भारतसरकारGOVERNMENT OF INDIA
वित्तमंत्रालयMINISTRY OF FINANCE
राजस्वविभागDEPARTMENT OF REVENUE
केन्द्रीयअप्रत्यक्षकर एवं सीमाशुल्कबोर्ड
CENTRAL BOARD OF INDIRECT TAXES AND CUSTOMS
सीमाशुल्क (निवारक)आयुक्तकाकार्यालय
OFFICE OF THE COMMISSIONER OF
CUSTOMS (PREVENTIVE)
पाँचवी मंज़िल, कैथॉलिक सेंटर, ब्रॉडवे,कोचिन682031 -
5TH FLOOR, CATHOLIC CENTRE, BROADWAY, COCHIN - 682031
E-mail: cusprevhq.ker@nic.in Fax: 0484-2355065 Phone: 0484-4569401/2354056

C.No.VIII/26/35/2021 CCP PREV Dated: 18.09.2023

**PUBLIC NOTICE NO. 1/2023**

**Subject: Appointment of approved Valuers for valuing Gold, Silver, Jewellery, Precious Stones and Valuable Articles etc. - Calling for nomination –reg.**

Kind attention of trade and public is invited towards appointment of a panel of Valuers for the purpose of assaying/valuing Gold, Silver, Jewellery studded with precious/synthetic stones or otherwise – made up of Gold/Silver or other precious metals, Precious/Synthetic Stones, Valuable Articles studded with precious/ synthetic stones or otherwise-made up of Gold/Silver or other precious metals, etc., which are meant for export/import or seized or confiscated at all the formations of Cochin Customs Preventive Commissionerate.

**Scope of work:**

2. The required services may include making the arrangement of smelter/furnace for extraction of gold/other precious metals from their compound form and the presence of appointed assayer/valuer shall be mandatory during the whole process of extraction.

3. The assayer/valuer so appointed is required to make himself/herself available at any time during the day or night or as and when his/her services are required in the above cited jurisdiction.

4. The assayer/valuer will be required to furnish the requisite certificates as Government approved Valuer and Assayer on requisition by

a) foreign bound passengers for the purpose of Export Certificate of their jewelry/valuables and,

b) department for purpose of valuing seized goods, including extraction of gold etc.

5. The assayer/valuer is required to present himself/herself before any adjudicating authority/Appellate Authority/Courts to give the evidence/produce the relevant records, as and when required.

**Service Fees payable:**

6. The service fees to be charged by appointed assayer/valuer for valuation of any asset shall not exceed the amount calculated at the following rates:

| Rates fixed for Assaying/Valuation | | |
|---|---|---|
| **Sl. No.** | **Assayed Value (Rs.)** | **Rate** |
| 1 | On the first 5 Lakh of the assayed value | 0.5%of the value |
| 2 | On the next 10 Lakh of the assayed value | 0.2%of the value |
| 3 | On the next 40 Lakh of the assayed value | 0.1%of the value |
| 4 | On the balance of the assayed value | 0.05% of the value |

*GST at the applicable rate is chargeable on the above Service Fee charged.

7. Where the amount of fees calculated is less than Rs.1000/-, the appointed valuer may charge Rs.1000/-.

8. The assayer/valuer shall charge for the service rendered as specified in this Public Notice or as notified by the Department from time to time. The Fees/Service charges as claimed by the assayer/valuer shall be borne by the Exporter/Importer/International passenger/Customs Broker or any other stake holder as applicable. Department shall not be responsible for non-payment/short payment of fees for services availed in this regard by the Exporter/Importer/International passenger/Customs Broker or any other stakeholder. In respect of seized goods, confiscated consignments which are taken up for disposal by the Department, the charges shall be paid by the Department.

**Application and selection:**

9. Accordingly, applications are invited in the proforma Form-1 (Annexure-1) enclosed to this Public Notice, from the Assayers/Valuers/Jewelers duly affiliated to or recognized by the reputed Jewellery Associations, for providing services related to assaying/valuation of the items stated above, in the jurisdiction of Customs Preventive Commissionerate, Cochin.

