आयुक्त सीमाशुल्क (आयात- II) का कार्यालय ,
OFFICE OF THE COMMISSIONER OF CUSTOMS (IMPORT-II),
नवीन सीमाशुल्क भवन, बेलार्ड इस्टेट, मुंबई–1
NEW CUSTOM HOUSE, BALLARD ESTATE, MUMBAI - 1

फा.सं. आरटीआई / आयात–II-98 / 2018-19 आदेश की तिथि : 18 / 02 / 2019

जारी करने की तिथि : 18 / 02 / 2019

द्वारा पारित आदेश : श्री. अशोक एम. नाईक
केन्द्रीय जन सूचना अधिकारी, (सी. पी. आई. ओ .)
सहायक आयुक्त सीमाशुल्क (आयात-II)
नवीन सीमाशुल्क भवन, बेलार्ड इस्टेट, मुंबई–1

आदेश सं. 83 / 2018-19

प्रस्तावना

1. यह प्रति जिसे यह जारी की गई है के उपयोग के लिए निःशुल्क है ।
2. इस निर्णय के विरुद्ध, प्रथम अपीलीय प्राधिकारी, अपर आयुक्त सीमाशुल्क (आयात), प्रथम तल, नवीन सीमाशुल्क भवन, बेलार्ड इस्टेट, मुंबई– 400 001 के समक्ष अपील की जा सकती है।
3. सूचना का अधिकार अधिनियम, 2005, की धारा 19 के अनुसार इस निर्णय की प्राप्ति के 30 दिनों के अंदर अपील का दाखिला आवश्यक है।
4. अपील व्यक्तिगत रुप से अपर आयुक्त सीमाशुल्क (आयात), प्रथम तल, नवीन सीमाशुल्क भवन बेलार्ड इस्टेट, मुंबई– 400 001 या उनकी ओर से अधिकृत किसी अधिकारी के समक्ष रखी जाए।

विषय : सूचना का अधिकार अधिनियम, 2005 के तहत **Shri M. Ravi Kiran,** द्वारा दायर आवेदन दिनांक **19.12.2018** रहित – संदर्भित ।

1. An application dated 19.12.2018 filed by Shri M. Ravi Kiran, 1-1-730, Gandhi Nagar Hyderabad, TS, India, Pin – 500 080 (Hereinafter referred to as Applicant) under Right to Information Act, 2005, received in this department on 07.02.2019, from CPIO/Asstt. Director Postal Services (A&V), Foreign Post Mumbai, vide No.Staff-3/RTI/8/2019 dated 07.02.2019
2. Following information was sought by the Applicant under RTI Act, 2005

   I have received a notice from Gandhi Nagar, HYD (500080) post office that they have a Parcel-UH013641144US on my name. I was asked to pay Rs. 7551/- to claim the parcel. There is a discrepancy with regards to the assessable value which is quoted at Rs. 17873.00 where as the value related to the content is only Rs. 2672.90 which can be seen in customs receipt number 79621/2018.

   All the relevant documents are in the emails I sent earlier. I sent the emails but I did not get any responses and my post office raised their hands asking me to check with Mumbai Office. I am now helpess and hence I am forced to file this RTI. I want to know:

   1) How did the assessable value come to Rs. 17873.00.

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2) Under Foreign Trade Act (or under any Indian Law) the import goods less than Rs. 5000/- are not subject to customs duty. Why is my parcel subject to customs duty? Why is my parcel subject to customs duty.

3) What is the correct amount I need to pay to post office in Gandhi Nagar HYD to collect my parcel?

Please let me know the information as asked in the above questions.

3. RTI application is provided after due examination of the reply received from the concerned section, the reply of the RTI application is as follows :-

In this regard, the point-wise information is as follows:

1. The parcel bearing MP. No. 79621/2018 tracking no. UH013641144US containing Games was examined and assessed on the basis of declared value of US $ 200 (FOB). The Duty calculation is as follows :

Declared Value (FOB) = US $ 200

Ex. Rate = 72.95.

