

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. It is hereby instructed 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. However, it is clarified that in a situation of serious violation such as outright misdeclaration of goods, attempt to export the goods unauthorisedly, i.e., smuggle the goods out of the country, or where there is forgery or fraudulent documentation, the goods may be detained or seized as required. No export consignment shall be detained for reasons of doubts regarding valuation without the approval of the jurisdictional Commissioner of Customs.

6. An Explanation relating to rejection of declared value of export goods has been added to Rule 8 to bring clarity and objectivity in exercising the authority for rejection of declared value. The Explanation clarifies that this rule as such does not provide a method for determination of value, and that it merely provides a mechanism and procedure for rejection of declared value of export goods in certain cases. It also clarifies that where the proper officer is satisfied after consultation with the exporter, the declared value shall be accepted. This Explanation also gives certain illustrative reasons, which could form the basis for having doubt about the truth or accuracy of the declared value.

7. 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. Meanwhile, the goods will be released for export against a simple undertaking after drawal of representative sample as indicated in para 5. A simple undertaking format for this purpose has been designed and the same is enclosed as Annexure-B 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.

8. In a case where transaction value cannot be determined or the declared value is rejected under Rule 8, and export value has to be determined by comparison in terms of Rule 4, the proper officer shall take utmost care in selecting an export product for an in-depth inquiry. The proper officer will make the adjustments objectively on the basis of the relevant factors, some of which have been illustrated at sub rule (2) of Rule 4.

9. Where the value has to be determined by Computed value method under Rule 5, the proper officer shall give due consideration to the cost-certificate issued by a Cost Accountant or Chartered Accountant or Government approved valuer, as produced by the exporter.

10. It is clarified that the main purpose of introducing the Export Valuation Rules is to provide for a sound legal basis for the valuation of export goods. It is also expected to check deliberate overvaluation of export goods and mis-utilization of value based export incentive schemes. At the same time due care has to be taken to facilitate the movement of bonafide export goods which is vital for the country's economic growth. The assessing officers shall, therefore, exercise due caution to avoid unnecessary queries regarding truth or accuracy of the declared

EXPORT VALUE DECLARATION

(See Rule 7 of Customs Valuation (Determination of Value of Export Goods) Rules, 2007.)

1. Shipping Bill No. & Date:-

2. Invoice No. & Date:-

3. Nature of Transaction

Sale Gift Sale on consignment
Basis

Sample Other

4. Method of Valuation Rule 3 Rule 4 Rule 5 Rule 6 (See Export Valuation Rules)

5. Whether seller and buyer are related Yes No

6. If yes, whether relationship has influenced the price Yes No

7. Terms of Payment

8. Terms of Delivery

9. Previous exports of identical/ similar goods, if any

Shipping Bill No. and date:

10. Any other relevant information (Attach separate sheet, if necessary)

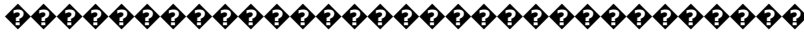
DECLARATION

1. I/We hereby declare that the information furnished above is true, complete and correct in every respect.
2. I/We also undertake to bring to the notice of proper officer any particulars which subsequently come to my/our knowledge which will have bearing on a valuation.

Place:

Date:

SIGNATURE OF THE EXPORTER



NAME OF THE SIGNATORY

ANNEXURE B

Form of simple Undertaking

(For allowing provisional release of Export goods)

I / we, _____ having our registered office at
_____ do hereby
undertake to produce information, documents and evidence as may be required to the satisfaction
of the proper officer of Customs and to co-operate in the enquiry / investigation undertaken

under rule 8 of Customs valuation (Determination of value of Export Goods) Rules, 2007, with regard to the valuation of the Goods presented for Export vide Shipping Bill No _____ dated. _____ and allowed to be exported provisionally.

I / we, also undertake to discharge any liability which may arise as a result of the said Enquiry/ Investigation

◆

(Signature of the Exporter / His Authorized signatory)

Place:

Date:

Accepted for and behalf of the President of India on _____ day of _____ 20 _____.

Signature and date

Name _____

Designation _____

Annexure Table

Sl. No.	Description of item	Quantity	Assessable Value	Export promotion incentive claimed
1	2	3	4	5