10. The applicant shall submit the application in the prescribed proforma and prescribed undertaking along with supporting documents, self-certified copies of the relevant certificates issued by the Jewellery Association/Institute of the valuers, registration certificate of GST (if applicable) and all certificates of experience shall be enclosed (as per enclosure).

11. Eligibility Criteria for appointment as Assayers/Valuers and other is given in Annexure-2 to this Public Notice. Incomplete applications shall be summarily rejected.

12. The Department reserves the right to call for any additional documents/information from the applicants, if found necessary. The applicant shall

submit the required documents within the prescribed time limit. On receipt of applications, they would be short listed and will be subjected to verification to check as whether they have come to adverse notice of the Customs, GST, DRI etc., as desired by the selection panel, before they are approved for appointment.

13. After scrutiny and evaluation, the application will be referred to the reputed jewellery Association, who will verify their eligibility to assaying/valuation of the items stated above. On receipt of such recommendations, appointment for valuation as per required terms and conditions will be finalized.

14. The appointment will be done through process of formal interview by a panel of officers of the rank of Additional/Joint Commissioner of Customs, Additional/Joint Director, Directorate of Revenue Intelligence, Cochin Zonal Unit. The dates of interview and name of applicants/persons shortlisted for interview will be published on the website of Cochin Customs and intimated to the individuals by e-mail.

15. The applicant, in case of a firm/company shall sponsor such employees/ partners/directors who have the requisite qualification and experience for interview. Only such persons who are employees/partners/directors, who have appeared and qualified in the interview will be allowed to carry out the assaying/valuation of the specified goods. At the time of appointment, the Public Notice will notify the Firms/Directors with the names of such employees/partners/directors who can carry out the assaying/valuation.

16. On appointment of assayer/valuer, this office will issue a Public Notice giving names, address, contact number and e-mail id, of the assayer/valuer, who can be contacted by the Exporter/Importer/International passenger/Customs Officer/ Customs Broker/Investigating Officer or any other stake holder. The appointment shall be for a period of five years or as decided by the Department. The selection is non-transferable. Hence, the assayer cannot lease/transfer/sublet or appoint another agent for the services.

17. On selection, such assayer/valuer is required to submit yearly self-appraisal, report to this office to assess their performance to decide whether they are fit to continue or not.

18. Submission of any wrong information/valuation would result in immediate, suspension/cancellation of Candidature/withdrawal of appointment and also attract penal provisions under the Customs Act, 1962 or/and any other law as applicable.

19. The submission of application does not confer any right for selection. The Department reserves the right to accept or reject any of the applications received for which no claim of the applicant shall be entertained. The contents of this Public Notice may be publicized and brought to the knowledge of the member constituents of the Trade. The Public Notice and Proforma may be downloaded from the official site of CBIC website.

20. The duly filled and signed application along with required documents shall be submitted by Registered post/Speed Post to O/o the Commissioner, Customs Preventive Commissionerate, 5th Floor, Catholic Centre, Broadway, Cochin-682031. Last date of submission of application is 03.10.2023 up to 17:00 Hours.

21. The above is brought to the notice of all the concerned. Further information, if

any required, may be brought to the notice of O/o the Commissioner, Customs Preventive Commissionerate, 5th Floor, Catholic Centre, Broadway, Cochin-682031, email ID cusprevhq.ker@nic.in, phone: : 0484-4569401/2354056.

18/09/2023

**Joint Commissioner of Customs**
**Customs (Preventive) Commissionerate**

**Dated 18.09.2023**

Copy submitted to:
1) Commissioner of Customs (Preventive).
2) CBIC website.
3) Notice Board.
4) All Kerala Gold and Silver Merchant's Association.

