the base year to 696 MT in the POI i.e., by

around 146%. The imports from the subject countries in comparison to the Indian production as well as total demand in India has declined in the period of investigation on account of the duties in force.

The aforesaid parameter clearly indicates that there is every likelihood of surge in the dumped imports from the subject countries in the event duties are not continued. The relevant details are provided below.,

Particulars	UoM	2020-21	2021-22	2022-23	POI
Imports from Subject Countries	MT	1,346	945	1,166	904
Domestic Production	MT	***	***	***	***
Trend	Indexed	100	142	177	176
% Share of Subject Countries in Production	%	***%	***	***	***
Trend	Indexed	100	50	49	38
Demand in India	MT	***	***	***	***
Trend	Indexed	100	120	145	136
% Share of subject countries in Consumption	%	***%	***%	***%	***%
Trend	Indexed	100	59	60	50

III. Price Effect

Domestic Industry humbly submits that as per our market intelligence, the exporters / importers of the subject goods are giving post imports discounts to undercut the prices of the Domestic Industry. The above observation is based on our market information of the prices offered by the traders in the market. In view thereof, the Domestic Industry humbly requests the Hon'ble Authority that without the proper analysis of data of related / unrelated importer of the subject goods from the subject countries, price comparison will not reflect correct picture and injury suffered by the Domestic Industry. For the purpose of filing the application, the Domestic Industry has provided information with regard to unit cost of sales and domestic selling price and the landed value of the imports.

Price undercutting:

It is submitted that the Domestic Industry is forced to match the post imports discounted prices in order to sell their products. Since the import prices / landed value do not account for the post importation discounts the price undercutting analysis will not provide the correct scenario. We, therefore, humbly request the Hon'ble Authority to kindly consider import prices after adjusting discounts. This analysis will reveal that the real price undercutting is not only positive but significant also. Without prejudice, it is submitted that the Price undercutting is positive during the POI for China. Price undercutting analysis is provided in the Table below:

Particulars	UoM	2020-21	2021-22	2022-23	POI
China PR					
Landed value	Rs./MT	311790	335665	409429	397827
Trend	Indexed	100	108	131	128
Domestic selling price	Rs./MT	***	***	***	***
Trend	Indexed	100	104	115	114
Price Undercutting	Rs./MT	***	***	***	***
Trend	Indexed	100	82	2	18
Price Undercutting	%	***%	***%	***%	***%
Trend	Indexed	100	76	1	14
Range		10-20	10-20	0-10	0-10
Taiwan					
Landed value	Rs./MT	372876	368972	427667	446153
Trend	Indexed	100	99	115	120
Domestic selling price	Rs./MT	***	***	***	***
Trend	Indexed	100	104	115	114
Price Undercutting	Rs./MT	***	***	***	***
Trend	Indexed	-100	20	-105	-244
Price Undercutting	%	***%	***%	***%	***%
Trend	Indexed	-100	20	-92	-204
Range		(10)-0	0-10	(10)-0	(10)-0
Subject Countries					
Landed value	Rs./MT	324583	356790	421971	435035
Trend	Indexed	100	110	130	134
Domestic selling price	Rs./MT	***	***	***	***
Trend	Indexed	100	104	115	114
Price Undercutting	Rs./MT	***	***	***	***
Trend	Indexed	100	49	-37	-92
Price Undercutting %	%	***%	***%	***%	***%
Trend	Indexed	100	45	-28	-69
Range		0-10	0-10	(10)-0	(10)-0

Price suppression and depression

The applicant has examined whether the effect of such imports is to depress prices to a significant degree or prevent price increases, which otherwise would have occurred, to a significant degree. It is reiterated that the exporters / importers of the subject goods are giving post imports discounts to undercut the prices of the Domestic Industry. The above observation is based on our market information of the prices offered by the traders in the market. In view thereof, the Domestic Industry humbly request the Hon'ble Authority that without the proper analysis of data of related / unrelated importer of the subject goods from

the subject countries, price comparison will not reflect correct picture and injury suffered by the Domestic Industry. Without prejudice, the following details relating to the landed value, domestic selling price & cost of sales of the domestic industry clearly shows price suppression / depression.

