November 7, 2026

DIRECTORATE GENERAL OF TRADE REMEDIES

Anti-dumping duty in India: margin, injury and the lesser duty rule

Anti-dumping duty in India is an extra customs duty on imports sold to India below their normal value when they injure an Indian industry. It can't exceed the margin of dumping (Customs Tariff Act, 1975, section 9A(1)). The Directorate General of Trade Remedies (DGTR) recommends that margin, or a lower amount enough to remove the injury (rule 4(1)(d)(i)).

DUMPING IS EXPORTING goods to India at less than their normal value, broadly the price of the same goods sold for use in the exporting country. The margin of dumping is the gap between normal value and the export price (section 9A(1), Explanation (a)). Dumping alone doesn't bring a duty: DGTR must also find injury to an Indian industry.

KEY FACTS

LAW

Customs Tariff Act, 1975

QUANTITATIVE RESTRICTIONS

Foreign Trade (Development and Regulation) Act, 1992

ONLINE FILING

Trade Notice No. 01/2025

UPDATED

November 7, 2026



Anti-dumping duty in India: margin, injury and the lesser duty rule

Directorate General of Trade Remedies · November 7, 2026

Anti-dumping duty in India is an extra customs duty on imports sold to India below their normal value when they injure an Indian industry. It can't exceed the margin of dumping (Customs Tariff Act, 1975, section 9A(1)). The Directorate General of Trade Remedies (DGTR) recommends that margin, or a lower amount enough to remove the injury (rule 4(1)(d)(i)).

What is dumping under India's rules?

Dumping is exporting goods to India at less than their normal value, broadly the price of the same goods sold for use in the exporting country. The margin of dumping is the gap between normal value and the export price (section 9A(1), Explanation (a)). Dumping alone doesn't bring a duty: DGTR must also find injury to an Indian industry.

The Directorate General of Trade Remedies (DGTR) investigates and recommends. The central government may then impose the duty within three months of the date DGTR publishes its final findings (Customs Tariff Act, 1975, section 9A(1); Anti-Dumping Rules, 1995, rule 18(1)). See our guide to DGTR and trade remedies.

How is normal value worked out?

Normal value is the comparable price, in the ordinary course of trade, of the like article sold for use in the exporting country (section 9A(1), Explanation (c)(i)). When home sales are missing, or too few for a proper comparison, DGTR uses a representative export price to a third country, or the cost of production plus costs and profit (Explanation (c)(ii)).

- Home sales below cost can be left out if they're substantial (20% or more of the volume sold, for example) and don't recover costs in a reasonable time (Annexure I to the rules, paragraph 2).
- An export price that's unreliable because exporter and importer are associated can be built from the first resale to an independent buyer (Explanation (b)).
- Exporters get at least 60 days to adjust to sustained exchange rate moves (paragraph 6(iii)).

The 2026 mobile covers and gloves findings each used one rate, US$1 = ₹85.43, the average of the rates the Central Board of Indirect Taxes and Customs (CBIC) notified over the period of investigation. Their duty tables are in US dollars.

DGTR sets a margin for each known exporter, or examines a sample when there are too many (rule 17(3)). See our guide for foreign exporters answering DGTR.

How does DGTR set normal value for China and other non-market economies?

For a non-market economy, DGTR takes normal value from a market economy third country or, failing that, another reasonable basis, including the price paid or payable in India plus a reasonable profit (Annexure I, paragraph 7). A country is presumed a non-market economy if DGTR or any World Trade Organization member treated it as one in the three years before.

A producer can rebut this and claim market economy treatment by showing that its prices, costs and inputs follow market signals without significant state interference (paragraph 8(2) and (3)).

In the mobile covers findings of September 24, 2026, no Chinese producer claimed market economy treatment. DGTR built normal value from the Indian industry's cost of production, plus selling and general costs and a reasonable profit (paragraphs 46 and 48).

Some pages say India stopped treating China as a non-market economy in 2016. DGTR notes that Article 15(a)(ii) of China's WTO Accession Protocol expired on December 11, 2016, but still asks Chinese producers to meet paragraph 8 (paragraph 45). The rules name no country; the mobile covers findings apply the presumption to China PR.

What counts as injury to an Indian industry?