**ANNEXURE-1**

**Form-1**

**Proforma for application**

**(Please see Eligibility and Other Conditions as per Annexure 2)**

**(*self-attested copies of supporting documents to be submitted)**

1. Name of the Applicant*:

2. Father's Name:

3. Date of Birth*:

4. Present Address*:

5. PAN Number*:

6. GSTIN (if applicable)*:

7. E-mail ID:

8 Telephone/Mobile No.(s):

9. Qualifications:

| Name of the Educational Institution | Year of passing | Percentage of Marks obtained | Remarks |
|---|---|---|---|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

10. Name and details of Membership of Professional Body of Valuers/ Appraisers (if any)(enclose copy of membership):

11. Experience in Valuation: (including assaying/valuation done for any other Govt. Depts./Banks/Public or Private Companies)(Mention Period with documentary Proof)

| Name of organization | Period of experience |
|---|---|
| | |
| | |
| | |
| | |

12. Is applicant applying in the capacity of individual or on behalf of the company: Individual/Firm/Company:

If on behalf of the firm/company the following details may be furnished

i. Name of the Firm/Company:

ii. Type of the Firm/Company:

iii. Registered address and address of the head office:

iv. Registered Office address:

v. Details of the Partners/Directors with their names, address and qualification:

vi. Whether the company engaged in assaying/valuation:

vii. Quality Policy of the Company if any: Certifications if any may be mentioned.

viii. Standard Operation Procedure/Manuals of the company relating to assaying/valuation to be enclosed if any:

DECLARATIONS

1. I/We hereby declare that the details furnished above are true and correct to the best of my/ our knowledge and belief and I/we undertake to inform you of any changes therein, immediately.

2. I/We hereby declare that we satisfy the eligibility conditions as specified in Annexure 2 of public notice no..... dated.....

3. We accept the various terms and conditions as set out in Annexure2of the Public Notice. (signed copy of the annexure 2 to be submitted along with application).

4. I/We am/are citizen(s) of India.

5. I/We have not been removed/dismissed from service/employment earlier.

6. I/We have not been found guilty of misconduct in professional capacity.

7. I/We am/are not insolvent.

8. I/We undertake to keep you informed of any events or happenings which would make me /us ineligible for appointment as assayer/valuer.

9. I/We have not concealed or suppressed any material information, facts and records and I/We have made a complete and full disclosure.

10. I/We shall act with independence, integrity and objectivity while carrying work assigned and I/We shall carry out all such works with an independent mind and shall not come under any influence of anybody.

11. I/We am/are not related to any of the personnel in the department/dealing with valuation work directly. in. I/We agree to comply with the terms and conditions as mentioned in Public Notices issued by the Commissionerate.

12. I/We hereby declare that I/ We have not been penalised for any offence under the Customs Act,1962,the Central Excise Act,1944. The Finance Act, 1994. The Central Goods and Services Tax Act and Integrated Goods and Services Tax Act, 2017 nor any case is pending against me/us under the above Acts.

13. I further declare that I/ We have neither been convicted by any competent court for an offence nor any criminal proceeding is pending against me in any court of law. *Strike out whichever is not applicable.

Date:
Place:

(Signature(s) with Name(s)(Individual/All Partners/Directors)

**ANNEXURE-2 ELIGIBILITY CONDITIONS FOR APPOINTMENT OFASSAYER /VALUER AND OTHER CONDITIONS:**

1. All Assayers/Valuers appointed by Customs shall be governed by the provisions of the Public Notices and Instructions issued by the department from time to time.

2. While conducting a valuation, Assayers/Valuers have to comply with best of well-known trade /business practices.

3. Qualifications and Previous Work Experience:

i. It is necessary that Assayers /Valuers possesses proper educational qualifications which make him competent to carry out the task of valuation of Valuables. In addition, relevant work experience is also important. Persons possessing the following educational qualifications and work experience shall be eligible for appointment as Assayers/Valuers:

A Educational Qualification: Preferably Bachelor's degree in any subject from a University or Institution recognized by Government of India. Lower Education than that stated above will be accepted subject to possessing of quality experience and skill as deemed fit by the selection panel.

B Work Experience: FIVE years of work experience in the field of Assaying/ Valuation of intended goods. Work experience can be reduced or waived by the Selection Panel based on the higher education qualification or extra ordinary achievement in the field.