Subject countries	UoM	2020-21	2021-22	2022-23	POI
Landed value – China PR	Rs./MT	311790	335665	409429	397827
Trend	Indexed	100	108	131	128
Landed value - Taiwan	Rs./MT	372876	368972	427667	446153
Trend	Indexed	100	99	115	120
Domestic Selling Price	Rs./MT	***	***	***	***
Trend	Indexed	100	104	115	114
Cost of Sales	Rs./MT	***	***	***	***
Trend	Indexed	100	107	89	97

From the above, it is noted that:

- a. The landed value of the subject goods from China PR declined in the POI as compared to FY 2022-23.
- b. That the Domestic Industry was forced to reduce its domestic selling price in the POI as compared to FY 2022-23 despite significant increase in the cost during the same period.
- c. The dumped imports significantly depressed the prices of the domestic industry. The domestic industry is not able to increase the prices to the level commensurate to the increase in the cost during the POI. The above calculation proves beyond any doubt that the Domestic Industry is suffering on account of imports from the subject countries and that there is every likelihood of continuation or recurrence of dumping and injury to the domestic industry in the event duties are not continued.

Consequent Effect of Dumped Imports on the Domestic Industry

Changes in Market Share held by the Domestic Industry

As submitted earlier, market share of the Domestic Industry has increased in the POI on account of the duties in force. However, it may be noted that the Domestic Industry was forced to reduce its price in the POI as compared to FY 2022-23 on account of the decline in the landed value from the subject countries. The imports of the subject goods from the subject countries depressed as well as suppressed the domestic selling prices of the domestic industry.

Particulars	UoM	2020-21	2021-22	2022-23	POI
Demand	MT	***	***	***	***
Trend	Index	100	120	145	136
Share in Demand					
Imports from China	%	***%	***%	***%	***%
Trend	Index	100	27	24	14
Imports from Taiwan	%	***%	***%	***%	***%
Trend	Index	100	177	196	182
Imports from Subject Countries	%	***%	***%	***%	***%
Trend	Index	100	59	60	50
Imports from Other Countries	%	***%	***%	***%	***%
Trend	Index	100	161	141	123
Domestic Industry	%	***%	***%	***%	***%
Trend	Index	100	115	117	125

Capacity, production, capacity utilization and Sales

It is submitted that the Domestic Industry has not been able to utilise its capacity optimally on account of the dumped imports from the subject countries. The domestic industry had to match the import prices from the subject countries to achieve the present level of production. This situation clearly depicts the price pressure on the Domestic Industry.

It may also be noted that post imposition of the duties, domestic industry has increased its capacity significantly to cater the Indian demand. The performance of the domestic industry declined in POI as compared to FY 2022-23 on account of significant dumped imports from subject country. If duties are not continued, the position of the Domestic Industry will further worsen and may lead to closure of the factory. The investment done by the domestic industry will come in

jeopardy. In view thereof, we humbly request the Hon'ble Authority to kindly recommend extension of the duties in force against the subject countries.

The details relating to this factor are given in the following table:

Particulars	UoM	2020-21	2021-22	2022-23	POI
Capacity (MT)	MT	***	***	***	***
Trend	Index	100	100	110	131
Demand	MT	***	***	***	***
Trend	Index	100	120	145	136
Production PUC only (MT)	MT	***	***	***	***
Trend	Index	100	142	177	176
Capacity utilization (%)	%	***%	***%	***%	***%
Trend	Index	100	142	160	134

The Domestic Industry humbly requests the Authority to continue the existing duties as there is every likelihood of continuation or recurrence of dumping and injury from the subject countries.

Productivity

The productivity increased on account of the duties in force. The details are provided in the Table below.

Particulars	UoM	2020-21	2021-22	2022-23	POI
Production PUC	MT	***	***	***	***
Trend	Indexed	100	142	177	176
Employees	Nos	***	***	***	***
Trend	Indexed	100	120	128	124
Production/employee	MT/Nos	***	***	***	***
Trend	Indexed	100	118	138	142

Employment

It is submitted that the number of employees engaged by the company increased on account of the increase in the production. The wages paid to them increased on account of normal yearly increment.

