



BHARAT  
SARKAR

भारतसरकार/ Government of India  
विश्वव्यापार / Ministry of Finance  
कार्यालय/ Office of  
प्रधानआयुक्त सीमाशुल्क -(एन एस-1) Pr.  
Commissioner of Customs-(NS-I)  
Jawaharlal Nehru Custom House (JNCH)  
NhavaSheva, Tal: Uran, Dist: Raigad, Maharashtra- 400  
707



INDIAN  
CUSTOMS

File No. CUS/APR/SCN/1372/2025-Gr (1And1A)/JNCH Date: 04.09.2025  
SCN No. 784(L)/2025-26/JOINT COMM. /GR. I&IA/NS-CAC/JNCH  
DIN: 20250978NW0000222072

**SHOW CAUSE NOTICE UNDER SECTION 124 OF CUSTOMS ACT, 1962**

Subject: Show Cause Notice in respect of the Seizure of 57,02,400 sticks of foreign origin cigarettes valued at Rs. 11,40,48,000/- from the goods declared as "Gypsum Plaster Board", imported by M/s Amaze Tradex (IEC-JXIPS7632N) vide IGM No. 2386574 dated 28.08.2024-reg

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On the basis of intelligence gathered from CSD, JNCH & NCTC vide Alert No 1460, the goods imported in the name of consignee M/s AMAZE TRADEX (IEC-JXIPS7632N) covered under IGM No 2386574 dated 28.08.2024 having BL No MLJEAHYD24000394 dated 11.07.2024 were put on hold by SIIB (I), JNCH vide Hold No. 163/2024-25 SIIB(I) dated 05.09.2024 issued vide F. No. SG/Misc-01/2023-24/Hold/SIIB (I)/JNCH/Pt-III. The details of the Goods as per IGM/Bill of Lading are as under:-

**Table-I**

Particulars	Description
Bill of Entry	Not Filed
IGM No	2386574 dated 28.08.2024
Consignee	M/s AMAZE TRADEX (IEC-JXIPS7632N)
Supplier	M/s ATFI Traders FZE LLC, UAE
Port of Loading	Jebel Ali, UAE
Bill of Lading	MLJEAHYD24000394 dated 11.07.2024
Container No.	GLDU7125510 (40 Feet)
Item Description	Gipsam Plaster Board (HS CODE- 68091100)
Net Weight as per BL	18500 Kgs
Port of Discharge	Nhava Sheva

**NCTC Analysis: -**

2. Based on the risk analysis of IGM data, the NCTC has identified a consignment of importer, M/s. Amaze Tradex, in an IGM filed at Nhava Sheva Port (INNSA1), destined to INSNF6 which appears to be risky for concealment of prohibited/restricted items. No Bill of Entry has been filed yet for the said shipment. The container status is PORT IN at Raigad/Nhava Sheva International Container Terminal (NSICT) - Import on 03.09.2024, next delivery to Sannath Nagar/Hyderabad ICD, (INSNF6). The NCTC analysis is outlined below: -

- (i) The Importer M/s. Amaze Tradex (IEC No. JXIPS7632N) is registered since 24-05-2023. They have taken registration at 7-4-37 Ranganayakulapeta Road, Nellore 524001 Contact No: 9032411173. The proprietor of the firm is Shri Mohd Abdul Suleiman Siddiqui.
- (ii) This is the 10<sup>th</sup> import of the importer since the issuance of its IEC. They have previously imported the same commodity from Jebel Ali from two suppliers viz;
- ❖ Complete Pack General Trading LLC., AE, Dubai. (7 consignment)
  - ❖ Golden Wood Bldg Mat LLC. (2 consignments).
- (a) Each of the consignments are declared in the respective bills of entry to contain Gypsum Plaster Board with dimensions of (1200x2400x12 mm). The goods of these dimensions imported by various other importers across India in 40 feet containers are invariably weighing 28 MTs.
- (b) Whereas this Importer has declared the weight of the present 40 feet container as 19 MTs. The supplier M/s Complete Pack General Trading LLC is a supplier of goods other than Gypsum into India (viz Machinery, Furnitures, Aerosals, Dry Dates etc) The other supplier M/s Golden Wood Bldg Mat LLC is unique to the present Importer. (2 consignments).
- (iii) The GSTIN is 37JXIPS7632N1ZD effective since 26-05-2023. The importer has obtained GSTIN as trader for dealing in goods under HSN 6809 – Articles of Plaster. As per e-way bill portal analysis, the IEC has 13 inward to the tune of Rs 45.23 lakhs for commodity Articles of Plaster. There are no outward supplies.
- (iv) NCTC image analytics suggests that the Consignment may contain Cigarettes. The NCTC AI predictor Image is attached herewith as Annexure 'A'. No Bill of entry has been filed by the Importer for the present Consignment.
- (v) The Importer appears to be deliberately misspelling the goods description in each of their IGMs and Bills of entry to evade RMS. Ie Gypsum in some consignments and Gyp-Sum in other consignments Given the description of cargo and profile of importer, consignment appears to be highly prone to concealment of prohibited/restricted items.

