



Government of Pakistan
Directorate General of Customs Valuation
Custom House Karachi

The Collectors of Customs, Model Customs Collectorates, Appraisement (East / West) / Port Qasim / Preventive, Karachi / Lahore (Appraisement / Preventive) / Sambrial (Sialkot) / Faisalabad / Multan / Islamabad /Hyderabad/ Quetta / Peshawar/ Gawadar/ Gilgit-Baltistan/ Exports (Karachi/Port Qasim)/Director Transit.

Determination of Customs Values of Chandeliers, Pendants and other Hanging Lights and Parts thereof Under Section 25-A of the Customs Act, 1969

(VALUATION RULING NO. 1185/ 2017)

No. Reg. Misc/02/2011-VIII(B)/IX /1430

Dated: **June 16, 2017.**

In exercise of the powers conferred under Section 25-A of the Customs Act, 1969, Customs values of Chandeliers, Pendants and other Hanging Lights and parts thereof are determined as follows: -

2. **Background of the valuation issue:** Customs values of Chandeliers, Pendants and other Hanging Lights and parts thereof were earlier determined vide Valuation Ruling No.982/2016, dated 28-11-2016. M/s. Rajput Enterprise, filed Revision Petition under Section 25D of the Customs Act, 1969, before the Director General of Customs Valuation, which was disposed of vide Order-in-Revision No. 316/2017, dated 16-03-2017. Many importers filed appeals under Section 194-A of the Customs Act, 1969, against the Order-in-Revision, before the honourable Customs Appellate Tribunal, Karachi. The Tribunal set aside the Order-in-Revision and Valuation Ruling No.982/2016, dated 28-11-2016 vide order dated 24-04-2017. As the previous Valuation Ruling also needed revision in light of above situation, an exercise was initiated to determine the customs values of Chandeliers, Pendants and other Hanging Lights and parts thereof, with a view to reflect the current prices prevailing in the international market.

3. **Stakeholders' participation in determination of Customs values:** Meetings with stakeholders were held on 13-04-2017 and 18-05-2017. The stakeholders were requested to bring following documents to make the meeting fruitful.

- A. Invoices of imports during last three months showing factual value.
- B. Websites, names and E-mail addresses of known foreign manufacturers of the item in question through which the actual current value can be ascertained.
- C. Copies of Contracts made / LCs opened during the last three months showing the value of item in question.
- D. Copies of Sales Tax Invoices issued during last four months showing the difference in price (excluding duty and taxes) to substantiate that the benefit of difference in price is passed on to the local buyers.



4. The stakeholders did not submit the requisite documents except some import invoices. During the first meeting they requested that they had filed appeal against the Order in Revision No. 316/2017, dated 16-03-2017, before Customs Appellate Tribunal, and the outcome of the proceedings at the tribunal may be waited. Second meeting was

called after the orders of the honourable Tribunal dated 24.4.2017. The stakeholders strongly contested the values determined vide Valuation Ruling No.982/2016, dated 28-11-2016, and requested for downward revision of values. However again they failed to submit supporting documents, except one small catalogue of a Chinese manufacturer. The Directorate of Customs Valuation, then initiated its own investigation to determine Customs Values.

5. Method adopted to determine Customs values: Valuation methods given in Section 25 of the Customs Act, 1969 were followed to arrive at values of Chandeliers, Pendant and other Hanging Lights and parts thereof. Transaction value method provided in Section 25 (1) was found inapplicable due wide variation in the values being declared to the customs. Identical/similar goods value methods provided in Section 25 (5) & (6) were examined for applicability to the valuation issue in the instant case which provided some reference values of the subject goods but the same could not be exclusively relied on due to wide variations in declared values of subject goods. Thereafter, market enquiry as envisaged under Section 25(7) of the Customs Act, 1969, was conducted; therefore different markets were surveyed for this purpose. Online prices were also obtained to corroborate the findings of the market surveys. Computed Value Method as provided in Section 25 (8) could not be applied for valuation of the aforementioned goods as the cost of raw material and fabrication charges under clause (a) and amount of profit and general expenses under clause (b) of Section 25 (8) of the Act, in the country of export, could not be ascertained. All the information so gathered was evaluated and analyzed for the purpose of determination of customs values. Online values were also obtained. Consequently, the Customs values of Chandeliers, Pendant and other Hanging Lights and parts thereof have been determined under Section 25 (9) of the Customs Act, 1969.