As evident from the below table, the domestic industry employs more than *** employees. The performance of the domestic industry declined in POI as compared to FY 2022-23 on account of significant dumped imports from subject country. If duties are not continued, the position of the Domestic Industry will further worsen and may even lead to closure of the factory and large-scale

layoffs. In view thereof, we humbly request the Hon'ble Authority to kindly recommend extension of the duties in force against the subject countries.

Particulars	UoM	2020-21	2021-22	2022-23	POI
Employees	No.	***	***	***	***
Trend	Index	100	120	128	124
Wages	Rs. Lacs	***	***	***	***
Trend	Index	100	129	147	158
Wages/employee	Rs./Employee	***	***	***	***
Trend	Index	100	108	115	127

Profits, cash Profits, Capital Employed and return on investment

As mentioned above, due to the price pressure exerted by the imports of the subject goods from the subject countries, the performance of the Domestic Industry was adversely impacted in the POI as compared to the FY 2022-23. The landed value from the subject countries declined significantly during the POI as compared to FY 2022-23.

Particulars	UoM	2020-21	2021-22	2022-23	POI
Sales (MT)	MT	***	***	***	***
Trend	Index	100	139	171	169
Sales value	Rs. Lacs	***	***	***	***
Trend	Index	100	145	196	193
Selling Price	Rs/MT	***	***	***	***
Trend	Index	100	104	115	114
Cost of Sales	Rs. Lacs	***	***	***	***
Trend	Index	100	149	152	164
Cost of Sales	Rs/MT	***	***	***	***
Trend	Index	100	107	89	97
Profit/loss	Rs. Lacs	***	***	***	***
Trend	Index	100	118	498	388
Profit/loss	Rs/MT	***	***	***	***
Trend	Index	100	85	292	229
Depreciation	Rs. Lacs	***	***	***	***
Trend	Index	100	99	95	126
Cash Profit	Rs. Lacs	***	***	***	***
Trend	Index	100	112	367	303
Capital Employed	Rs. Lacs	***	***	***	***
Trend	Index	100	109	180	206
ROCE	Rs. Lacs	***%	***%	***%	***%
Trend	Index	100	108	274	186

Inventories

The average inventories of the domestic industry increased in the POI as compared to the preceding years despite significant increase in the demand on account of the dumped imports from the subject countries. The details are as follows:

Particulars	UoM	2020-21	2021-22	2022-23	POI
Average Inventory	MT	***	***	***	***
Trend	Indexed	100	98	146	154

Ability to raise capital investment

It is submitted that the performance of the domestic industry declined in the POI as compared to FY 2022-23. The presence of dumped and injurious imports had made the future investment in the sector vulnerable. If duties are not continued, the position of the Domestic Industry will further worsen and may lead to closure of the factory. In view thereof, we humbly request the Hon'ble Authority to kindly recommend extension of the duties in force against the subject countries.

Magnitude of Margin of Dumping

Domestic Industry humbly submits that as per our market intelligence, the exporters / importers of the subject goods are giving post imports discounts to undercut the prices of the Domestic Industry. The above observation is based on our market information of the prices offered by the traders in the market.

Accordingly, the below computation of the dumping margin is not reflective of the actual market condition. We humbly request the Authority to examine this issue and adjust the post imports discounts from the import price to calculate the dumping margin.

S. No.	Particulars	UoM	China PR	Taiwan	Subject Countries
1	Export Quantity	MT	208	696	904
2	CIF	USD/MT	381060	401939	397136
3	Normal Value	USD/MT	***	***	***
4	Net Export Realization	USD/MT	347479	366715	362289
5	Dumping Margin	USD/MT	***	***	***
6	Dumping Margin	%	***%	***%	***%
7	Dumping Margin (Range)	%	0-10	(10)-0	(10)-0

Injury margin

Domestic Industry humbly submits that as per our market intelligence, the exporters / importers of the subject goods are giving post imports discounts to undercut the prices of the Domestic Industry. The above observation is based on our market information of the prices offered by the traders in the market.