**2.1.** Based on analysis of past seizures, imports from this region are risky for concealment of prohibited/restricted items.

**2.2.** Accordingly, it is requested that 100% examination of this consignment may be carried out. The container seal integrity may be checked and matched with IGM. The container may be scanned to rule out possible concealment.

**3.** In pursuance of the above intelligence, the container No. GLDU7125510 (40 fts) was examined by the officers of SIIB (I), JNCH under Panchanama dated 06/07.09.2024(RUD-I) at M/s Ashte Logistics Pvt Ltd, CFS in presence of two independent witnesses, Shri Anas, Shri Omprakash Tivari and Shri Dhanraj Shriyan, Representative of Shipping Line M/s MLI Logistics India Pvt Ltd & Shri Chetan Bhoir, Representative of CFS M/s Ashte Logistics Pvt Ltd. The weighment of the container was done prior to examination and the details of the same were mentioned below: -

Sr No	Container No	Seals Found	Net declared on (Kgs)	Wt. BL	Gross found weighment bridge (Kgs)	Wt on	Container Tare Wt (Kgs)	Net Wt found (Kgs)
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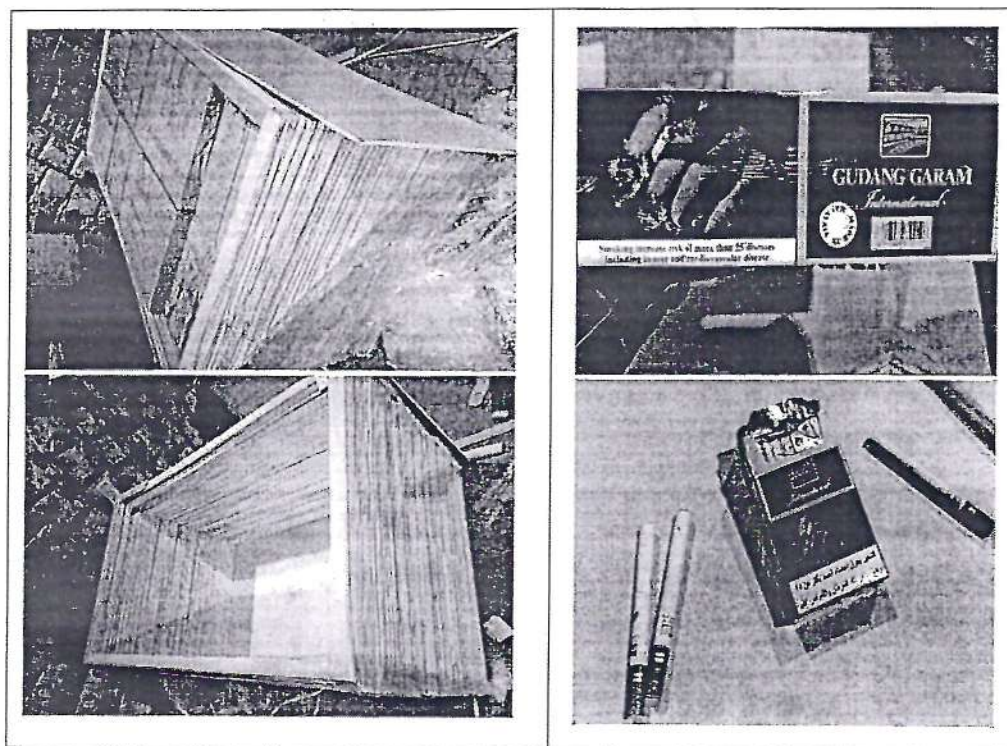