6. Customs values for Chandeliers, Pendants and other Hanging Lights and parts thereof: Chandeliers, Pendants and other Hanging Lights and parts thereof, hereinafter specified, *shall* be assessed to duty/taxes at the following Customs Values: -

S. No.	Description of Goods	PCT	Propose PCT for WeBOC	Origin	C&F Customs Values (US\$/Kg)
(1)	(2)	(3)	(4)	(5)	(6)
1.	Chandeliers (Brass+ Crystals or Brass only)	9405.1010	9405.1010.1010	China	42.00
			9405.1010.1020	Europe/ USA/Canada	60.00
			9405.1010.1030	Other Origins	50.00
2.	Chandeliers (Brass+ Glass/Plastic)		9405.1010.1040	China	30.00
			9405.1010.1050	Europe/ USA/Canada	44.00
			9405.1010.1060	Other Origins	36.00
3.	Chandeliers (Stainless Steel+ Crystal)		9405.1010.1070	China	25.00
			9405.1010.1080	Europe/ USA/Canada	36.00
			9405.1010.1090	Other Origins	30.00



4.	Chandeliers (Stainless steel only)		9405.1010.1100	China	18.00
			9405.1010.1110	Europe/ USA/Canada	26.00
			9405.1010.1120	Other Origins	22.00
5.	Chandeliers (Iron +Crystal)		9405.1010.1130	China	7.00
			9405.1010.1140	Europe/ USA/Canada	10.00
			9405.1010.1150	Other Origins	8.50
6.	Chandeliers (Iron+ Crystal &Glass)		9405.1010.1160	China	6.10
			9405.1010.1170	Europe/ USA/Canada	8.85
			9405.1010.1180	Other Origins	7.32
7.	Chandeliers (Iron+ Plastic/Glass or Iron only)		9405.1010.1190	China	5.60
			9405.1010.1200	Europe/ USA/Canada	8.15
			9405.1010.1210	Other Origins	9.80
8.	Chandeliers (Iron +Stainless Steel/ Glass/Plastic)	9405.1010	9405.1010.1220	China	6.50
			9405.1010.1230	Europe/ USA/Canada	9.50
			9405.1010.1240	Other Origins	7.80
9.	Chandeliers (Iron/Zinc/Aluminu m)		9405.1010.1250	China	7.20
			9405.1010.1260	Europe/ USA/Canada	10.00
			9405.1010.1270	Other Origins	8.15
10.	Chandeliers (Iron/Zinc/ Aluminum+ Crystal)		9405.1010.1280	China	10.00
			9405.1010.1290	Europe/ USA/Canada	14.50
			9405.1010.1300	Other Origins	12.00
11.	Chandeliers (Iron / Zinc /Aluminum +Plastic/Glass)		9405.1010.1310	China	7.00
			9405.1010.1320	Europe/ USA/Canada	10.15
			9405.1010.1330	Other Origins	8.40
12.	Pendants/Hanging and other types of hanging Lights (Brass+ Crystal or Brass only)		9405.1090.1010	China	35.70
			9405.1090.1020	Europe/ USA/Canada	51.00
			9405.1090.1030	Other Origins	42.50
13.	Pendants/Hanging and other types of hanging Lights (Brass+ Glass only)	9405.1090	9405.1090.1040	China	25.50
			9405.1090.1050	Europe/ USA/Canada	37.40
			9405.1090.1060	Other Origins	30.60



