



Government of Pakistan
Directorate General of Customs Valuation .
Custom House Karachi

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

Determination of Customs Values of Light Fittings/Fixtures and Parts thereof Under Section 25-A of the Customs Act, 1969

(VALUATION RULING NO. 1184 / 2017)

No. Reg. Misc/02/2011-VIII(B)/IX /1429

Dated: **June 16, 2017.**

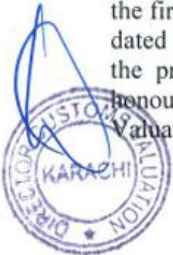
In exercise of the powers conferred under Section 25-A of the Customs Act, 1969, Customs values of Light Fittings/Fixtures and Parts thereof are determined as follows: -

2. **Background of the valuation issue:** Customs values of Light Fittings/Fixtures and Parts thereof were earlier determined vide Valuation Ruling No.981/2016, 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 has been 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.981/2016, dated 28-11-2016 vide order dated 24-04-2017. As the previous Valuation Ruling needed revision in the light of above situation, an exercise was initiated to determine the customs values of Light Fittings/Fixtures 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. So it was decided to wait for the outcome of the proceedings at the honourable tribunal. Second meeting was called after the orders of the honourable Tribunal dated 24.4.2017. The stakeholders contested the values determined vide Valuation Ruling No.981/2016, dated 28-11-2016, and requested for downward revision of values.



However, once again, they failed to submit supporting documents. 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 Light Fittings/Fixtures 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 Light Fittings/Fixtures and Parts thereof have been determined under Section 25 (9) of the Customs Act, 1969.

6. Customs values for Light Fittings/Fixtures and Parts thereof: Light Fittings/Fixtures and Parts thereof, hereinafter specified, shall be assessed to duty/taxes at the following Customs Values: -

S. No.	Description of Goods	PCT	Proposed PCT for WeBOC	Origin	C&F Customs Values (US\$/Kg)
(1)	(2)	(3)	(4)	(5)	(6)
1.	Light Fittings (Stage/Decoration Lights)		9405.1020.1010	China	8.30
			9405.1090.1010		
			9405.4090.1010		
			9405.1020.1020	Europe/USA/Canada	12.00
			9405.1090.1020		
			9405.4090.1020		
9405.1020.1030	Other Origins	9.50			
9405.1090.1030					
9405.4090.1030					
2.	Light Fittings of Base Metal for Fluorescent Tubes without Tube and Ballast	9405.1020 9405.1090 9405.4090	9405.1020.1040	China	4.00
			9405.1090.1040		
			9405.4090.1040		
			9405.1020.1050	Europe/USA/Canada	6.00
			9405.1090.1050		
			9405.4090.1050		
9405.1020.1060	Other Origins	4.60			
9405.1090.1060					
9405.4090.1060					



3.	LED/SMD Light Fittings (Flood/Street/Panel/Spot/ Ceiling/Wall Lights)	9405.1020 9405.1090 9405.4090	9405.1020.1070 9405.1090.1070 9405.4090.1070	China	4.18
			9405.1020.1080 9405.1090.1080 9405.4090.1080	Europe/USA/ Canada	5.75
			9405.1020.1090 9405.1090.1090 9405.4090.1090	Other Origins	4.80
4.	Other Light Fittings (Spot/Panel/Ceiling/Wall Lights)	9405.1020 9405.1090 9405.4090	9405.1020.1100 9405.1090.1100 9405.4090.1100	China	4.10
			9405.1020.1110 9405.1090.1110 9405.4090.1110	Europe/USA/ Canada	5.70
			9405.1020.1120 9405.1090.1120 9405.4090.1120	Other Origins	6.80
5.	Non-Electric Lamps and Light Fittings	9405.5000	9405.5000.1010	China	4.25
			9405.5000.1020	Europe/USA/ Canada	6.00
			9405.5000.1030	Other Origins	4.90
6.	Illuminated Signs	9405.6000	9405.6000.1010	China	7.00
			9405.6000.1020	Europe/USA/ Canada	11.00
			9405.6000.1030	Other Origins	9.50
7.	Electric/Desk Table Lamps, bed side or floor standing lamps	9405.2000	9405.2000.1010	China	4.40
			9405.2000.1020	Europe/USA/ Canada	6.15
			9405.2000.1030	Other Origins	5.15
8.	Parts of Light Fittings- (Glass/Plastic/Iron)	9405.9200 9405.9900	9405.9200.1010 9405.9900.1010	China	2.50
			9405.9200.1020 9405.9900.1020	Europe/USA/ Canada	3.55
			9405.9200.1030 9405.9900.1030	Other Origins	3.00

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.981/2016, 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 (Appraisalment), 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.981/2016, dated 28-11-2016.*