C Membership of anyone national or international or reputed related associations or body of Assayers/Valuers is mandatory.

ii. Applicants appointed on the basis of criteria of qualification and certifications prescribed herein above shall be eligible for appointment provided they have not been de-listed/de-panelled /removed for unsatisfactory performance and/or for negligence and/or for professional misconduct and/or for any fraudulent activity and/or for any other reason whatsoever, at the discretion of the Department.

iii. Applicant should possess sound knowledge of BIS/Hallmark and other applicable Acts. They should have knowledge of the latest gadgetry available in the market for assaying or valuation.

**Signature with name/stamp**

4. Qualifications and Previous Work Experience:

a. In case of appointment of partnership firms and companies for undertaking assaying/valuations, the qualification and experience shall apply to all partners and key personnel/directors respectively of the partnership firm and company unless otherwise specified.

b. Applicants should provide evidence of previous work experience to the Department. Reference checks on applicant will be carried out by the Department before empanelling on its panel to verify the competence, performance and service quality of applicant.

c. For the purpose, applicant shall necessarily submit ATLEASTTWO reference letters from Govt. Departments/Public/Private Sector banks/Financial Institutions/DRT/Courts/Undertaking where the applicant had done assaying/valuation previously or companies for whom the applicant had done valuations previously, obtained on letter head and duly signed by a senior level official at Zonal/Head Office/Head of the organization and bearing rubber stamp of the issuing office/entity.

d. Experience shall be calculated basis the experience letter/certificate issued by the State/Central Government Department/PSU/Scheduled Banks/reputed Sales units.

c. Assayers/Valuers should have thorough knowledge of the industry concerned and also the type of goods to be valued.

d. Assayers/Valuers should constantly update their knowledge-base by actively participating in various continuing education programmes including seminars, conferences, workshops, training programmes, capacity building programmes, etc.

5. Retired Staff Members of any Department/ organization/ Company/Firm: A retired staff member who had worked as assayer/valuer, is otherwise eligible for appointment may also be considered for appointment by the Department subject to the restrictions that (i) No punishment/penalty arising out of disciplinary proceedings has been imposed upon him/her either during the service career or subsequent to his/her superannuation. (ii) No disciplinary/criminal/judicial proceedings are contemplated/ pending subsequent to his/her superannuation from the service.•

**Signature with name/stamp**

6. Other Conditions and Declaration-cum-Undertaking: A. In addition to the above eligibility criteria, the following are the other conditions to be fulfilled by applicant

i. The applicant is an individual/sole-proprietor/all partners/ all directors is a citizen in India/the entity is a body corporate registered in India.

ii. The applicant has a clean track record in as much as

(a) They have not been removed/dismissed from valuation related service/ previous employment earlier applicant

(b) The applicant has not been found guilty of misconduct in professional capacity

(c) The applicant has not been convicted of any offence and sentenced to a term of imprisonment

(d) The applicant has not been convicted of an offence connected with any proceeding under the Customs Act, 1962, Central Excise Act, 1944. Service Tax and GST provisions

(e) The applicant has no complaints registered against him/it with CBI and/or police and/or court of law

(f) The Assayer/Valuer is not an undischarged insolvent.

iii. The applicant/firm and all the Partners of the firm and, the Company and all the directors of the company shall each possess PAN Card.

iv. The applicant shall submit Goods and Services Tax Registration Number (if available).

v. The applicant shall comply with the guidelines, standards and procedures, and abide by the code of conduct prescribed and as amended by the Department from time to time.

vi. The applicant shall act with independence, integrity and objectivity; shall undertake all valuation works with an independent mind and shall not come under any influence of anybody.

**Signature with name/stamp**

vii. The applicant shall not undertake valuation of any goods that may be assigned to him/it from time to time in which he/the firm/the company/any of the partners/any of the directors/any of his/its employees have direct or indirect interest in the goods being assayed /valued.

viii. The applicant shall complete the assignment of assaying/valuation and submit duly signed [by lead assayer/valuer in case of Company] Assay/Valuation Report within the time frame stipulated by the Department.

ix. The applicant shall not conceal or suppress any material information and facts prejudicial to the interest of the Department and shall make a complete and full disclosure at the time of application for appointment, and should disclose immediately to the Department any such developments that may take place during the tenure of his/its empanelment with the Department.

x. The applicant shall keep the Department informed immediately of any happenings or events that would make him/it ineligible for appointment.

xi. For any negligence, lapses, professional misconduct and/ or unfair practices resorted to by applicant whether with the Department and/or other institutions, his/its appointment with the Department will stand cancelled without further reference.