14.	Pendants/Hanging and other types of hanging Lights (Stainless Steel+ Crystal only)	9405.1090	9405.1090.1070	China	21.25
			9405.1090.1080	Europe/ USA/Canada	30.60
			9405.1090.1090	Other Origins	25.50
			9405.1090.1100	China	15.30
15.	Pendants/Hanging and other types of hanging Lights (Stainless Steel only)		9405.1090.1110	Europe/ USA/Canada	22.10
			9405.1090.1120	Other Origins	18.70
16.	Pendants/Hanging and other types of hanging Lights (Iron+ Crystal only)		9405.1090.1130	China	5.95
			9405.1090.1140	Europe/ USA/Canada	8.50
			9405.1090.1150	Other Origins	7.23
17.	Pendants/Hanging and other types of hanging Lights (Iron+ Crystal +Glass)		9405.1090.1160	China	5.19
			9405.1090.1170	Europe/ USA/Canada	7.53
			9405.1090.1180	Other Origins	6.22
18.	Pendants /Hanging and other types of hanging Lights (Iron+ Plastic/Glass or Iron only)		9405.1090.1190	China	5.10
			9405.1090.1200	Europe/ USA/Canada	7.40
			9405.1090.1210	Other Origins	6.12
19.	Pendants/Hanging and other types of hanging Lights (Iron +Stainless Steel/Glass/Plastic/ Crystal)		9405.1090.1220	China	5.55
			9405.1090.1230	Europe/ USA/Canada	8.05
			9405.1090.1240	Other Origins	6.66
20.	Pendants/Hanging and other types of hanging Lights (Iron/Zinc/ Aluminum)		9405.1090.1250	China	6.12
			9405.1090.1260	Europe/ USA/Canada	8.87
			9405.1090.1270	Other Origins	7.35
21.	Pendants/Hanging and other types of hanging Lights (Iron/Zinc/ Aluminum+ Crystal))		9405.1090.1280	China	8.50
			9405.1090.1290	Europe/ USA/Canada	12.33
			9405.1090.1300	Other Origins	10.20
			9405.1090.1310	China	6.00
			9405.1090.1320	Europe/ USA/Canada	9.00
22.	Pendants/Hanging and other types of hanging Lights (Iron/Zinc/ Aluminum+ Plastic/Glass)		9405.1090.1330	Other Origins	7.20



23.	Hanging Lights with Glass + Metal Base (Hanging with Wire only)	9405.1090	9405.1090.1340	China	4.30
			9405.1090.1350	Europe/ U\$A/Canada	6.00
			9405.1090.1360	Other Origins	4.00
24.	Parts of Chandeliers and Pendants/Hanging and other types of hanging Lights (Glass/Plastic/Iron)	9405.9110 9405.9200 9405.9900	9405.9110.1010	China	2.50
			9405.9200.1010	Europe/USA/ Canada	3.55
			9405.9900.1010		
		9405.9110 9405.9200 9405.9900	9405.9110.1020	Europe/USA/ Canada	3.55
			9405.9200.1020		
			9405.9900.1020	Other Origins	3.00
		9405.9110 9405.9200 9405.9900	9405.9110.1030		
			9405.9200.1030		
			9405.9900.1030		

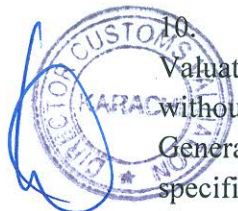
Note: - The determined customs values are for low end and middle level brands do not apply on the High end brands like Fine Art, Vaughasn, Markslojd, Lamp Gus taf, Baroque, Flos, Foscarini, Le Klint, Minka Lavery, Laura Ashley, Tom Dikson and other equivalent top brands. The Clearance Collectorates are hereby requested to finalize the assessment in case of high end brands under Section 25 of the Customs Act, 1969. Alternatively, Collectorates may provisionally assess the goods and forward the GD to this Directorate General for suitable advice.