CIF Value (FOB x 1.226) = US $ 245

Assessable Value (A.V) = US $ 245 x72.95 = Rs. 17,873/-

Basic Customs Duty (BCD) @10%= Rs. 1,787/-(as per Sr. No.608 of Notification 5/2017 as amended).

Social Welfare Surcharge (SWS) @10%= Rs. 179/- (as per clause 108 of Budget 2018)

IGST@28% of (**A.V+BCD+SWS**) = Rs.5,555/- (As per entry 227 of Schedule IV of the Notification No. 1/2017 Integrated Tax (Rate) dtd. 28.06.2017)

Total Customs Duty Charged (BCD+SWS+IGST) = Rs.7,521/-

Postal Charge = Rs. 30/-

Total Duty Charge = Rs. 7,551/-

2. Imports by posts are classifiable under Chapter Head 9804 under First Schedule to the Customs Tariff Act, 1975. CTH 9804 states that `All dutiable articles intended for personal use`. Goods upto Rs.1000/- for personal use is permitted free of duty. However, the information sought is already available in the Public Domain in the form of the Customs Act, 1962; Customs Tariff Act, 1975.

3. The Customs duty of Rs. 7,521/- is correctly charged on the basis of declared value of the importer which is required to be paid. Presently parcel is lying in Gandhi Nagar Post Office, Hyderabad.

4. If the importer is aggrieved by the assessment, he has the option to return back the consignment for re-assessment with a covering letter and due evidence of the value of the consignment by submission of proper invoice and payment details.

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4. An appeal against this order may be made under section 19(1) of the RTI Act 2005 to the First Appellate Authority (FAA):-

Name and address of the Appellate Authority:

Shri. Rajesh Kothari,
Joint Commissioner of Customs (Import-II)
New Custom House, Ballard Estate,
Mumbai - 400 001.

ORDER

5. The Application is disposed of accordingly.

18/02/19

(अशोक एम. नाईक)
केन्द्रीय जन सूचना अधिकारी, (सी. पी. आई. ओ .)
सहायक आयुक्त सीमाशुल्क (आयात-II)

Copy to:-

1. Shri M. Ravi Kiran,
1-1-730, Gandhi Nagar Hyderabad,
TS, India, Pin – 500 080

→ order issued by Speed post on Email - 19/02/2019 (EM148166296IN)

2. Joint Commissioner of Customs (Import-II)
New Custom House,
Ballard Estate, Mumbai – 400 001.

3. CPIO/Asstt. Director Postal Services (A&V),
Foreign Post, Ballard Estate,
Mumbai – 400 001.

सहायक आयुक्त सीमाशुल्क (आयात-II)
Joint Commr. of Customs (Import-II)
18/2/19
नवीन सीमाशुल्क भवन, मुंबई-01
New Customs House, Mumbai-01

विदेश डाक कार्यालय
FOREIGN POST OFFICE.
प्राप्त/RECEIVED
18 FEB 2019
V.D. BHAVAN. MUMBAI - 400 001.
विदेश डाक भवन, मुंबई - 400 001.

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DEPARTMENT OF POSTS, INDIA 07/02/19
FOREIGN POST, VIDESH DAK BHAVAN, MUMBAI-400 001

आर. टी. आई. कक्ष (आयात)
R. T. I. Cell (Import)
नवीन सीमाशुल्क भवन
New Custom House
मुंबई
Mumbai

To :- Shri M Ravi Kiran,
1-1-730, Gandhi Nagar,
Hyderabad -500080.

No:-Staff-3/RTI/8/2019 Dated at Mumbai the 07/02/2019.

Subject :- Supply of Information under RTI Act, 2005

Ref : Your RTI Application No. POSTS/R/2018/60691 dtd 19.12.2018.

Sir,

This is with reference to your above, online RTI Application No. POSTS/R/2018/60691 dtd 19.12.2018 which is received in this office through CPIO Telangana, Hyderabad HQ Region AD2 on 25.01.2019. The information of Foreign Post Office Mumbai in respect of article No. UH013641144US is as under:-

Regarding custom duty levied on the article No. UH013641144US i.e. Rs. 7551-00, the case is related to Postal Appraising Section, Foreign Post Office Mumbai of Customs Department Mumbai. Hence the case is transferred to O/o Chief Commissioner Of Customs, Mumbai Zone-I for further necessary action.