1	GLDU712551 0 (40 fts)	836585 & Customs Bottle Seal 4673338	18,500	22060	3900	18160
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**3.1.** The seal found affixed on the container was found to be intact and matching with the import documents and no tampering of the container was noticed. On opening, the container was found to be in pallets, packed with white board sheets, seemingly made of gypsum, arranged on pallets and wrapped in transparent PP. After de-stuffing, the customs officers counted the no of pallets which were found out to be 18. While examination it was observed that the Gypsum Plaster Boards of dimensions as mentioned in the invoice is of 1200\*2400\*12MM and upon measurement by customs officers, it was found that the actual dimensions of the white board sheets were 1200\*2140\*12MM. On observing the discrepancy in dimensions, it was instructed that the pallets be disassembled and the white board sheets be opened for a thorough inspection. Upon removing the top white board sheet from a pallet, it was observed that some cartons were concealed within the pallet's cavity, which was surrounded by frames that appeared to be made of gypsum material. Upon opening the cartons, cigarettes brand "GUDANG GARAM" were found. Further inspection revealed that there is concealment of cigarettes in all other pallets. Although the Bill of Lading declared the goods as "Gypsum Plaster Board", the examination uncovered cigarettes hidden inside the layers of white board sheets. It was observed that there was "Made in Malaysia" markings on the carton boxes. Random weighment of the cartons was done whose average weight arrived at approx 29 kgs. Upon measuring the 36 white board sheets, along with the frames and legs supporting the pallets, the total weight was found to be approximately 6700 kg.

**3.2.** Further the following observations was been made while examination of the goods:

- (i) The total net weight of the cargo found to be 18160 Kgs against the declared net weight of 18500 Kgs in import documents.
- (ii) Total no of pallets found to be 18 in which White Board Sheets seemingly made of Gypsum were placed.
- (iii) Inside the White Board Sheets cavity, cartons were found concealed in which Cigarettes of brand "GUDANG GARAM" were found.



- (iv) A total of 57,02,400/- Cigarettes sticks of GUDANG GARAM Brand were found in above mentioned consignment. The detailed inventory of the goods is placed below: -

Sr No	Description of Goods	No of Pallets	No of Cartons on each Pallet	Total No of Cartons	Total No of Boxes in each Carton	No of Packet s in each Box	No of Sticks in each Packe t	Total Sticks
1	Cigarette of Brand "GUDANG GARAM"	18	22	396	60	20	12	57,02,400

- (v) Markings of "Made in Malaysia" were found on cartons/packets. The estimated value of the seized Cigarettes appeared to be approximately Rs. 11,40,48,000/- (**Rupees Eleven Crores Forty Lakhs Forty Eight Thousand Only**) based on market value of similar Goods.
- (vi) The recovered foreign origin cigarettes do not have mandatory pictorial health warning on the packets. It is suspected that these cigarettes were imported illegally/smuggled into the country, evading Customs Duty and also violated **The Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 or COTPA, 2003** and 'Cigarettes & other Tobacco Products (Packaging & Labeling) Amendment Rules, 2022'. Hence, the impugned goods become prohibited to Import in India as per COTPA Act 2003 and rules made thereunder and are liable for confiscation under section 111(d) of the Customs Act 1962.



- (vii) Accordingly, the impugned goods covered under IGM No 2386574 dated 28.08.2024 stuffed in container no GLDU7125510 (40 fts) imported by M/s Amaze Tradex have been seized vide Seizure Memo 78/2024 dated 09.09.2024. **(RUD-II)**

4. From the investigation, it was found that the previous consignments were cleared by CB firm M/s V R Logistics. Accordingly, Search Authorization dated 07.09.2024 bearing CNIC DIN-20240978NT00000000ED was issued by the Deputy Commissioner for carrying out searches at the Custom Broker office: M/s V R Logistics, A/318, Shiv Chambers, Plot No. 21, Sec-11, CBD Belapur-400614. The premises were searched vide Panchanama dated 07.09.2024. It was observed that three name plates were found outside the Office no. A-318 viz N.P. Enterprises, V.R. Logistics and S.K.P International. As the office premises were locked, the owner of V R Logistics was called to appear in the office. Then at around 02:15 pm, a person named Shri Navnath Phalke proprietor of NP Enterprises came and opened the office No.: A-318. On being enquired about the said three firms mentioned above, Shri Navnath Phalke informed that he is the proprietor of NP Enterprises, his wife Mrs. Pramila Phalke is the proprietor of SKP International and VR logistics is the branch office handled by Shri Bhagwan Lale (Power of Attorney), who is presently out of town. On being enquired, Shri Navnath Phalke informed that the office of the licence holder of VR logistics is in Hyderabad and provided the contact no of Shri Adarsh Vangara R (9566188444) and Shri Satish Shetty (9948686950) who handled import related work in Hyderabad office and a copy of Power of Attorney dated 13.05.2015 empowering Shri Bhagwan B Lale to look after the work-related to custom Broker on behalf of M/s VR Logistics. **(RUD-III)**

