



भारतसरकार



भारतसरकार/ Government of India

वित्तमंत्रालय / Ministry of Finance

सीमाशुल्क प्रधानआयुक्तआयुक्त का कार्यालय, न्हावाशेवा-I, मुंबई सीमाशुल्क जोन-II
जवाहर लाल नेहरू कस्टम हाउस, पोस्ट: शेवा, तालुका: उरण, जिला: रायगढ़, महाराष्ट्र-4007007
OFFICE OF THE Pr. COMMISSIONER OF CUSTOMS, NS-I, MUMBAI CUSTOMS ZONE-II
JAWAHAR LAL NEHRU CUSTOM HOUSE, Post: Sheva, Taluka: Uran,
Dist: Raigad, Maharashtra-400707.



F. No. CUS/RMSF/OBJ/238/2025

Date of order: 6 .08.2025

F. No. S/10-Adj-53/2025-26 Group IIH-K

Date of issue: 6 .08.2025

Passed by: (Kilaru Mahendranadh)

Assistant Commissioner of Customs,

Order No. 686(L) 2025-26/AC/GR. IIH-K/NS-I/CAC/JNCH

DIN. No. 20250878NW000000F148

Name of Party/Noticee/Importer: M/s Danfoss Systems Limited (IEC- 0388079592)

मूलआदेश

1. यह प्रति जिस व्यक्ति को जारी की जाती है, उसके उपयोग के लिए निःशुल्क दी जाती है।
2. इस आदेश के विरुद्ध अपील सीमाशुल्क अधिनियम 1962 की धारा 128 (1) के तहत इस आदेश की संसूचना की तारीख से साठ दिनों के भीतर सीमाशुल्क आयुक्त (अपील), जवाहरलाल नेहरू सीमाशुल्क भवन, शेवा, ता. उरण, जिला - रायगढ़, महाराष्ट्र -400707 को की जा सकती है। अपील दो प्रतियों में होनी चाहिए और सीमाशुल्क (अपीलनियमावली, 1982 के अनुसार फॉर्म सी. ए. 1 संलग्नक में की जानी चाहिए। अपील पर न्यायालय फीस के रूप में 1.50 रुपये मात्र का स्टॉप लगाया जायेगा और साथ में यह आदेश या इसकी एक प्रति लगायी जायेगी। यदि इस आदेश की प्रति संलग्न की जाती है तो इस पर न्यायालय फीस के रूप में 1.50 रुपये का स्टॉप भी लगाया जायेगा जैसा कि न्यायालय फीस अधिनियम 1970 की अनुसूची 1, मद 6 के अंतर्गत निर्धारित किया गया है।
3. इस निर्णय या आदेश के विरुद्ध अपील करने वाला व्यक्ति अपील अनिर्णीत रहने तक, शुल्क या शास्ति के संबंध में विवाद होने पर माँगे गये शुल्क के 7.5% का, अथवा केवल शास्ति के संबंध में विवाद होने पर शास्ति का भुगतान करेगा।

ORDER-IN-ORIGINAL

1. This copy is granted free of charge for the use of the person to whom it is issued.
2. An appeal against this order lies with the Commissioner of Customs (Appeal), Jawaharlal Nehru Custom House, Sheva, Tal : Uran, Dist : Raigad, Maharashtra - 400707 under section 128(1) of the Customs Act, 1962 within sixty days from the date of communication of this order. The appeal should be in duplicate and should be filed in Form CA-1 Annexure on the Customs (Appeal) Rules, 1982. The Appeal should bear a Court Fee stamp of Rs.1.50 only and should be accompanied by this order or a copy thereof. If a copy of this order is enclosed, it should also bear a Court Fee Stamp of Rs. 1.50 only as prescribed under Schedule 1, items 6 of the Court Fee Act, 1970.
3. Any person desirous of appealing against this decision or order shall, pending the appeal, make payment of 7.5% of the duty demanded where duty or duty and penalty are in dispute, or penalty, where penalty alone is in dispute.

