ANTI-CIRCUMVENTION / ANTI-CIRCUMVENTION INITIATION

DGTR opens anti-circumvention probe of hydraulic rock breaker duty via Malaysia

DGTR's notice of September 28, 2026 asks whether the anti-dumping duty on hydraulic rock breakers from China and South Korea is circumvented via Malaysia.

THE DIRECTORATE General of Trade Remedies has initiated an anti-circumvention investigation by notification dated September 28, 2026 (Case No. AD/AC/005/2026, F. No. 07/20/2026-DGTR). The application was filed by M/s DOZCO (India) Private Limited, which the Authority describes as the sole recognizable domestic producer of the goods in India.

KEY FACTS

MEASURE
Anti-circumvention

STAGE
Anti-circumvention initiation

COUNTRIES
Malaysia

DATED
September 28, 2026

REFERENCES

Case No. AD/AC/005/2026

F. No. 07/20/2026-DGTR

CG-DL-E-08102026-276928

HS CODES 4

8409	8412
8430	8431

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Case No. AD/AC/005/2026 · Anti-circumvention initiation · September 28, 2026

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The investigation concerns the anti-dumping duty on "Alloy Steel Chisel/tool and Hydraulic Rock Breaker in fully assembled condition" originating in or exported from China and South Korea. The duty was recommended in Final Findings Notification No. 6/8/2022-DGTR dated March 28, 2024 and imposed by Customs Notification No. 11/2024-Customs (ADD) dated June 27, 2024. The applicant alleges that it is being circumvented by imports of the same goods, and seven sub-assemblies, exported from Malaysia, classified under sub-headings 8409, 8412, 8430 and 8431.

The applicant claims that imports from Malaysia rose significantly after the duty, that Malaysia has no known full-fledged producer, and that the goods are made substantially in China and Korea and processed in Malaysia. On the prima facie evidence, the Authority notes a change in the pattern of trade without sufficient cause or economic justification, and limits the investigation to country-based circumvention through Malaysia under Rule 25(2)(c). The period of investigation is April 2025 to March 2026.

The Authority will consider extending the existing duty to the goods exported from Malaysia from the date of initiation, and recommends provisional assessment of these imports, with an appropriate guarantee from importers, until the Central Government decides under Rule 27(3). Interested parties are to file information on the SETU portal within 37 days of the notice being communicated to them.

Measure	Anti-circumvention
Stage	Anti-circumvention initiation
Case number	Case No. AD/AC/005/2026
File number	F. No. 07/20/2026-DGTR
Dated	September 28, 2026
Published in the Gazette	September 29, 2026
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Product	Alloy Steel Chisel/tool and Hydraulic Rock Breaker in fully assembled condition
What it covers	The product under consideration is the same as defined in the original investigation (Final Findings dated March 28, 2024) and is known in common usage as hydraulic breaker, hydraulic rock breaker and chisel/tool. A scope of PUC notification dated June 16, 2023 clarified that the scope is limited to the following assemblies, sub-assemblies and components of hydraulic rock breakers: front head, back head, piston for hydraulic cylinder or rock breaker, cylinder body or hydraulic unit, bracket, frame and cylinder for hydraulic rock breaker. The product under investigation is the same goods, and 7 sub-assemblies as defined in the original investigation, exported from Malaysia.
Customs codes	8409, 8412, 8430, 8431
Countries	Malaysia
Applicant	M/s DOZCO (India) Private Limited
Period of investigation	April 2025 to March 2026 (12 Months)
Injury period	FY 2022 – 23, FY 2023 – 24, FY 2024 – 25 and the POI
Findings	• The applicant alleges that the anti-dumping duty on the subject goods from China and South Korea is being circumvented by imports exported from Malaysia, through importation in unassembled or incomplete forms, alteration in the name of the product, and country-based circumvention. • The applicant claims that imports from Malaysia increased significantly after the duty was imposed, that there is no known producer in Malaysia undertaking full-fledged production, and that the goods are substantially produced in China and Korea and processed in Malaysia before export to India. • On the prima facie evidence, the Authority notes a change in the pattern of trade, with imports from Malaysia commencing and increasing to a significant level since the duty was imposed, without sufficient cause or economic justification, undermining the remedial effects of the existing measure. • The Authority limits the scope of the investigation to the alleged country-based circumvention through Malaysia, in terms of Rule 25(2)(c) of the Rules.
Recommendation	The Authority initiates an anti-circumvention investigation under Section 9A (1A) of the Act and Rules 25 and 26 of the Rules to consider extending the existing anti-dumping duty on imports from

China and South Korea to the subject goods exported from Malaysia from the date of initiation. Under Rule 26 (4A), it recommends that imports of the product under investigation be provisionally assessed and that an appropriate guarantee may be obtained from importers until the Central Government decides under sub-rule (3) of Rule 27.

Time limits

- Interested parties to upload information, both confidential and non-confidential versions, on the SETU portal: within 37 days from which notice of initiation calling for information and other documents is communicated to the identified interested parties, or transmitted to the appropriate diplomatic representative of the exporting country
- Requests for extension of time: through the SETU portal at least one day before the original deadline
- Comments on confidentiality claimed by the domestic industry: within 7 days of the receipt of the non-confidential version of the application

What happens next

If circumvention is determined, the anti-dumping duty in force may be extended to imports of the product under investigation from Malaysia from a date not earlier than the date of initiation of the investigation.

The notification (PDF, 755 KB)

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