Injury means material injury to an industry in India, a threat of it, or material delay in setting one up. For imports from WTO members, duty needs that finding (section 9B(1)(b)(ii)). DGTR examines the volume of dumped imports, their effect on prices in India and their impact on Indian producers (Annexure II, paragraph (i)).

Injury from other causes, such as falling demand, can't be blamed on the dumped imports (paragraph (v)). A threat must rest on facts, not conjecture, and be clearly foreseen and imminent (paragraph (vii)).

What are the non-injurious price and the lesser duty?

The non-injurious price is a fair selling price for the Indian industry: its cost of production at the best use of materials, utilities and capacity, plus a reasonable pre-tax return on capital employed (Annexure III). The margin of injury is the gap between that price and the landed value of imports. DGTR recommends the lower of the two margins.

From margins to duty: the terms in DGTR's findings

Term	What it is	Rule
Normal value	Home-market price, a third-country price or a constructed value	Section 9A(1), Explanation (c)
Export price	Price of goods exported to India, or a constructed price	Section 9A(1), Explanation (b)
Margin of dumping	Normal value minus export price, at the ex-factory level	Section 9A(1), Explanation (a); Annexure I, paragraph 6
Non-injurious price	Indian industry's optimum cost plus a pre-tax return on capital employed	Annexure III, paragraphs 3 and 4
Landed value	Assessable value plus customs duties, except duties under sections 3, 3A, 8B, 9 and 9A	Mobile covers findings, paragraph 119
Margin of injury	Non-injurious price minus landed value	Gloves findings, paragraph 163
Duty recommended	The lesser of the two margins	Rule 4(1)(d)(i); gloves findings, paragraph 222

In the gloves findings of November 6, 2026, DGTR allowed a 22% pre-tax return on capital employed (paragraph 162). Thailand's residual dumping margin was 70 to 80%, but the duty recommended, US$4.86 per 1,000 pieces, matched an injury margin of 20 to 30% of the landed price (paragraph 216).

DGTR calls this the lesser duty rule it follows (paragraph 222). The Act sets only the ceiling.

When does no duty follow (de minimis)?

DGTR ends an investigation if the margin of dumping is below 2% of the export price. It also ends one if a country's dumped imports are below 3% of imports of the like product, unless such countries together pass 7%. It ends one, too, if the injury is negligible (Anti-Dumping Rules, 1995, rule 14(c), (d) and (e)).

De minimis thresholds in rule 14

Test	Threshold	What follows
Margin of dumping	Less than 2% of the export price	Investigation ends (rule 14(c))
One country's dumped imports	Less than 3% of imports of the like product	Ends for that country (rule 14(d))
Countries under 3% each, together	More than 7% of imports of the like product	The 3% exit no longer applies (rule 14(d))
Injury	Negligible	Investigation ends (rule 14(e))

The same thresholds are in Article 5.8 of the WTO Anti-Dumping Agreement, on which India's law is based (Trade Notice 06/2021).

What forms can anti-dumping duty in India take?

Anti-dumping duty in India can be a fixed amount per unit, a percentage of value or a reference price. DGTR's 2026 findings recommended US dollars per metric ton, per kilometer and per 1,000 pieces, a percentage of CIF value, and a reference price duty. Each finding's duty table sets the form, the amount and the producers it covers.

- Per metric ton: US$268 on steel tubes, pipes and hollow profiles from China PR, a reference price turned into a fixed duty (sunset review, October 23, 2026, paragraph 123).
- Per kilometer: US$86 on copper data cables from China PR (corrigendum, October 21, 2026).
- Per 1,000 pieces: US$72 on mobile covers from China PR (September 24, 2026).
- Percentage of CIF value: 45% on LNG fuel tanks from China PR (March 18, 2026).

- Reference price: on DASDA from China PR, the gap between the landed value and US$3,453 per metric ton, charged only when the landed value is lower (March 16, 2026, paragraph 138).

In the three per-unit cases above, DGTR recommended a nil rate for some cooperating producers: one for the tubes, four for the cables and two for the covers.

Tariff headings in a duty table are indicative only; the product description sets the scope (LNG and DASDA duty tables).

How long does anti-dumping duty last?