BRIEF FACTS OF THE CASE

M/s Danfoss System Limited (IEC- 0388079592), having their office at GAT NO.475 KATKE WADI HAVELI PUNE Wagholi, Pune Maharashtra - 412207 (hereinafter referred to as the 'Importer'), through their authorized representative M/s.DHL Logistics Pvt Ltd ., Customs Broker, has filed a Bill of Entry No. **3427967 dated 22.07.2025** (here-in-after referred to as the 'said Bill of Entry'), for clearance of goods declared as "Hose FTG, Schelle, Hose-AER, Black Hose Engine, Hose DIN, etc.", under Section 46(1) of the Customs Act, 1962 and self-assessed the duty under Section 17(1) thereon. The goods covered under said Bill of Entry have been declared to be purchased from DANFOSS SOUTH AFRICA., South Africa covered under Bill of Lading No.JNBA10325 dated 04.07.2025. The self-assessed value and duty of the goods covered under said Bill of Entry are Rs. 71,30,571/- and Rs. 22,09,051 /-.

2. The said Bill of Entry was facilitated through RMS and during scrutiny of said Bill of Entry, it was observed that the item viz. "Hose FTG, Schelle, declared at Sr. No.1 to 3 of the said Bill of Entry, as detailed in Table-A below, require SIMS Registration Certificate. However, the importer has deliberately cropped or manipulated the SIMS (Steel Import Monitoring System) registration document in an attempt to mislead Customs authorities. This appears to be an intentional act aimed at concealing the delay in obtaining the SIMS Registration Certificate and thereby bypassing mandatory compliance requirements to secure Out of Charge status. Thereafter, the said Bill of Entry has been forwarded to Appraising Group for initiating necessary action in the matter:-

Table-A

Item Sr. No	Prod Description	Product Qty	UQC	Unit price	CTH No.	Assessable Value (INR)	Duty amount
1	1A6FJ4 HOSE FTG, 1A/4, JIC-F/6-S	1	PCS	5.24	73079990	454.83	140.9
2	1A6FJB4 HOSE FTG, 1A/4, JIC-F/6,-S	30	PCS	5.95	73079290	15493.80	4800
3	1F40104-16C SCHELLE	80	PCS	0.47	73269099	3263.68	1011.1

3. WHEREAS, DGFT vide Notification No. 17/2015-2020 dated 05.09.2019, as amended vide Notification No. 33/2015-2020 dated 28.09.2020, read with Public Notice No.19/2015-2020 28 September 2020, 19/2015-20 dated 07.07.2022 and Notification No.28/2023-DGFT dated 28.08.2023 inter-alia provides as follows:-

"c. The Steel Importing Monitoring System (SIMS) shall require importers to submit advance information in an online system for import of items and obtain an automatic Registration Number by paying registration fee of Rs.500/-. The importer can apply for registration not

earlier than 60th day before the expected date of arrival of import consignment. The automatic Registration Number thus granted shall remain valid for a period of 75 days.”

Further in terms of DGFT Notification No.17/2015-2020 & 19/2015-20 dated 07.07.2022 read with Notification No. **S-21022/9/2025 TRADE-TAX** dated **13.06.2025 issued by** The Ministry of Steel. It is evident that the importer can apply for said registration not earlier than 60th day and not later than 07th day before the expected date of arrival of import consignment. However, in the instant case, the importer has not obtained the SIMS registration 7 day before the arrival of the goods and violated the policy condition. Hence, the importer has not followed the timelines/guidelines of said DGFT Notification.

3.1 In the present case, it is observed that the Import General Manifest (IGM) inward date is 25.07.2025. Accordingly, as per the aforementioned DGFT notifications, the earliest permissible date for obtaining registration would be 18.07.2025. However, it is noted that the SIMS Registration No. MOSSIMS220725183342 dated 22.07.2025 was obtained before the permissible date and more importantly, 3 days before the arrival of the consignment. Furthermore, the importer has acknowledged this fact in response to the query raised, confirming that the SIMS registration was not in place prior to the arrival of the import consignment, as mandated under the relevant regulations.

