

S. MURUGAPPAN

ADVOCATE, HIGH COURT

ASSISTED BY:

ANUGRAHAN.X, B.B.A., LL.B.

POOJA.M, B.A., M.A., LL.B.

PRIYADARSINI KTK, B.COM. (CA), LL.B.(HONS.)

CONSULTANTS:

CUSTOMS, GST

FOREIGN TRADE LAWS,

FOREIGN EXCHANGE MANAGEMENT ACT.

OPINION

I. QUERIST:

M/s.Yusen Logistics (India) Private Limited,
Temple Steps, Block No.1, Ground Floor,
No.184-187, Anna Salai, Little Mount,
Chennai - 600 015.

On behalf of: M/s.Yamaha Music India Private Limited

II. FACTS:

1. Client of the querist regularly imports the following components for use in the production of speakers.
 - (i) Plates
 - (ii) Connector Panels
 - (iii) Brackets.
2. Photographs as well as videos for these items have been shared by the querist.
3. It is noticed that the client of the querist has classified these items as general purpose Articles of Steel under Heading 7326 of the Schedule to the Customs Tariff Act.

III. QUERY:

In the above background, the client of the querist would like to know whether the classification followed by them is correct and what will be the appropriate classification.

IV. OPINION:

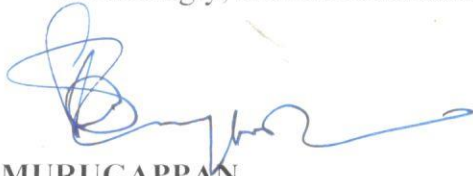
1. From the information provided in the form of photographs and videos, it is clear that these are not general-purpose articles. These Plates, Connector Panels and Brackets are specifically designed with specific dimensions and have Part Numbers and capable of use only in assembling of the speakers. The plates and connector panels have holes of different diameters at specified places. All these items do not have any other use.



2. From the videos shared, it is seen that these are components of the cabinets in which the speakers are housed.
3. In the HSN Explanatory Notes, under "Loudspeakers" the following explanation is provided.

"Loudspeakers may be mounted on frames, chassis or in cabinets of different types (often acoustically designed), or even in articles of furniture. They remain classified in this heading **provided** the main function of the whole is to act as a loudspeaker. Separately presented frames, chassis, cabinets, etc., also fall in this heading **provided** they are identifiable as being mainly designed for mounting loudspeakers; articles of furniture of Chapter 94 designed to receive loudspeakers in addition to their normal function remain classified in **Chapter 94**".

4. Since these items are essential parts for making the cabinet, in which, speakers are to be mounted and the whole unit is to be cleared as speakers, in the condition these parts are imported they will qualify to be parts of speakers and appropriately classifiable under Heading 85189000.
5. It may be noted that in terms of Note 2 to Section XVI of the Schedule to the Customs Tariff Act, subject to exclusions specified therein, other parts are to be classified as "identifiable parts of equipment". These items under reference are not excluded in terms of Note 2 to the above Section. Accordingly, the correct classification will be as suggested above.



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Disclaimer:- The above opinion is provided based on the information and documents made available to us by the querist and further based on the laws and rules prevalent as on date and the understanding of such provisions by the author and is meant for the private use of the person to whom it is provided without assuming any liability for any consequential action taken based on the views expressed here.