7. In cases where declared/transaction values are higher than the Customs values determined in this Ruling, the assessing officers shall apply those values in terms of Sub-Section (1) of Section 25 of the Customs Act, 1969. In case of consignments imported by air, the assessing officer shall take into account the differential between air freight and sea freight or in case of import through Land Customs Stations, the differential amount between the Sea freight and land transport charges while applying the Customs values determined in this Ruling.

8. **Validity of this Valuation Ruling:** The values determined vide this Ruling shall be the applicable Customs value for assessment of subject imported goods until and unless it is rescinded or revised by the competent authority in terms of Sub-Sections (1) or (3) of Section 25-A of the Customs Act, 1969.

9. **Revision of the value determined vide this Valuation Ruling:** A revision petition may be filed against this Ruling, as provided under Section 25-D of the Customs Act, 1969, within 30 days from the date of issue of this ruling, before the Director General, Directorate General of Customs Valuation, 7th Floor, Custom House, Karachi.

10. The Collectors of Customs may kindly ensure that the values given in this Valuation Ruling for the given description of goods are applied by the concerned staff without fail. Any anomaly observed may kindly be brought to the notice of this Directorate General immediately. Customs values determined in the ruling are for the description and specification as mentioned in the tables above of this Ruling. HS Codes are mentioned for illustrative purposes so that valuation ruling values are made accessible to the assessing



officers. The assessment shall be finalized on the basis of correct classification after fulfilling requisite formalities related to importability or any other certification required thereon. In addition to this, it is further necessary to verify that there is no mis-declaration of any sort or violation of Import Policy Order or Section 15 of the Customs Act, 1969 or any other law in vogue therein.

11. ***This Valuation Ruling supersedes the Valuation Ruling No.982/2016, dated 28-11-2016.***


(Dr. Wasif Ali Memon)
Director

Copy for information to: -

1. Member (Customs), F.B.R., Islamabad.
2. Director General, Customs Valuation, Custom House, Karachi.
3. Chief Collector of Customs, South (Appraisement), Custom House, Karachi.
4. Chief Collector of Customs, South (Enforcement), Custom House, Karachi.
5. Chief Collector of Customs (Central), Lahore.
6. Chief Collector of Customs (North), Islamabad.
7. Director General, Intelligence and Investigation-FBR, Islamabad.
8. Director General, Audit (Customs & Petroleum), 1st Floor, PT&T Audit Building, Mauj-e-Darya Road, Lahore.
09. Director General, Post Clearance Audit (PCA), Islamabad.
10. Director General, Internal Audit (Customs), Karachi.
11. Directors, Intelligence & Investigation, Karachi / Lahore / Islamabad/ Quetta Peshawar/ Faisalabad.
12. Director, Directorate of Customs Valuation (Camp Office), Lahore.
13. Deputy Director (HQ), Directorate General of Customs Valuation, Karachi, for uploading in WeBOC database system and deleting ***the Valuation Ruling No.982/2016, dated 28-11-2016.***
14. Chairman (Valuation Committee), FPCC&I, Federation House, Clifton, Karachi.
15. Chambers of Commerce & Industry, Karachi, Lahore, Islamabad, Hyderabad, Quetta, Gujranwala, Faisalabad, Sialkot, Rawalpindi & Peshawar.
16. Law Section, Customs Valuation, 7th Floor, Custom House, Karachi.
17. Review Section, Customs Valuation, 7th Floor, Custom House, Karachi.
18. Karachi Customs Agents Group, Bohri Road, Karachi.
19. CHO, Customs Valuation, Custom House, Karachi.
20. Notice Board, Customs Valuation 7th Floor, Custom House, Karachi / MCC, Appraisement (East/West), Custom House, Karachi.
21. Webmaster, Federal Board of Revenue, Constitution Avenue, Islamabad, for uploading FBR website and deleting the ***Valuation Ruling No.982/2016, dated 28-11-2016.***
22. Guard File.