

GOVERNMENT OF PAKISTAN  
DIRECTORATE GENERAL OF CUSTOMS VALUATION  
CUSTOM HOUSE KARACH

File No. DG (V)/Val.Rev/13/2018

Dated 31<sup>st</sup> August, 2018

Order in Revision No. 29 /2018 under Section 25-D of the Customs Act, 1969  
against Valuation Ruling No. 1268/2018 dated 07-03-2018

- i. This copy is granted free of charge for the private use of the person to whom it is issued.
- ii. An appeal against this Order-in-Revision lies to the Appellate Tribunal, Customs having jurisdiction, under Section 194-A of the Customs Act, 1969, within stipulated period as prescribed under the law. An appeal should bear a court fee stamp of Rs.1000/- (Rupees one thousand) only as prescribed under Schedule-II item 22 of the Court Fee Act, 1870 and must be accompanied by a copy of this Order.
- iii. An extra copy of appeal, if filed, should simultaneously be sent to this office for information and record.
- iv. If an appeal is filed, the appellant should state whether he desires to be heard in person or through an advocate.

M/s. Talha Corporation & Others

..... PETITIONERS

VERSUS

Director, Customs Valuation, Karachi

..... RESPONDENT

Date(s) of hearing

07-06-2018 and 01-08-2018

For the Petitioners

Mr. M Yousuf  
Mr. M Umar Farooq

For the Respondent

Mr. Abdul Hameed, Principal Appraiser

This revision petition was filed under Section 25-D of the Customs Act, 1969 against Customs values determined vide Valuation Ruling No. 1268/2018 dated 07-03-2018 issued under Section 25-A of the Customs Act, 1969, inter alia, on the following grounds:

2. That being aggrieved and highly dissatisfied with the Valuation Ruling No.1268/2018 dated 07-03-2018, on behalf of the appellant above named submits the following for kind consideration:

- i) That the importer M/s Talha Corporation is a regular importer of various types of Roller Chains from several years. Valuation Ruling for Roller Chains No. 641/2014, dated 03-03-2014 was in field @ US\$ 1.00/Kg and it was accepted by importers even it was higher than the actual transaction value. The actual transaction value was @ US\$ 0.80/Kg which is evident from letter of credit, GD No. KAPW-HC-120396, dated 19-01-2018, KAPW-HC-129521, dated 09-02-2018, original invoice No. 1421, dated 21-12-2017.
- ii) That suddenly the Director, Directorate of Customs Valuation issued Valuation Ruling No. 1268/2018 dated 07-03-2018 which is as under:

S.#	Description	PCT Heading	Proposed PCT for WeBOC	Origin	Customs Value in C&F US\$/Kg
(1)	(2)	(3)	(4)	(5)	(6)
1	Industrial Roller Chains	7315.1190	7315.1190.1000	China	2.15
2			7315.1190.1100	Japan	4.50
3			7315.1190.1200	Korea / Taiwan	3.50
4			7315.1190.1300	European Union	3.90

### PRAYER

a. It is therefore, humbly prayed that kindly pass an order to annual the impugned Valuation Ruling and direction may please be passed for re-determination of the Customs values on the basis of values of the raw material. As per transaction values thereof after giving proper and fair opportunity of being heard to all stakeholders on the basis of direct evidence in hand.

b. It is especially requested that our imported goods are finished product made from, Raw Iron and other cheaper materials ready for use made by the suppliers keeping in view financial conditions of Pakistan market and purchasing power of Pakistan citizens. The values of its raw material are having a downward trend. Our transactions values are genuine and the impugned Valuation Ruling No. 1268/2018 cannot be applied to our consignment because we purchase the goods as per declared transaction value with opening letter of credits.

c. On the basis of above submissions you are requested to order for fixing its fair value, meanwhile clearance Collectorate may be directed to release the consignments provisionally till finalize the dispute by securing / deposit of pay order difference between declared values and Valuation Ruling.

d. The prayer is being made in the interest of justice. Details of the product and samples and all types of evidences will be provide at the time of hearing.

3. The respondent department was asked to furnish comments to the arguments submitted by the petitioners in the case. Para-wise comments on the petition are given as under:-

### PARAWISE COMMENTS

Para 1 Denied. It is submitted that the transaction value under Section 25(1) of the Customs Act, 1969, had not been accepted due to the reason that the requisite information with respect to complete description of goods, sizes, contract with the supplier, Performa invoice, L/C and Proof of Payment through normal banking channel etc. had not been provided by the importer at the time of exercising the determination of Customs value under Section 25A of the Customs Act, 1969.

Para 2 Denied. It is submitted that due to the reasons above at Para-(1) next valuation method in terms of Section 25(5) and 25(6) of the Customs Act, 1969, could also not be applied. However, reliance was made upon Deductive Value method as envisaged