Accordingly, the below computation of the dumping margin is not reflective of the actual market condition. We humbly request the Authority to examine this issue and adjust the post imports discounts from the import price to calculate the injury margin. Without prejudice, it is submitted that the injury margin is significantly positive.

Particulars	UOM	China PR	Taiwan	Subject countries
Quantity	MT	208	696	904
NIP	USD / MT	***	***	***
Landed Value	USD / MT	397827	446153	435035
Injury Margin	USD / MT	***	***	***
Injury Margin	%	***%	***%	***%
Injury Margin	% Range	10-20	0-10	0-10

Growth

It is reiterated that the performance of the domestic industry improved on account of the duties in force. However, the performance of the domestic industry declined in POI as compared to FY 2022-23 on account of significant dumped imports from subject country. If duties are not continued, the position of the Domestic Industry will further worsen and may lead to closure of the factory. In view thereof, we humbly request the Hon'ble Authority to kindly recommend extension of the duties in force against the subject countries.

IV. Likelihood Analysis

It is submitted that the legal requirement for continuation of anti-dumping duties in terms of Section 9A(5) read with Rule 23(1B) is to ascertain the likelihood of continuation or recurrence of dumping and injury in the event duties are not extended. It is our submission that even the current injury is examined primarily to enable the Designated Authority to form a view with regard to the continuation of dumping and injury. In the following paragraphs, the domestic Industry has given evidence best to its ability to prove *prima facie* that the continuation or recurrence of dumping and injury is imminent if the duties are not extended to the subject countries. In this context, following may be noted:

A. India is an attractive market for the foreign exporters

As submitted above, demand of the subject goods increased throughout the injury investigation period. Moreover, the growth perspective of this industry is also bright. It is further submitted that India is an attractive market for the foreign producers /exporters, which is also evidenced from the fact that two major producers / exporters from subject countries namely Trend Tone imagine Inc. (TTI) and Tianjin Zhonghuan TCOA Electronics Co Ltd (TCOA) resorted to manipulation in the original investigation to get favourable results. This fact is categorically recorded in the Final Findings of the original investigation. Accordingly, there is every likelihood of continuation or recurrence of dumping and injury in case the duties are not continued.

B. Huge capacities with manufacturers in the subject countries

The producers in the subject countries have huge capacities. Such capacities have been created on account of addition of capacities by the producers in subject countries much in excess of demand or market requirement. The details of the capacities available with the known exporters in the subject countries are provided below:

Particulars	UoM	FY 2023-24 (POI)
Capacity of China PR	MT	86960
Capacity of Taiwan	MT	9800
Capacity of Malaysia	MT	3000
Capacity of Subject Countries	MT	99760
Domestic Production	MT	***
Domestic Demand	MT	***
Capacities from subject countries % Domestic Production	%	***%
Capacities from subject countries % Domestic Demand	%	***%

Evidence to support the capacities in the subject countries is enclosed as **Annexure 17**.

From the above table, it is clearly seen that the capacity for the manufacture of the subject goods in the subject countries are multi-fold as compared to the Indian production as well as the demand. In such a case, there is every likelihood of continuation or recurrence of dumping and injury in case the duties are not continued. Our claim may be verified from the actual information that the producers / exporters will file in their questionnaire response.

C. Huge surplus capacities with manufacturers in the subject countries

The producers in the subject countries have huge surplus capacities. The details of the surplus capacities available with the known exporters in the subject countries are provided below:

Particulars	UoM	FY 2023-24 (POI)
Surplus Capacity of China PR	MT	27595
Surplus Capacity of Taiwan	MT	4200
Surplus Capacity of Malaysia	MT	1680
Surplus Capacity of Subject Countries	MT	33475
Domestic Production	MT	***
Domestic Demand	MT	***
Surplus Capacities from subject countries % Domestic Production	%	***%
Surplus Capacities from subject countries % Domestic Demand	%	***%

Evidence to support the surplus capacities in the subject countries is enclosed as **Annexure 17**.