3.2 Upon review of the SIMS Registration No. MOSSIMS220725183342 dated 22.07.2025 uploaded in e-Sanchit, it is found that the importer has deliberately cropped out the SIMS registration document, in order to hide date of issuance of said registration and to cover up delay in obtaining the SIMS Registration Certificate. The details of particulars declared in the said Bill of Entry are as follows:-

Bill of Lading Date	: 04.07.2025
IGM Inward Date	: 25.07.2025
SIMS Registration Date	: 22.07.2025
Bill of Entry Date	: 22.07.2025

4. From the foregoing, it is evident that the importer has not complied with the timelines and procedural requirements laid down under Notification No. 17/2015-2020 dated 05.09.2019, as amended by Notification No. 33/2015-2020 dated 28.09.2020, and read with Public Notice No. 19/2015-2020 dated 28.09.2020, Public Notice No. 19/2015-2020 dated 07.07.2022, and Notification No. 28/2023-DGFT dated 28.08.2023 amended vide DGFT Notification No.17/2015-2020 & 19/2015-20 dated 07.07.2022 read with Notification No. **S-21022/9/2025 TRADE-TAX** dated **13.06.2025 issued by** The Ministry of Steel. In this case, the IGM inward date for Bill of Entry No. 3427967 dated 22.07.2025 is 25.07.2025, whereas the SIMS registration was obtained only on 22.07.2025. This clearly indicates that the SIMS registration was made prior to 3 days before expected date of arrival of the goods, which is a direct violation of the policy conditions prescribed by the DGFT. As the goods were imported into India without a valid SIMS certificate in place prior to arrival, they are in contravention of the import policy. Consequently, the

imported goods, as detailed in Table-A supra, are liable for confiscation under Section 111(d) of the Customs Act, 1962. Furthermore, for the importer's acts of omission and commission, they are liable to penal action under Sections 112(a)(i) and 114AA of the Customs Act, 1962.

SUBMISSION OF IMPORTER

5. The importer vide letter dated 28.07.2025 submitted that delay in submission was due to delay in receiving pre-alert from the supplier and the same was received on 21.07.2025 evening and accordingly they applied SIMS on 22.07.2025.

DISCUSSION AND FINDINGS

6. I have carefully gone through the facts of the case as well as written submission made by the importer. I accept the importer's request for waiver of Show Cause Notice and Personal Hearing in the matter; therefore, I do not issue any show cause notice and personal hearing in the matter and proceed to adjudicate the case accordingly on the facts available on records.

7. In the case on hand, the following issues are before me to decide:-

- (i) whether the imported goods "(Hose FTG, Schelle)" are imported in violation of Policy Condition issued by DGFT vide Notification No. 17/2015-2020 dated 05.09.2019, as amended vide Notification No. 33/2015-2020 dated 28.09.2020, read with Public Notice No. 19/2015-2020 28 September 2020, 19/2015-20 read with Notification No. **S-21022/9/2025 TRADE-TAX** dated **13.06.2025 issued by** The Ministry of Steel. ?
- (ii) whether the goods, as detailed in Table-A supra, imported vide said Bill of Entry are liable to confiscation under Section 111(d) of the Customs Act, 1962 and penalty be imposed on importer under Section 112(a)(i) and/or 114AA of the Custom Act, 1962 ?

8. For the sake of brevity, I will not repeat the facts of the case which have already been mentioned in the preceding paras. At the outset, I take up the issue whether the imported goods "(Hose FTG, Schelle)" are imported in violation of Policy Condition issued by DGFT vide Notification No. 17/2015-2020 dated 05.09.2019, as amended vide Notification No. 33/2015-2020 dated 28.09.2020, read with Public Notice No. 19/2015-2020 28 September 2020, 19/2015-20 dated 07.07.2022 and Notification No. 28/2023-DGFT dated 28.08.2023 read with Notification No. **S-21022/9/2025 TRADE-TAX** dated **13.06.2025 issued by** The Ministry of Steel.