5. Also, Search Authorisation dated 07.09.2024 bearing CNIC DIN-20240978NT000000F271 was issued by the Deputy Commissioner for carrying out searches at Office of Shipping Line M/s MLI Logistics India Pvt Ltd, F-404, 4<sup>th</sup> Floor, F Wing, L & T Tower-II, Seawoods Grand Central Mall, Sector 40, Seawoods, Navi Mumbai- 400 076. The premises were searched vide Panchanama dated 07.09.2024 and nothing related to the on-going investigation was found. **(RUD-IV)**

6. An email dated 07.09.2024 has been forwarded to DRI, Hyderabad Zonal Unit and its regional unit DRI Nellore to search premises of M/s Amaze Tradex, located at Door No. 7-4-37, Ranganayakulapeta Road, Nellore, Nellore II(U) Village Nellore Mandal, SPR, Nellore District, Andhra Pradesh-524001. A letter received from Assistant Director, DRI Hyderabad Zonal Unit vide F.No. DRI/HZU/NSRU/Misc/08/2024 dated 11.09.2024 regarding search of the address mentioned above was carried out by the officers of DRI, NSRU on 10.09.2024 and they informed that there is no such firm in existence in the said address. **(RUD-V)**

7. Summons dated 11.09.2024 was issued to M/s VR Logistics, 318, Shiv Chamber, A Wing, Plot no 21, Sector 11, Near MTNL, CBD Belapur, Navi Mumbai-400614 requesting authorized representative of VR Logistics to attend the proceedings on 16.09.2024. In response to the summons dated 11.09.2024, a letter dated 17.09.2024 was received from M/s VR Logistics informing that M/s Amaze Traders has engaged them i.e M/S VR Logistics as their Customs Broker to facilitate customs clearance of their imports at Hyderabad by filing bills of entry along with relevant documents. Copy of the Bill of Entry, invoices, packing list, Bill of Lading & Importer i.e M/s Amaze Traders to M/s VR Logistics. Further they submitted that prior to filing the



Bills of Entry, they had conducted due diligence on M/s Amaze Traders, including verification of their Import Export Code (IEC), GST Registration Certificate, and also other statutory documents. All consignments processed by the petitioner underwent 100% thorough examination by customs officials at Hyderabad and were duly cleared. Further it is submitted that M/s Amaze Traders have engaged them as their Customs Broker with respect to 5 Bill of Entries and accordingly they had conducted a detailed enquiry about the said imports and the customs Officers, at Hyderabad after conducting 100% thorough examination have given clearance to the imported goods. **(RUD-VI)**

8. Summons dated 19.09.2024 was issued to M/s V R Logistics to the registered address at H.No:5-123, Survey No 7 & 8, Plot No 602, S V Sai Srinivasan Residency, Moosapet, Hyderabad-500 018 requesting authorized representative of VR Logistics to attend for proceedings on 26.09.2024.