From the above table, it is clearly seen that the surplus capacity for the manufacture of the subject goods in the subject countries are multi-fold as compared to the Indian production as well as the demand. In such a case, there is every likelihood of continuation or recurrence of dumping and injury in case the duties are not continued. Our claim may be verified from the actual information that the producers / exporters will file in their questionnaire response.

D. Low value exports by China PR to other countries

The producers from China PR are exporting the low value subject goods to other countries in significant volumes. The details of the exports made by the producers from China PR to other countries are provided below.

Particulars	UoM	FY 2023-24 (POI)
Export to Third Countries	MT	38371
Domestic Production	MT	***
Domestic Demand	MT	***
Exports to Third Countries % Domestic Production	%	***%
Exports to Third Countries % Domestic Demand	%	***%

Evidence to support the exports made by China PR to other countries is enclosed as **Annexure 18**.

From the above table, it is clearly seen that the exports made by China PR to other countries are also multi-fold as compared to the Indian production as well as the demand. In such a case, if the duties are not continued there is every likelihood of diverting the low value subject goods to India. Therefore, there is strong likelihood of continuation or recurrence of dumping and injury. Our claim may be verified from the actual information that the producers / exporters will file in their questionnaire response.

E. Circumvention of the duties by the Chinese producers

The producers of China PR exported subject goods in significant volumes to Taiwan (subject country) at very low prices. Further, we understand that most of the Chinese producers have related entities in Taiwan. There is a strong possibility that the Chinese producers are routing their goods through Taiwan as producers from Taiwan enjoy low duty. Our apprehension is also supported by the manipulation / misdeclaration done by the Chinese and Taiwanese producers in the original investigation. It is reiterated that the two major producers / exporters from subject countries namely Trend Tone imagine Inc. (TTI) and Tianjin Zhonghuan TCOA Electronics Co Ltd (TCOA) resorted to manipulation in the original investigation to get favourable results. This fact is categorically recorded in the Final Findings of the original investigation.

In such a case, there is every likelihood of continuation or recurrence of dumping and injury in case duties are not extended.

F. Significantly positive likely dumping margin

The producers of China PR exported subject goods in significant volumes to other countries including Taiwan. The domestic industry has considered the exports prices to Taiwan being one of the subject countries to calculate the likely dumping margin. Our claim may be verified from the actual information that the producers / exporters will file in their questionnaire response. The details of likely dumping margin are provided below.

S. No.	Particulars	UoM	China PR
1	Export Quantity	MT	3829
2	CIF	INR/MT	207993
3	NORMAL VALUE	INR/MT	***
4	NET EXPORT REALIZATION	INR/MT	184741
5	DUMPING MARGIN	INR/MT	***
6	DUMPING MARGIN	%	***%
7	DUMPING MARGIN (Range)	%	70-80

From the information provided in the above table, it may be seen that the likely dumping margin is not only positive but also significant. Accordingly, there is a strong likelihood of continuation or recurrence of dumping and injury in case duties are not extended.

G. Significantly positive likely injury margin

The producers of China PR exported subject goods in significant volumes to other countries including Taiwan. The domestic industry has considered the exports prices to Taiwan being one of the subject countries to calculate the likely injury margin. Our claim may be verified from the actual information that the producers / exporters will file in their questionnaire response. The details of likely injury margin are provided below.

S. No	Particulars	UOM	China PR
1	Export Quantity	MT	3829
2	NIP	INR / MT	***
3	Landed Value	INR / MT	217145
4	Injury Margin	INR / MT	***
5	Injury Margin	%	***%
6	Injury Margin	% Range	110%-120%

From the information provided in the above table, it may be seen that the likely injury margin is not only positive but also significant. Accordingly, there is a strong likelihood of continuation or recurrence of dumping and injury in case duties are not extended.

Proforma IV-A and IV-B are attached as **Annexure 9** and **Annexure 10** respectively.

