

**OFFICE OF THE COMMISSIONER OF CUSTOMS (IMPORTS),
JAWAHARLAL NEHRU CUSTOM HOUSE, NHAVA SHEVA, TALUKA-
URAN, DIST RAIGAD, MAHARASHTRA-400 707.**

F. No.S/12-Gen-73/2009-10 AM(X)

Date: 11.09.2009

Standing Order No. 44 /2009

Sub: Effective use of Export Commodities Database (ECDB) ♦ Regarding.

Attention of officers in JNCH is invited to Export Commodities Database (ECDB) which became effective from August, 2005 and the Customs Valuation (Determination of Value of Export Goods) Rules, 2007 which has been notified vide notification No.95/2007-Customs (CT) dated 13.09.2007, effective from 10.10.2007.

2. As per the Export Valuation Rules, the transaction value is the primary basis for valuation of export goods and the method specified under Rule 3 will be applicable in the vast majority of cases of export by acceptance of declared value. Acceptance of transaction value is, however, subject to the provision of Rule 8, which provides for rejection of declared value for the export goods in certain exceptional cases. These are situations where the assessing officer has reasons to doubt the truth or accuracy of the declared value and further enquiry or investigation is needed to determine the appropriate value.

3. ♦♦♦♦♦♦♦♦ In cases where the transaction value is not accepted, the valuation of the export goods shall be done by application of Rules 4 to 6 sequentially. It may be noted that Rule 6 provides for determination of value of export goods using reasonable means consistent with the principles and general provisions of the Valuation Rules. ECDB data can be useful to determine the value of export goods in such cases.

4. ♦♦♦♦♦♦♦♦ It is, therefore, desired that the ECDB data is used extensively alongwith the Export Valuation Rules especially in exceptional cases as cited in rule 8 of the Export Valuation Rules. While raising doubt about truth or accuracy of the declared value in terms of Rule 8, the proper officer shall issue a query memo specifying reasons for such doubt. The decision to initiate the process of investigation into

valuation aspects, if any, shall be taken at the earliest at the level of Joint /Additional Commissioner.

5. It is, however, re-iterated that when an investigation / enquiry is undertaken to determine whether or not the Declared Value should be accepted as Transaction Value, the export consignment shall not be ordinarily detained. Wherever there are doubts about the declared value of the export goods, the proper officer shall retain representative sealed samples, wherever considered necessary and feasible, and allow the goods to be exported after due processing. No export consignment shall be detained for reasons of doubts regarding valuation without the approval of the jurisdictional Commissioner of Customs.

6. Difficulties faced, if any, in implementation of the Standing Order may please be brought to the notice of the undersigned.

(B.K. SINHA)
COMMISSIONER OF CUSTOMS (EXPORTS)
JNCH, NHAVA SHEVA

To,
All the Concerned Officers

Copy for information to:

- i) Chief Commissioner of Customs, Mumbai-II Zone, JNCH
- ii) Commissioner of Customs (Import), JNCH
- iii) Additional Commissioner of Customs (EDI) for uploading the same on JNCH website.