9. In response to the Summons dated 19.09.2024, Shri Shetty Sarveshwar Rao, Branch Manager of Customs Broker M/s V R Logistics appeared before the Senior Intelligence Officer and tendered his voluntary statement dated 26.09.2024 wherein he inter-alia stated that *he came to appear before the office of SIIB(I), JNCH in connection with imports made by M/s Amaze Tradex (IEC-JXIPS7632N) filed & cleared through Custom Broker M/s V R Logistics. The same is being investigated by SIIB (I), JNCH; that he was aware about procedures/rules to be followed by CB; that he looks after sales, marketing, ICD operations of both import & export; that Custom Broker firm M/s V R Logistics started in 2015; that CB license granted from Hyderabad Customs Commissionerate II; that the firm is engaged in import & export activities along with freight forwarding services; that Shri Adarsh Vangara is the F-card holder of the firm who settled in Chennai and looks after from there; that Shri B Sudarshan & Shri M Sattaiah are the G-card holders who look after the customs related work in Hyderabad Customs; that he holds a H-card along with Branch Manager position in M/s V R Logistics; that the F-card/G-card holders were having health issues and couldn't travel this long from Hyderabad. Further, he was authorized by the firm to appear before this office in response to the summons; that mostly M/s V R Logistics engaged in export of Pharma Products pertaining to M/s Metro Chem, M/s Sri Vyjayanti Labs, M/s M R Laboratories etc & import of Machinery to various parties; that he booked a train ticket to Mumbai to attend the office for issued summons on 13.09.2024, but due to his bad health condition (fever), he didn't turn up to the office. Further, he submitted a train ticket copy as proof; that the IEC Holder, Shri Abdul Suleman visited the firm office in Sept, 2023 and he wanted to import Gypsum Board in bulk quantity for construction related project. Further, he provided the import documents like Invoice, Packing List, KYC, IEC copy, GST copy, and authorized our firm to fill Bill of Entry on behalf of his firm; that till date they have filed & cleared 09 Bills of Entry on behalf of M/s Amaze Tradex (IEC-JXIPS7632N); that the importer submitted KYC documents like IEC copy, GST copy & Aadhar Card; that they verified the same on DGFT & GST Portal only; but they didn't physically verify the IEC address, warehouse/go-down of the importer; that the importer used to forward the import documents either physically by himself or by mail ([blamaze46@gmail.com](mailto:blamaze46@gmail.com)) to their office mail id; that he is submitting Shri Abdul Suleman, IEC holder phone number 6305005238 and his Aadhar Card Copy; that as far as he know, Shri Abdul Suleman resides in Hyderabad only; that after the consignment hold, they tried to contact Shri Abdul Suleman but his phone number was switched off since then; that as far as he knows, only Shri Abdul Suleman is the beneficial owner of M/s Amaze Tradex (IEC-JXIPS7632N);*



that on enquiring about the mis-declaration of goods found in respect of goods imported vide IGM no 2386574 dated 28.08.2024 by M/s Amaze Tradex (IEC-JXIPS7632N) he informed that they filed 09 Bills of Entry for M/s Amaze Tradex (IEC-JXIPS7632N) which were examined at ICD Sanathnagar; that no concealment/mis-declaration was found on those consignments; for the above-mentioned consignment, he don't have any idea/information regarding the Cigarettes concealment in the above-mentioned consignment; that they got to know the information by the department only; that on asking about only your CB firm deals with M/s Amaze Tradex (IEC-JXIPS7632N) as all their previous consignments were filed by your CB firm, he answered that all the 09 Bills of Entry were filed by our firm; that the IEC address was not physically verified by our firm; that they only checked whether the IEC status was active or not in DGFT& GST portal; that they didn't visit any warehouse/go-down/address of the IEC holder; that on enquiring about the previous consignments were filed and cleared by your firm, there are high chances that they were also smuggled by concealing cigarettes inside the cavities of gypsum plaster board imported vide IGM no 2386574 dated 28.08.2024, he replied that all the previous consignments were examined at ICD Sanathnagar, no concealment/mis-declaration was found in them; on enquiring about the previous consignments were 100% examined at ICD Sanathnagar he replied that out of 9 consignments, 04 consignments were marked for 100 % examination and rest of the consignments were marked for open examination; that in total they filed for approximately 30 import documents monthly and they charge Rs 4000/8000 for 20 fts/40 fts FCL; that on enquiring about any person from M/s Amaze Tradex who contacted him after the hold of consignment, he replied in negative and Shri Abdul Suleman phone number (6305005238) was switched off after that; On enquiring about the purpose of declaring the item as "Gipsam& Gyp-sum" instead of "Gypsum" in the previous Bills of Entry filed by your firm on behalf of M/s Amaze Tradex (IEC-JXIPS7632N) ? Is it to avoid RMS or the container getting scanned? he replied that based on item description declared on Commercial Invoice, Packing List, IGM & Bill of Lading they proceeded to file the Bill of Entry on that description only; On enquiring about the supplier/buyer of M/s Amaze Tradex imported goods in the local market? Did the importer provide you those invoices/bills to you while filing past B/E's, he replied they don't have any idea/information regarding that. Further, they didn't ask the importer to submit the sale invoices/bills for filing Bills of Entry; that they received those payments for all the previous consignments through Internet banking. Further, he is submitting the bank statement of our firm M/s V R Logistics; on enquiring about the perusal of bank statement submitted by them, it is evident that a total amount of Rs 17,87,252 /- received from M/s Amaze Tradex (IEC-JXIPS7632N) for the period 07.11.2023 to 03.08.2024, he replied that they received that amount towards CONCOR (CFS) payment, Transportation charges, Duty payment & Clearance charges of all the 09 Bills of Entry; that the importer used to send the amount for duty payment which were paid by their firm; that he will submit proof/evidence regarding that duty payment in 2-3 working days; On perusal of the documents submitted by you, it was seen that the Bill of Entry No 7833446 dated 14.09.2024 was filed by your CB firm on behalf of M/s Amaze Tradex (IEC-JXIPS7632N) which was after the hold of subject consignment. Is the importer M/s Amaze Tradex (IEC-JXIPS7632N) still in contact with your firm even after the cigarette concealment in subject consignment *ibid*, he replied that it was a typographical error from our side; it is read as 2023 instead of 2024; that they never have been penalized under CBLR, 2018; that as and when required, the Proprietor/F-card Holder of M/s V R Logistics will present himself in SIIB (I) office