Annexure 9Proforma IV-A

S.No	Information Relating to Product Under Consideration only	Units	2020-21	2021-22	2022-23	2023-24 (POI-12 Months)
<u>Section-A</u>						
1	Installed Capacity*	MT	100	100	110	131
2	Total Production Qty (PUC+NPUC)*	MT	-	-	-	-
3	Capacity Utilization	%	100	142	160	134
4	Production Qty of PUC	MT	100	142	177	176
5	Captive Consumption of PUC	MT	-	-	-	-
6	Sales Quantity	MT	100	138	165	166
6a	(a) Domestic Sales	MT	100	139	171	169
6b	(b) Export Sales	MT	100	135	137	152
7	Gross Sales Value (excluding taxes)	MT	100	144	187	187
7a	(a) Domestic Sales	Rs Lacs	100	145	195	193
7b	(b) Export Sales	Rs Lacs	100	138	152	162
8	Average Selling Price Per unit:	Rs./MT	100	104	113	113
8a	(a) Domestic Sales	Rs./MT	100	105	114	114
8b	(b) Export Sales	Rs./MT	100	102	111	107

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S.No	Information Relating to Product Under Consideration only	Units	2020-21	2021-22	2022-23	2023-24 (POI-12 Months)
9a	No of employees	Nos.	100	120	128	124
9b	Salaries & Wages	Rs Lacs	100	129	147	158
9c	Productivity per day	MT	100	142	177	176
9d	Productivity per employee	MT	100	118	138	142
9e	Productivity per day per employee	MT	100	118	138	142
10a	Opening Inventory	MT	100	96	105	140
10b	Closing Inventory	MT	100	101	209	176
10	Average Inventory	MT	100	98	146	154
10c	Average Inventory as no. of days of production	MT	100	69	83	88
10d	Average Inventory as no. of days of Sales	MT	100	73	122	104
11	<u>Cost and profits for domestic sales:</u>	Rs Lacs	-	-	-	-
	Cost of Sales (ex-factory)	Rs Lacs	100	149	152	164
	Commission, Discounts, Rebate, Freight, etc.	Rs Lacs	100	147	168	202
	Net Sales Realisation	Rs Lacs	100	145	196	193
	PBT (Profit before Tax)	Rs Lacs	100	118	498	388
	Interest Cost	Rs Lacs	100	109	171	135
	PBIT (Profit before Interest & Tax)	Rs Lacs	100	118	493	384

NON-CONFIDENTIAL

S.No	Information Relating to Product Under Consideration only	Units	2020-21	2021-22	2022-23	2023-24 (POI-12 Months)
	Depreciation	Rs Lacs	100	99	95	126
	PBDIT (Profit before Depreciation, Interest & Tax)	Rs Lacs	100	112	365	301
	Cash Profit (PBT+Depreciation)	Rs Lacs	100	112	367	303
	Cost of Sales (ex-factory)	Rs./MT	100	107	89	97
	Net Sales Realisation per unit	Rs./MT	100	104	115	114
	PBT (Profit before Tax)	Rs./MT	100	85	292	229
	Interest Cost	Rs./MT	100	79	100	80
	PBIT (Profit before Interest & Tax)	Rs./MT	100	85	289	226
	Depreciation	Rs./MT	100	70	54	71
	PBDIT (Profit before Depreciation, Interest & Tax)	Rs./MT	100	81	220	181
	Cash Profit (PBT+Depreciation)	Rs./MT	100	81	221	182
12	Average capital employed	Rs Lacs	100	109	180	206
	Net Fixed Assets	Rs Lacs	100	97	126	136
	Working Capital	Rs Lacs	100	127	259	309
	PBIT as % of Average Capital Employed (ROI)	%	100	108	274	186
13	Details of Self-Imports by the Applicant:					
	Import Volume	MT	-	-	-	-

