

SUPREME COURT OF INDIA

Phil Corporation Limited

Vs.

Collector of Central Excise, Goa

C.A.No.3092 of 1999

(S. H. Kapadia, S. N. Variava and Dr. A.R. Lakshmanan JJ.)

19.01.2005

JUDGMENT

S. H. Kapadia, J:-

1. In these Appeals the question is whether the cost of instruction manuals and leather case soft case supplied with cameras manufactured by the Respondent is includible in the assessable value of the cameras. In some cases where the Respondent: was selling the camera to the canteen stores, by virtue of their contract they were including in the cost of the camera the value of the instruction manual as well as the soft case. Where, however they were selling camera in the open market they were charging the cost of the instruction manual and the soft case separately from the cost of the camera.

2. The answer to the question would depend whether the instruction manual and the leather case or the soft case can be said to be a component of the camera or whether it is merely an accessory. The Tribunal has held that these were mere accessories and therefore the value is not to be included. We see no infirmity in the Judgment of the Tribunal. We are in agreement with the view taken by the Tribunal that these are mere accessories and hence the value is not to be included. We see no reason to interfere. The Appeals are accordingly dismissed. There will be no order as to costs.