*for further investigation. We are ready to co-operate in further investigation.*  
**(RUD-VII)**

10. In response to the Summons dated 26.09.2024, Shri Dharaj Shriyan, Import Manager of Shipping Line M/s MLI Logistics India Private Limited appeared before the Senior Intelligence Officer and tendered his voluntary statement dated 27.09.2024 wherein he inter-alia stated that *he was aware and accordingly he came to appear before this office in connection with import made by M/s Amaze Tradex (IEC-JXIPS7632N) vide Bill of Lading No MLIJEAHYD24000394 dated 25.08.2024. The same is being investigated by SIIB (I), JNCH; that he was aware about procedures/rules to be followed by Shipping Line. He looks after import related operations in the firm; M/s MLI Logistics India Pvt Ltd, established about five years ago, operates from major Indian ports including Nhava Sheva, Kolkata, Chennai, Mundra, and Tuticorin. The company is headquartered in Colombo, Sri Lanka, and also maintains an office in Dubai; that the goods imported vide Bill of Lading No MLIJEAHYD24000394 dated 25.08.2024 by M/s Amaze Tradex (IEC-JXIPS7632 declared as "Gipsam Plaster Board" from Shipper M/s ATFI Traders FZE LLC, UAE via Jebel Ali through our Shipping Line; that he was present during the examination of the goods conducted under the Panchanama dated 06/07.09 2024; On enquiring about who contacted your firm in Dubai office regarding the above-mentioned consignment, he replied that Ms. Sujisha Thomas from M/s Liva Shipping LLC, a freight forwarder based in the UAE, reached out to our Dubai office regarding this consignment. She sent essential documents including the KYC, Packing List, Invoice, and Export Declaration via email. The Contact details of Ms. Thomas: Mobile: +971501341877, Email: [ecs1.dxb@livaship.com](mailto:ecs1.dxb@livaship.com); On enquiring whether your firm in Dubai office done KYC of Shipper M/s ATFI Traders FZE LLC, he replied that they have done the KYC for M/s Liva Shipping LLC, the freight forwarder from whom they received the shipment. They provided us with essential documents, including the Invoice, Packing List, and Export Declaration Copy related to the shipper, M/s ATFI Traders FZE LLC. These documents were subsequently forwarded to us by the freight forwarder; that Mr. Abdul Suleman from M/s Amaze Tradex reached out to him via WhatsApp on 30.08.2024 to inquire about the container's arrival at Nhava Sheva and its subsequent delivery to Hyderabad; that he followed up with an email on 02.09.2024 requesting an update on the container status and the necessary documents for the Delivery Order; that on 03.09.2024, he received a copy of the Transshipment Permit from our Surveyor at the terminal, as the container was flagged for a suspicious scan; that he forwarded the same to Mr. Abdul via WhatsApp; that Mr Abdul Suleman Consignee, M/s Amaze Tradex (IEC-JXIPS7632N) phone number was switched off after the consignment hold; that they were unaware of the concealment in subject consignment. As a Shipping Line, their role is to serve as an intermediary between the Shipper and Consignee, primarily forwarding documents between both parties; that they were committed to cooperating fully with the investigation and are prepared to present ourselves at the SIIB (I) office whenever required.***(RUD-VIII)**