B. The above conditions apply to the individual, proprietor in case of sole proprietaryconcern,·allindividualpartnersandfirmincaseofpartnership firm, all directors and company in case of company.

C. Applicant shall submit to the Department declaration-cum undertaking to the above effect duly executed on non-judicial stamp paper of requisite value [individual/sole-proprietor/all partners of the firm/all directors of the company in both representative and personal capacity at the time of his/its appointment.

7. CODEOFCONDUCTFORASSAYER/VALUER:

All Assayers/Valuers appointed with department shall strictly adhere to the following code of conduct.

I. Integrity and Fairness:

**Signature with name/stamp**

i. The assayer/ valuer shall, in the conduct of his/ its business, follow high standards of integrity and fairness in all his/its dealings with his/its clients and other assayer /valuer.

ii. The assayer/valuer shall maintain integrity by being honest, straightforward, and forthright in all professional relationships.

iii. The assayer /valuer shall endeavor to ensure that he/it provides true and adequate information and shall not misrepresent any facts or situations.

iv. The assayer/valuer shall refrain from being involved in any action that would bring disrepute to the profession.

v. The assayer/valuer shall keep public interest foremost while delivering his services.

II. Professional Competence and Due Care:

i. The assayer / valuer shall render at all times high standards of service, exercise due diligence, ensure proper care and exercise independent professional judgment.

ii. The assayer/valuer shall carry out professional services in accordance with the relevant technical and professional standards that maybe specified from time to time

iii. The assayer/valuer continuously maintains professional knowledge and skill to provide competent professional service based on up-to date developments in practice, prevailing regulations/guidelines and techniques.

iv. In the preparation of a valuation report, the assayer/valuer shall not disclaim liability for his/its expertise or-deny his/its duty of care, except to the extent that the assumptions are based on statements of fact provided by the company or its auditors or consultants or information available in public domain and not generated by the assayer /valuer.

v. The assayer/valuer shall not carry out any instruction of the client in so far as they are incompatible with the requirements of integrity, objectivity and independence.

vi. The assayer / valuer shall not deploy any person other than notified by Department to conduct any Inspection/Valuation. Deploying persons other than those listed/appointed by the department will be considered as a case of mis-conduct.

**Signature with name/stamp**

III. Independence and Disclosure of Interest:

i. The assayer/valuer shall act with objectivity in his/its professional dealings by ensuring that his/its decisions are made without the presence of any bias, conflict of interest, coercion, or undue influence of any party, whether directly connected to the valuation assignment or not.

ii. The assayer/valuer shall not take up an assignment if he/it or any of his/its relatives or associates is not independent in terms of association to the company.

iii. The assayer/valuer shall maintain complete independence in his/its professional relationships and shall conduct the valuation independent of external influences.

iv. The assayer/valuer wherever necessary shall disclose to the clients, possible sources o(conflicts of duties and interests, while providing unbiased services.

v. The assayer/valuer shall not list or divulge to other clients or any other party any confidential information about the subject client/company, which has come to his/its knowledge without proper and specific authority or unless there is a legal or professional right or duty to disclose.

IV. Information Management:

i. The assayer / valuer shall ensure that he/it maintains written contemporaneous records for any decision taken, the reasons for taking the decision, and the information and evidence in support of such decision. This shall be maintained so as to sufficiently enable a reasonable person to take a view on the appropriateness of his/its decisions and actions.

ii. The assayer/valuer appears, co-operate and be available for inspections and investigations carried out by the authority, any person authorized by the authority.

iii. The assayer/valuer provides all information and records as may be required by the authority, the Commissioner(Appeals), Appellate Tribunal etc.

**Signature with name/stamp**

iv. The assayer / valuer while respecting the confidentiality of information acquired during the course of performing professional service, shall maintain proper working papers for a period of five years or such longer period as required by the Department, for production before a regulatory authority or for a peer review. In the event of a pending case before any authority of Customs, the record shall be maintained till the disposal of the case.