It is further to inform that if you are not satisfied with the information first appeal can be preferred to the following Appellate Authority within 30 days.

Director Postal Services (Mails & BD)
O/O Chief Postmaster General,
Maharashtra Circle, Mumbai-400 001

Yours Faithfully.

(V.S.Ingale)
CPIO & Asstt. Director Postal Services (A&V)
Foreign Post, Mumbai – 400001

Copy to :-

1 . CPIO/Asstt. Commissioner of Customs Import-II, New Customs House, Ballard Estate, Mumbai-400001. Find herewith RTI Application No. POSTS/R/2018/60691 dtd 19.12.2018 for information and necessary action, please. The article no UH013641144US is assigned MP No. 7962/18 and is released by customs with duty 7521+Postal fee Rs. 30/-=Rs. 7551/- and dispatched to Hyderabad stg. On 21.11.2018.

2. CPIO (S) Telangana Hyderabad HQ Region, AD2, Hyderabad for information.

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RTI REQUEST DETAILS (आरटीआई अनुरोध विवरण)

Registration Number (पंजीकरण संख्या) :	POSTS/R/2018/60691	**Date of Receipt (प्राप्ति की तारीख) :**	19/12/2018
Type of Receipt (रसीद का प्रकार) :	Online Receipt	**Language of Request (अनुरोध की भाषा) :**	English
Name (नाम) :	M RAVI KIRAN	**Gender (लिंग) :**	Male
Address (पता) :	1-1-730, GANDHI NAGAR, HYDERABAD, TS, INDIA, Pin:500080		
State (राज्य) :	Telangana	**Country (देश) :**	India
Phone Number (फोन नंबर) :	+91-9849817984	**Mobile Number (मोबाईल नंबर) :**	+91-9849817984
Email-ID (ईमेल-आईडी) :	mravikiran@yahoo.com		
Status (स्थिति) (Rural/Urban) :	Urban	**Education Status :**	Above Graduate
Is Requester Below Poverty Line ? (क्या आवेदक गरीबी रेखा से नीचे का है?) :	No	**Citizenship Status (नागरिकता)**	Indian
Amount Paid (राशि का भुगतान) :	10) (original recipient)	**Mode of Payment (भुगतान का प्रकार)**	Payment Gateway
Request Pertains to (अनुरोध निम्नलिखित संबंधित है) :	Maharashtra, Mumbai, Foreign Post		
Information Sought (जानकारी मांगी):	I have received a notice from Gandhi Nagar, HYD (500080) post office that they have a Parcel-UH013641144US on my name. I was asked to pay Rs. 7551/- to claim the parcel. There is a discrepancy with regards to the assessible value which is quoted at Rs. 17873.00 where as the value related to the content is only Rs. 2672.90 which can be seen in customs receipt number 79621/2018. All the relevant documents are in the emails I sent earlier. I sent the emails but I did not get any		

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Name (नाम) :	M RAVI KIRAN	**Gender (लिंग) :**	Male
Address (पता) :	1-1-730, GANDHI NAGAR, HYDERABAD, TS, INDIA, Pin:500080		
State (राज्य) :	Telangana	**Country (देश) :**	India
Phone Number (फोन नंबर) :	+91-9849817984	**Mobile Number (मोबाईल नंबर) :**	+91-9849817984
Email-ID (ईमेल-आईडी) :	mravikiran@yahoo.com		
Status (स्थिति) (Rural/Urban) :	Urban	**Education Status :**	Above Graduate
Is Requester Below Poverty Line ? (क्या आवेदक गरीबी रेखा से नीचे का है?) :	No	**Citizenship Status (नागरिकता)**	Indian
Amount Paid (राशि का भुगतान) :	10) (original recipient)	**Mode of Payment (भुगतान का प्रकार)**	Payment Gateway
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