

GOVERNMENT OF INDIA
MINISTRY OF FINANCE
(DEPARTMENT OF REVENUE)

Notification No. 11/2024-Customs (ADD)

New Delhi, the 27th June, 2024

G.S.R. ---(E).- Whereas in the matter of ‘alloy steel chisel/ tool and hydraulic rock breaker in fully assembled condition’ (hereinafter referred to as the subject goods) falling under chapter headings 84314930 and 84314990 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975) (hereinafter referred to as the Customs Tariff Act), originating in, or exported from China PR and Korea RP (hereinafter referred to as the subject countries), and imported into India, the designated authority in its final findings *vide* notification number 6/8/2022-DGTR, dated the 28th March, 2024, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 28th March, 2024, has come to the conclusion that—

- (i) the subject goods have been exported to India from subject countries below its normal value, thus resulting in dumping of the product;
- (ii) the domestic industry has suffered material injury due to dumping of the subject goods;
- (iii) the material injury has been caused by the dumped imports of the subject goods originating in or exported from the subject countries,

and has recommended imposition of definitive anti-dumping duty on the imports of subject goods, originating in, or exported from the subject countries and imported into India, in order to remove injury to the domestic industry.

Now, therefore, in exercise of the powers conferred by sub-sections (1) and (5) of section 9A of the Customs Tariff Act, read with rules 18 and 20 of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, the Central Government, after considering the aforesaid final findings of the designated authority, hereby imposes on the subject goods, the description of which is specified in column (3) of the Table below, falling under chapter heading of the First Schedule to the Customs Tariff Act as specified in the corresponding entry in column (2), originating in the countries as specified in the corresponding entry in column (4), exported from the countries as specified in the corresponding entry in column (5), produced by the producers as specified in the corresponding entry in column (6), and imported into India, an antidumping duty at a rate as specified in the corresponding entry in column (7) of the said Table, namely:-

Table

S No.	Heading	Description of Goods	Country of Origin	Country of Export	Producer	Duty (% of CIF Value in USD)
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	84314930 and 84314990	Hydraulic Rock Breakers ^{#1}	China PR	Any country including China PR	Yantai Eddie Precision Machinery Co., Ltd	131.11%
2.	-do-	Alloy Steel Chisels ^{#2}	China PR	Any country including China PR	Yantai Eddie Precision Machinery Co., Ltd	29.21 %

3.	-do-	Hydraulic Rock Breakers ^{#1}	China PR	Any country including China PR	NINGBO YINZHOU GET MACHINERY LTD.	26.95%
4.	-do-	Alloy Steel Chisels ^{#2}	China PR	Any country including China PR	NINGBO YINZHOU GET MACHINERY LTD.	4.55%
5.	-do-	Hydraulic Rock Breakers ^{#1}	China PR	Any country including China PR	Any producer other than S.No. 1 to 4 above	162.50 %
6.	-do-	Hydraulic Rock Breakers ^{#1}	Any country other than subject countries	China PR	Any producer	162.50 %
7.	-do-	Alloy Steel Chisels ^{#2}	China PR	Any country including China PR	Any producer other than S.No. 1 to 4 above	29.21 %
8.	-do-	Alloy Steel Chisels ^{#2}	Any country other than subject countries	China PR	Any producer	29.21 %
9.	-do-	Hydraulic Rock Breakers ^{#1}	Korea RP	Any country including Korea RP	Soosan Heavy Industries Co., Ltd.	NIL
10.	-do-	Alloy Steel Chisels ^{#2}	Korea RP	Any country including Korea RP	Soosan Heavy Industries Co., Ltd.	NIL
11.	-do-	Hydraulic Rock Breakers ^{#1}	Korea RP	Any country including Korea RP	DAEMO Engineering Co. Ltd.	9.43%
12.	-do-	Alloy Steel Chisels ^{#2}	Korea RP	Any country including Korea RP	DAEMO Engineering Co. Ltd.	12.47%

13.	-do-	Hydraulic Rock Breakers ^{#1}	Korea RP	Any country including Korea RP	D and A Heavy Industries Co., Ltd.	Nil
14.	-do-	Alloy Steel Chisels ^{#2}	Korea RP	Any country including Korea RP	D and A Heavy Industries Co., Ltd.	12.47%
15.	-do-	Hydraulic Rock Breakers ^{#1}	Korea RP	Any country including Korea RP	Hyundai Everdigm Corporation	11.91%
16.	-do-	Alloy Steel Chisels ^{#2}	Korea RP	Any country including Korea RP	Hyundai Everdigm Corporation	12.47%
17.	-do-	Hydraulic Rock Breakers ^{#1}	Korea RP	Any country including Korea RP	FEEL INDUSTRIAL ENGINEERING CO. LTD.	8.16%
18.	-do-	Alloy Steel Chisels ^{#2}	Korea RP	Any country including Korea RP	FEEL INDUSTRIAL ENGINEERING CO. LTD.	12.47%
19.	-do-	Hydraulic Rock Breakers ^{#1}	Korea RP	Any country including Korea RP	HANSUNG SPECIAL MACHINERY CO., LTD	52.77%
20.	-do-	Alloy Steel Chisels ^{#2}	Korea RP	Any country including Korea RP	HANSUNG SPECIAL MACHINERY CO., LTD	Nil
21.	-do-	Hydraulic Rock Breakers ^{#1}	Korea RP	Any country including Korea RP	Any producer other than S. No. 9 to 20 above	52.77%
22.	-do-	Hydraulic Rock Breakers ^{#1}	Any country other than subject countries	Korea RP	Any producer	52.77%