11. In response to the Summons dated 26.09.2024, B Sudarshan, G-Card holder of Customs Broker, M/s V R appeared before the Senior Intelligence Officer and tendered his voluntary statement dated 01.10.2024 wherein he inter-alia stated that *he was aware and accordingly he came to appear before this office in connection with imports made by M/s Amaze Tradex (IEC-JXIPS7632N) filed & cleared through Custom Broker M/s V R Logistics. The same is being investigated by SIIB (I), JNCH; that he was aware about*



procedures/rules to be followed by CB; that he looks after import & export operations in ICD; that on enquiring about not attended to earlier summons issued to your firm on 13.09.2024 & 19.09.2024, no F-card/G-card holder attended from your office, he replied that due to his bad health, he didn't turn up to this office; that Shri Shetty Sarveshwar Rao was given authorization to attend the summons dated 19.09.2024; that he was not aware of who approached from M/s Amaze Tradex (IEC-JXIPS7632N) as he look after the operations work in ICD; that Shri Shetty Sarveshwar Rao, being the Branch Manager looks after that marketing work. As informed by Shri Shetty Sarveshwar Rao, Mr Abdul Suleman from M/s Amaze Tradex approached him in Sept, 2023 at our office; that he wanted to import Gypsum Board in bulk quantity for construction related project and further submitted documents like KYC, Invoices & Packing List, IEC copy & GST copy etc; that Shri Suresh, document clerk in our firm verified the IEC & GST copies on their respective portals and proceeded to file Bill of Entry; that they haven't physically verified the address of M/s Amaze Tradex (IEC-JXIPS7632N); that he was not aware of his whereabouts and the actual beneficial owner; that he doesn't have any idea/information regarding the Cigarettes concealment in the above-mentioned consignment; that he got to know the information by Shri Shetty; that In past, they filed 09 Bills of Entry for M/s Amaze Tradex (IEC-JXIPS7632N) which were examined at ICD Sanathnagar; that no concealment/mis-declaration was found on those consignments; On enquiring about the purpose of declaring the item as "Gipsam& Gyp-sum" instead of "Gypsum" in the previous Bills of Entry filed by your firm on behalf of M/s Amaze Tradex (IEC-JXIPS7632N), Is it to avoid RMS or the container getting scanned, he replied that based on item description declared on Commercial Invoice, Packing List, IGM & Bill of Lading they proceeded to file the Bill of Entry on that description only; that they don't have any idea/information regarding supplier/buyer of M/s Amaze Tradex imported goods in the local market; that he didn't ask the importer to submit the sale invoices/bills for filing Bills of Entry; that he submitted the copies of firm received payments from M/s Amaze Tradex (IEC-JXIPS7632N) towards CONCOR (CFS) payment, Transportation charges, Duty payment & Clearance charges of all the 09 Bills of Entry as proof. **(RUD-IX)**

12. Second Summons dated 27.09.2024 was issued to Mohd Abdul Suleman Siddiqui, S/o Mohd Abdul Kaleem Siddiqui, 10-5-391/1/1, Syed Nagar, Ahmed Nagar, Asif Nagar, Hyderabad-500028 to appear in person before this office for proceedings on 03.10.2024. In response to the summons dated 27.09.2024, a mail has been received from Mohd Abdul Suleman Siddiqui that he was in Saudi Arabia to perform UMRAH and therefore was not able to appear on 03.10.2024. He further stated that he will be able to appear before your good office on 08.10.2024 and requested to grant the extension till 08.10.2024. **(RUD-X)**

13. Third Summons dated 08.10.2024 was issued to Mohd. Abdul Suleman Siddiqui, IEC holder of M/s Amaze Tradex (IEC-JXIPS7632N). In response to the summons dated 08.10.2024, voluntary statement of Mohd. Abdul Suleman Siddiqui, IEC holder of M/s Amaze Tradex (IEC-JXIPS7632N) was recorded on 08.10.2024, under Section 108 of Customs Act, 1962 wherein it was inter-alia stated by him that **(RUD-XI)**:

- i. On being asked, he stated that he reside at 10-5-391/1/1, Syed Nagar, Ahmed Nagar, Asif Nagar, Hyderabad, Telangana - 500028. His contact no.(s) are +91 9603678369 and +91 9032411173 and official email id is blamaze46@gmail.com. He had completed his education up to 9th