8.1 I refer to DGFT Notification No. 17/2015-2020 dated 05.09.2019, as amended vide Notification No. 33/2015-2020 dated 28.09.2020, read with Public Notice No. 19/2015-2020 28 September 2020, 19/2015-20 dated 07.07.2022 and Notification No. 28/2023-DGFT dated 28.08.20 read with Notification No. **S-21022/9/2025 TRADE-TAX** dated **13.06.2025 issued by** The Ministry of Steel. which inter-alia provides as follows:-

“ the importer can apply for said registration not earlier than 60th day and not later than 07th day before the expected date of arrival of import consignment”

8.2 On perusal of above, it is evident that under the Steel Import Monitoring System (SIMS), importers must submit advance online information for importing specified items and pay a registration fee of ₹500 to obtain an automatic Registration Number. This registration can be applied for up to 60 days and not later than 7 days before the expected arrival of the consignment. Once issued, the Registration Number is valid for 75 days.

8.3 In the case at hand, I note that the Import General Manifest (IGM) inward date is 18.06.2025. Accordingly, as per the aforementioned DGFT notifications, the earliest permissible date for obtaining registration would be . However, it is noted that the SIMS Registration No. MOSSIMS170625135656 dated 26.05.2025 was not obtained before the permissible date and more importantly, 3 days prior the arrival of the consignment. Furthermore, the importer has acknowledged this fact in response to the query raised, confirming that the SIMS registration was not in place prior to the arrival of the import consignment, as mandated under the relevant regulations.

8.4 Additionally, upon review of the SIMS Registration No. MOSSIMS220725183342 dated 22.07.2025 uploaded in e-Sanchit, I found that the importer has deliberately cropped the document to conceal the date of issuance. This appears to have been done to mislead the Customs authorities and obscure the delay in obtaining the SIMS registration. Given that the goods, as detailed in Table-A above, were imported into India without a valid and timely SIMS Registration Certificate, the said goods are rendered liable for confiscation under Section 111(d) of the Customs Act, 1962. Moreover, the importer is liable to a penalty under Section 112(a)(i) of the Customs Act, 1962, for this act of omission and commission.

9. It is further noted that the importer intentionally submitted a cropped version of the SIMS Registration Certificate on the e-Sanchit platform, thereby concealing the date of issuance from the scrutiny of Customs officials. This deliberate act of suppression amounts to the submission of a false or misleading document in the course of Customs proceedings. Such conduct clearly attracts the provisions of Section 114AA of the Customs Act, 1962, which provides for the imposition of penalty on any person who knowingly or intentionally makes, signs, or uses, or causes to be made, signed, or used, any declaration, statement, or document that is false or incorrect in any material particular. Accordingly, the importer is liable to penalty under Section 114AA for willfully furnishing a falsified document with an intent to mislead authorities and circumvent regulatory compliance.

10. Accordingly, I pass the following order:

ORDER

- (i) I order for confiscation of offending goods valued at Rs. 19,213 /-, as detailed in Table-A supra, imported vide Bill of Entry No. 3427967 dated 22.07.2025, under Section 111(d) of the Customs Act, 1962. However, I give the importer an option under provision of Section 125(1) of the Customs Act, 1962, to redeem the said goods on payment of redemption fine of **Rs. 2,000/- (Rupees Two thousand only) for Home consumption**
- (ii) I impose a penalty of **Rs. 5,000/- (Rupees Five thousand only)** on M/s Danfoss Systems Limited (IEC- 0388079592) under Section 112(a)(i) of the Customs Act, 1962, for their act of omission and commission.
- (iii) I impose a penalty of **Rs. 500/- (Rupees Five Hundred only)** on M/s Danfoss Systems Limited (IEC- 0388079592) under Section 114AA of the Customs Act, 1962, for their act of omission and commission.
- (iv) This Order is issued without prejudice to any other action that may be taken against the importer or any other person or imported goods under the provisions of the Customs Act, 1962 and rules / regulations made there under or any other law for the time being in force in India.



(Kilaru Mahendranadh)

Assistant Commissioner of Customs
Group-II(H-K), NS-I, JNCH

Regd. AD/Speed Post

To,

M/s Danfoss Systems Limited (IEC- 0388079592)
GAT NO.475 KATKE WADI HAVELI PUNE
Wagholi, Pune Maharashtra – 412207

Copy to:

1. The Asst./Dy. Commissioner of Customs (Review Cell) (Import), JNCH.
2. The Asst./Dy. Commissioner of Customs (CAC), JNCH.
3. Office Copy.
4. EDI.
5. CHA M/s.DHL Logistics Pvt Ltd