NON-CONFIDENTIAL

S.No	Information Relating to Product Under Consideration only	Units	2020-21	2021-22	2022-23	2023-24 (POI-12 Months)
	Import Value (CIF)	Rs. Lacs	-	-	-	-
	Import Price (CIF)	Rs./MT	-	-	-	-
	Resale price of self-imported goods	Rs./MT	-	-	-	-
Section-B						
14	<u>Import Volumes:</u>					
	Imports from China PR	MT	1064	346	364	208
	Imports from Taiwan	MT	282	599	802	696
	Imports from Subject Countries	MT	1346	945	1166	904
	Imports from Non-subject Countries attracting ADD	MT	0	0	0	0
	Aggregate Imports from Other Countries	MT	298	573	612	496
	Total Imports	MT	1644	1518	1778	1400
	Sales of the domestic industry	MT	100	139	171	169
	Sales of Other Domestic Producers	MT	-	-	-	-
	Total Demand/Consumption excluding Captive	MT	100	120	145	136
	Total Demand/Consumption including Captive	MT	100	120	145	136
15	<u>Import Values (CIF):</u>					
	Imports from China PR	Rs. Lacs	3178	1111	1428	792

NON-CONFIDENTIAL

S.No	Information Relating to Product Under Consideration only	Units	2020-21	2021-22	2022-23	2023-24 (POI-12 Months)
	Imports from Taiwan	Rs. Lacs	947	1992	3090	2797
	Imports from Subject Countries	Rs. Lacs	4125	3103	4519	3589
	Imports from Non-subject Countries attracting ADD	Rs. Lacs	-	-	-	-
	Aggregate Imports from Other Countries	Rs. Lacs	1298	2508	3095	2449
	Total Imports	Rs. Lacs	5423	5611	7614	6038
	<u>Import Values (CIF):</u>					
	Imports from China PR	Rs./MT	298650	321518	392173	381060
	Imports from Taiwan	Rs./MT	335924	332407	385286	401939
16	Imports from Subject Countries	Rs./MT	306456	328425	387437	397136
	Imports from Non-subject Countries attracting ADD	Rs./MT	0	0	0	0
	Aggregate Imports from Other Countries	Rs./MT	436094	437421	505823	493958
	Total Imports	Rs./MT	329927	369589	428179	431433

Proforma IV-B

Calculation of Landed Value (China PR)						
Proforma IV B						
SN	Particulars	Unit	2020-21	2021-22	2022-23	2023-24 (POI-12 Months)
1	Import Volume	MT	1064	346	364	208
2	Imports value (CIF)	Rs. Lacs	3178	1111	1428	792
3	CIF Price	Rs./MT	298650	321518	392173	381060
4	Customs Duty (Rate)	%	4%	4%	4%	4%
5	Customs Duty	Rs./MT	11946	12861	15687	15242
6	Cess on custom duty amount	Rs./MT	1195	1286	1569	1524
7	Landed price of imports	Rs./MT	311790	335665	409429	397827
8	Exchange rate	Rs./USD	75.19	75.34	81.15	83.70
9	Landed price of imports	USD/MT	4147	4455	5046	4753

Calculation of Landed Value (Taiwan)						
Proforma IV B						
SN	Particulars	Unit	2020-21	2021-22	2022-23	2023-24 (POI-12 Months)
1	Import Volume	MT	282	599	802	696
2	Imports value (CIF)	Rs. Lacs	947	1992	3090	2797
3	CIF Price	Rs./MT	335924	332407	385286	401939
4	Customs Duty (Rate)	%	10%	10%	10%	10%
5	Customs Duty	Rs./MT	33592	33241	38529	40194
6	Cess on custom duty amount	Rs./MT	3359	3324	3853	4019
7	Landed price of imports	Rs./MT	372876	368972	427667	446153
8	Exchange rate	Rs./USD	75.19	75.34	81.15	83.70
9	Landed price of imports	USD/MT	4959	4897	5270	5331