23.	-do-	Alloy Steel Chisels ^{#2}	Korea RP	Any country including Korea RP	Any producer other than S.No. 9 to 20 above	12.47%
24.	-do-	Alloy Steel Chisels ^{#2}	Any country other than subject countries	Korea RP	Any producer	12.47%

#1

For Hydraulic Rock Breakers:

- Hydraulic Rock Breakers are used in construction and mining industry along with Alloy Steel Chisels for carrying out demolition, excavation, mining, concrete and boulder breaking activities. Hydraulic Rock Breakers are imported and sold in fully assembled condition as well as in semi-knocked (SKD) condition and CKD (completely knocked down) condition, wherein different assemblies. sub-assemblies as mentioned in Table D1 below can be imported to form fully assembled hydraulic rock breakers.
- The duties mentioned in column 7 of the Duty Table above for fully assembled Hydraulic Rock Breakers shall be applicable to imports of Hydraulic Rock Breakers and the Assemblies/Sub-assemblies mentioned in Table D1 only.
- Where Alloy Steel Chisels are imported with Hydraulic Rock Breakers, anti-dumping duties applicable to Alloy Steel Chisels shall be applicable to such Alloy Steel Chisels. Anti-dumping duties for hydraulic rock breakers and its assemblies/sub-assemblies mentioned in Table D1, shall not be made applicable to alloy steel chisels or vice-versa. (Also refer point h. below)
- The duties on hydraulic rock breakers shall be applicable only to the following assemblies/sub-assemblies and not to other parts and components of hydraulic rock breakers:

Table D1	
Assemblies/sub-assemblies of hydraulic rock breakers covered under the scope of anti-dumping duties	Pictorial Representation of Component*
a. Front head	
b. Back head	
c. Piston for hydraulic cylinder or rock breaker	

d. Cylinder body or hydraulic unit (Hydraulic body consists of front head, back head, cylinder and piston)	
e. Bracket	
f. Frame	
g. Cylinder for hydraulic rock breaker	

**The photos are for representative purposes only. The form of the actual assemblies/sub-assemblies may vary.*

- e. The recommended duties on assemblies/sub-assemblies shall be applicable on them irrespective of the fact that whether they are imported individually or along with other assemblies/sub-assemblies mentioned in **Table D1** above.
- f. It is to be ensured that exporters do not attempt to evade the recommended duties by physically combining two or more assemblies/sub-assemblies together to establish that they are exporting a different assemblies/sub-assembly other than what has been covered in **Table D1** above. Further, the description of the goods being cleared should be captured adequately in terms of value and unit of measurement.
- g. The duties applicable to hydraulic rock breakers shall not be applicable to any other assemblies/sub-assemblies, part or component, or kits which have not been mentioned in Table D1 above.

#2

For Alloy Steel Chisels:

- h. Alloy Steel Chisels are used along with hydraulic rock breakers. They come in various shape, size and the tip of the chisel varies according to the required end use.
- i. Alloy Steel Chisels are also imported by the name of tool, wedge, toil, moil, teeth, tooth, working tool, chisel blunt, hydraulic hammer (tool), breaker tool etc. Where chisels are imported with rock breakers, anti-dumping duties applicable to chisels shall be applicable to such chisels. Anti-dumping duties applicable to alloy steel chisels shall not be made applicable to hydraulic rock breakers or its assemblies/sub-assemblies mentioned in Table D1 above. (Also refer point b above).

2. The anti-dumping duty imposed under this notification shall be effective for a period of five years (unless revoked, superseded or amended earlier) from the date of publication of this notification in the Official Gazette, and shall be payable in Indian currency.

Explanation. - For the purposes of this notification, -

- (a) rate of exchange applicable for the purposes of calculation of such anti-dumping duty shall be the rate which is specified in the notification of the Government of India, in the Ministry of Finance (Department of Revenue), issued from time to time, in exercise of the powers conferred by section 14 of the Customs Act, 1962 (52 of 1962), and the relevant date for the determination of the rate of exchange shall be the date of presentation of the bill of entry under section 46 of the said Act.
- (b) “CIF value” means the assessable value as determined under section 14 of the Customs Act, 1962 (52 of 1962).

[F. No. CBIC-190354/160/2023-TO(TRU-I)]

(Vikram Vijay Wanere)

Under Secretary to the Government of India