V. Gifts and hospitality:

i. The assayer/valuer or his/its relative shall not accept gifts or hospitality which undermines or affects his independence as assayer /valuer.

ii. The assayer/valuer shall not offer gifts or hospitality (or a financial or any other advantage) to a public servant or any other person with a view to obtain or retain work for himself/itself, or to obtain or to retain an advantage in the conduct of profession for himself/ itself.

VI. Remuneration and Costs:

i. The assayer/valuer provides services for remuneration which is charged in a transparent manner, is a reasonable reflection of the work necessarily and properly undertaken, and is not inconsistent with the applicable Rules/Instructions.

ii. The assayer / valuer shall not accept any fees or charges other than those which are notified by the Department from whom he would be rendering service.

VII. Occupation, employability and restrictions:

i. The assayer /valuer shall refrain from accepting too many assignments, if he/it is unlikely to be able to devote adequate time to each of his/ its assignments

VIII. Negligence and Professional Misconduct by appointed Assayer/Valuer:

i. Sincerity and honesty apart, the assayer/valuer should be guided by the quality of diligence in inspecting the goods presented in detail and investigate, inspect and analyse it accordingly. He/it should take reasonable care in arriving at the valuation of the item entrusted.

ii. The assayer / valuer may be accused of negligence if he/ it disregards the following:

(i) Market value of the item.
(ii) Inadequate physical inspection of the item.
(iii) Ingredients of the item etc.

**Signature with name/stamp**

iii. Lapse on part of assayer/valuer may include conspiracy of CA. with importer/exporter in undervaluation/overvaluation, incomplete, false and/or misleading report on the goods being valued.

8. DEPANELMENT:

i. For any professional misconduct of assayer/valuer and/or where the Revenue suffers loss due to any negligence and/or lapses on the part of assayer/valuer, it will initiate such action against him/it as deemed necessary. Keeping in view the gravity of the lapses and/or misconduct, the department may take following action(s):

9. Removal of assayer's/ valuer's name from its panel after giving him/it an opportunity of being heard followed by a written communication to that effect.

10. Initiation of legal proceedings, including filing of FIR, criminal complaint before Court.

11. Inform related professional bodies and institutions regarding misconduct of assayer/valuer.

**Signature with name/stamp**

## DECLARATIONS

1. I/We hereby declare that the details furnished above are true and correct to the best of my/our knowledge andbeliefand1/we undertake to inform you of any changes therein, immediately.

2. I/We hereby declare that we satisfy the eligibility conditions as specified in Annexure 2 of public notice no 04 dated 03.05.2022.

3. We accept the various terms and conditions as set out in Annexure 2 of the Public Notice.(signed copy of the annexure 2tobe submitted along with application).

4. I/We am/are citizen(s) of India.

5. I/We have not been removed/dismissed from service/employment earlier.

6. 1/We have not been found guilty of misconduct in professional capacity.

7.1/We am/are not insolvent.

8. I/We undertake to keep you informed of any events or happenings which would make me/us ineligible for appointment as assayer/valuer.

9. I/We have not concealed or suppressed any material information, facts and records and I/We have made a complete and full disclosure.

10. I/We shall act with independence, integrity and objectivity while carrying work assigned and I/We shall carry out all such works with an independent mind and shall not come under any influence of anybody.

11.I/We am/are not related to any of the personnel in the department/dealing with valuation work directly. in.1/We agree to comply with the terms and conditions as mentioned in Public Notices issued by the Commissionerate.

12. 1/we hereby declare that I/We have not been penalised for any offence under the Customs Act, 1962, the Central Excise Act, 1944, the Finance Act, 1994, the Central Goods and Services Tax Act and Integrated Goods and Services Tax Act, 2017 nor any case is pending against me/us under the above Acts.

13.I further declare that I/We have neither been convicted by any competent court for an offence nor any criminal proceeding is pending against me in any court of law. "Strike out whichever is not applicable.

Date:
Place:

**Signature**