Anti-dumping duty lasts five years from imposition, unless revoked earlier (section 9A(5)). After a review, the government may extend it by up to five years at a time if ending it would likely lead to dumping and injury continuing or coming back. A review started before expiry can keep the duty in force up to one more year.

See our guide to anti-dumping reviews and anti-circumvention.

Can an exporter offer a price undertaking instead?

Yes. An exporter may undertake in writing to revise its prices to India so the injurious effect of dumping is removed, and DGTR may then suspend or end the investigation (rule 15(1)). DGTR accepts no such undertaking before a preliminary finding of dumping and injury, and may refuse one it finds impractical (rule 15(2)).

In June 2026, DGTR accepted an undertaking on methyl acetoacetate from Switzerland and suspended the investigation. The producer won't export to India below a confidential minimum CIF price, inclusive of basic customs duty, for five years. A breach can bring duty from the date of the breach (paragraphs 91, 92 and 95). See how a DGTR anti-dumping investigation works.

Goods are never charged both anti-dumping and countervailing duty for the same dumping or export subsidy (section 9B(1)(a)). See countervailing duty in India.

How IndusDesk helps with anti-dumping duty in India

We watch the authorities, tell you what each change means for your products and plans, represent you while a decision is still open, and carry the work through, with every step on record in your workspace.

On anti-dumping duty, we work through normal value, export price and injury numbers with your team, and prepare questionnaire responses and margin submissions.

Regulatory & trade advisory →

Data & analytics
import volumes and prices →

Talk to our desk about anti-dumping duty Message us on WhatsApp

Frequently asked questions

Who pays anti-dumping duty in India?

The importer. The duty is charged on importation into India and collected under the Customs Act, and refunds of provisional duty go to the importer (section 9A(1) and (8); rule 21). See anti-dumping duty for importers.

Does India still treat China as a non-market economy?

Yes, by a presumption a Chinese producer may rebut (Annexure I, paragraph 8(2)). In September 2026 no mobile covers producer tried.

Is anti-dumping duty in India a percentage?

Sometimes. DGTR recommended 45% of CIF value on LNG fuel tanks in March 2026. Other 2026 findings set US dollars per unit or a reference price.

Sources

- Customs Tariff Act, 1975, section 9A (anti-dumping duty: sub-sections (1), (4), (5) and (8) and the Explanation) and section 9B(1)(a), (b)(ii) and (c)(ii), in DGTR's Compendium of Laws & Regulations on Trade Remedies, updated up to June 16, 2026
- Anti-Dumping Rules, 1995 (Notification No. 2/95-Customs (N.T.), as amended): rules 4(1)(d), 14, 15, 17(3), 18(1) and 21, and Annexures I, II and III, in the same compendium
- WTO Anti-Dumping Agreement, Article 5.8, in the same compendium
- Trade Notice No. 06/2021 of July 29, 2021: the exporter's questionnaire, in DGTR's Compendium of Trade Notices (generated September 17, 2026)
- Final findings, mobile covers from China PR, Case No. AD (OI)-13/2025, September 24, 2026 (PDF, 1.4 MB)
- Final findings, medical examination rubber gloves from Malaysia and Thailand, Case No. AD (OI)-38/2025, November 6, 2026 (PDF, 1.0 MB)
- Final findings, LNG fuel tanks from China PR, Case No. AD (OI)-40/2024, March 18, 2026 (PDF, 1.6 MB)
- Final findings, DASDA from China PR, Case No. AD (OI)-41/2024, March 16, 2026 (PDF, 1.3 MB)
- Final findings, price undertaking accepted, methyl acetoacetate from Switzerland, Case No. AD (OI)-19/2025, June 18, 2026 (PDF, 1.3 MB)
- Sunset review final findings, steel tubes, pipes and hollow profiles from China PR, Case No. AD (SSR)-04/2026, October 23, 2026 (PDF, 1.6 MB)
- Corrigendum to the final findings, copper data cables from China PR, Case No. AD (OI)-39/2025, October 21, 2026 (PDF, 633 KB)

IndusDesk

hello@indusdesk.com · +91 11 4141 3939

9th Floor, Hemkunt House, Rajendra Place, New Delhi, Delhi 110008, India

Read online: indusdesk.com/dgtr/anti-dumping-duty/