Calculation of Landed Value (All Subject Countries)						
Proforma IV B						
SN	Particulars	Unit	2020-21	2021-22	2022-23	2023-24 (POI-12 Months)
1	Import Volume	MT	1346	945	1166	904
2	Imports value (CIF)	Rs. Lacs	4125	3103	4519	3589
3	CIF Price	Rs./MT	306456	328425	387437	397136
4	Customs Duty (Rate)	%	5.4%	7.9%	8.1%	8.7%
5	Customs Duty	Rs./MT	16479	25787	31395	34454
6	Cess on custom duty amount	Rs./MT	1648	2579	3139	3445
7	Landed price of imports	Rs./MT	324583	356790	421971	435035
8	Exchange rate	Rs./USD	75.19	75.34	81.15	83.70
9	Landed price of imports	USD/MT	4317	4735	5200	5198

Production Process

Contains business sensitive information. No amenable to summarization.
Hence, claimed as confidential.

Annexure 12

Format VI-1 to Format VI-5

Annexure 12 is enclosed in the form of Excel file.

Contains business sensitive information. Not amenable to summarization. Hence, claimed as confidential.

Financial Statements (Indian Toners & Developers Ltd.)

Download the financial statements of Indian Toners & Developers Ltd. from the below link.

<https://indiantoners.com/page/stock-exchange-compliances/annual-reports.php>

Financial Statements (Pure Toner)

Contains business sensitive information. Not amenable to summarization. Hence, claimed as confidential.



Annexure 14

Declaration

We hereby declare as follows:

1. We have submitted complete cost data for all the units manufacturing and selling subject goods, without leaving any unit manufacturing and selling subject goods.
2. The application is as per the procedure laid down under Annexure III for cost / NIP computation.
3. There is no revaluation or impairment of assets during the injury period including the POI.
4. We have provided detailed head office expenses / Misc. Expenses / other expenses / Admin. Overheads / selling and distribution overheads along with the application.

For Indian Toners & Developers Ltd

(Signature)
Executive Director

Date: 31 July, 2024

(Name/Designation)

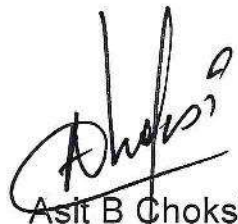
Annexure 14

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Date: 31 July, 2024



Asit B Choksi
Wholetime Director

CIN : U24299GJ2000PLC038501

"AN ISO 9001:2015, 14001-2015 & OHSAS 45001-2018 CERTIFIED COMPANY"

Regd. Office & Works: Plot No. C1-237/2, 3 & 4 and C1-238/1, Por-Ramangamdi, G.I.D.C., POR-391243, Dist. Vadodara, INDIA.

Unit II: Survey No.:25/A Paiki - 2, Vill. Kashipura, AT & PO - POR - 391243, Dist. - Vadodara, INDIA.
Ph.: ++91 - 265 - 2636900 Telefax: ++91 - 265 - 2830407 Website: www.puretoners.com

MSME Certificate of Applicants

Contains business sensitive information. Not amenable to summarization. Hence, claimed as confidential.

Capacity Certificates of Applicants

Contains business sensitive information. Not amenable to summarization. Hence, claimed as confidential.

Evidence of capacities and production in subject countries

Not available in public domain. Hence, claimed as confidential.

Evidence of exports of PUC from China to other countries

Not available in public domain. Hence, claimed as confidential

Calculation of Export Price (China PR to Taiwan)

S.No.	Particular	Unit	2023-24 (POI-12 Months)
1	Exchange Rate	USD/INR	83.70
2	Import Volume in MT	MT	3829
3	Import Value (CIF)	Rs.Lacs	7964
4	CIF Price	Rs/MT	207993
5	Ocean Freight	Rs/MT	9207
6	Marine Insurance	Rs/MT	1040
7	FOB Price	Rs/MT	197746
8	Port Expenses	Rs/MT	1977
9	Inland Freight Expenses	Rs/MT	2092
10	Sales Commission	Rs/MT	5932
11	Bank Charges	Rs/MT	1977
12	Credit Cost	Rs/MT	1026
13	Net Export Price in INR	Rs/MT	184741
14	Net Export Price in US\$	US\$/MT	2207
15	Customs Duty	Rs/MT	8320
16	Cess	Rs/MT	832
17	Landed Value	Rs/MT	217145