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Government of India
Ministry of Finance
(Department of Revenue)
(Central Board of Excise and Customs)

Notification No. 91/2017-CUSTOMS (N.T.)

New Delhi, 26th September, 2017
4 Asvina, 1939 (SAKA)

G.S.R. (E).— In exercise of the powers conferred by section 156 read with section 14 of the Customs Act, 1962 (52 of 1962), the Central Government, hereby makes the following rules to amend the Customs Valuation (Determination of Value of Imported Goods) Rules 2007, namely:-

2. (i) These rules may be called the Customs Valuation (Determination of Value of Imported Goods) Amendment Rules, 2017.

(ii) They shall come into force on the date of their publication in the Official Gazette.

3. In the Customs Valuation (Determination of Value of Imported Goods) Rules 2007, -

(a) in rule 2, after clause (d), the following shall be inserted, namely: -

“(da) “place of importation” means the customs station, where the goods are brought for being cleared for home consumption or for being removed for deposit in a warehouse;”

(b) in rule 10, for sub-rule (2), the following shall be substituted, namely: -

“(2) For the purposes of sub-section (1) of section 14 of the Customs Act, 1962 (52 of 1962) and these rules, the value of the imported goods shall be the value of such goods, and shall include -

- (a) the cost of transport, loading, unloading and handling charges associated with the delivery of the imported goods to the place of importation;
- (b) the cost of insurance to the place of importation:

Provided that where the cost referred to in clause (a) is not ascertainable, such cost shall be twenty per cent of the free on board value of the goods:

Provided further that where the free on board value of the goods is not ascertainable but the sum of free on board value of the goods and the cost referred to in clause (b) is ascertainable, the cost referred to in clause (a) shall be twenty per cent of such sum:

Provided also that where the cost referred to in clause (b) is not ascertainable, such cost shall be 1.125% of free on board value of the goods:

Provided also that where the free on board value of the goods is not ascertainable but the sum of free on board value of the goods and the cost referred to in clause (a) is ascertainable, the cost referred to in clause (b) shall be 1.125% of such sum:

Provided also that in the case of goods imported by air, where the cost referred to in clause (a) is ascertainable, such cost shall not exceed twenty per cent of free on board value of the goods:

Provided also that in the case of goods imported by sea or air and transshipped to another customs station in India, the cost of insurance, transport, loading, unloading, handling charges associated with such transshipment shall be excluded.

Explanation-

The cost of transport of the imported goods referred to in clause (a) includes the ship demurrage charges on chartered vessels, lighterage or barge charges.”

[F. No. 466/32/2015-Cus-V]

(Satyajit Mohanty)
Director (ICD)

Note: - The principle rules were published in the Gazette of India, Extraordinary, Part-II, Section-3, Sub-section (i), vide Notification No.94/2007–Customs (N.T.), dated the 13th September, 2007, *vide* number G.S.R. 592 (E), dated the 13th September, 2007.