- standard. In 2015, he launched his food catering business in the name of M/s M K Caterers, and in 2020, he established Pan Shop's in the name of M/s Lucky Pan Mehal. Besides that, he is also into Real Estate business.
- ii. On being asked about being summoned by SIIB(I), JNCH, he came to appear before this office in connection with imports made by M/s Amaze Tradex (IEC-JXIPS7632N). The same is being investigated by SIIB (I), JNCH.
  - iii. He visited Dubai in the year 2023 and met Mr. Mohammad Jahangir in a restaurant. Mr. Mohammad Jahangir suggested him to start a business of Gypsum Boards. He took some time and decided to start Imports of Gypsum Boards. Further, Mr. Jahangir suggested me to open GST and IEC on Mohd Suleman's name for the purpose of Import. Accordingly, he approached a local agent, who obtained both on his name. First 09 containers were supplied by Mr. Jahangir in which the goods were proper, later the 04 containers supplied by him were of inferior quality as water went inside them. Then there were few financial misunderstandings between us. After that, he approached Mr. Khasimand, through him he met Mr. Junaid who stays in Dubai. So, he decided to get goods from Mr Junaid.
  - iv. On being asked about his office address he stated that it is located at a cellar in a 5-storey-building located opp. to Haldiram's Restaurant, Mozamjahi Market, Jam Bagh Moti Mahal Market, Hyderabad, Telangana 500012. From here only he supplies/distributed imported "Gypsum Boards".
  - v. He doesn't have lease agreement. He is paying Rs. 16,000/- to Mr. Aleem Patel owner of his office premises through online and sometimes through cash payment also.
  - vi. He doesn't have Aleem Patel's mobile number right now and doesn't know his exact address but Aleem Patel resides in Banjara Hills.
  - vii. On being asked about the difference in address of M/s Amaze Tradex (JXIPS7632N) on IEC & GST portal and why he had decided to take IEC at a vague address, he stated that he is new to the import business, Mr. Jahangir advised him to take registration near any port area which should be feasible for clearance. So he decided to open the firm at the said address on rental basis. Accordingly, he took the premises on rent 1.5 years back and vacated the same in just 3 months. He will submit the rental agreement tomorrow.
  - viii. On being asked about the IEC address found to be fake, he stated that he vacated the premises in just 3 months after issuance of GST & IEC on the said address.
  - ix. On being asked about Supplier M/s ATFI Traders, he stated that Mr. Junaid used to supply the goods from Dubai. Mr. Junaid might have contacted him. Further, he didn't know about them.
  - x. On being asked about switching Suppliers every time for the import of same item "Gypsum Plaster Board", he stated that because of the altercation between Mr. Jahangir and him, he switched from Mr. Jahangir to Mr. Junaid. Besides that, he was not aware of any suppliers/firm.
  - xi. On being asked about payments to suppliers in Dubai, he stated that he used to make online payments to Mr. Jahangir and Mr. Junaid from his bank account (Bank of Baroda, Nellore).
  - xii. On being asked for the bank statement of M/s Amaze Tradex for the last 02 years, he stated that he will submit the bank statement in due course.



- xiii. On being asked about the misdeclaration of goods found in respect of goods imported vide IGM no 2386574 dated 28.08.2024 by M/s Amaze Tradex, he stated that in the month of August, he called Mr. Junaid for booking a consignment regarding Gypsum Board. After couple of days he called Mr. Junaid for reconfirming about the consignment, but he didn't pick his call. He doesn't know how the cigarettes were found in the consignment.
- xiv. He was informed by Mr. Satish Shetty 2-3 day prior to return from Dubai, that summons were being issued to him. Accordingly, he came to appear before this office and got to know about the cigarettes concealment in the subject consignment.
- xv. On being asked whether he was aware about cigarettes concealment in the subject consignment even before its arrival, he stated that he was unaware of it.
- xvi. On being asked about his mobile phone switched off, he stated that he visited Dubai on 08.09.2024 to meet his friends and stayed there for 06 days. Thereafter, he went to Saudi Arabia from Dubai to perform "umrah." From the day he visited Saudi, he had switched off his mobile phone to focus on his spiritual experience. On around 01/02.10.2024, he switched on his mobile phone, then he received a call from Mr. Satish Shetty informing that summonses were issued to Mohd Abdul Suleman i.e him.
- xvii. On being asked about booking the ticket to Dubai trip on 08.09.2024 and who had booked his ticket to Dubai and his subsequent return from Dubai, he stated that Mr. Mohammed Qasim booked his ticket to Dubai on 07.09.2024, further he had only booked his return ticket to India as well. He had given him cash by hand to book those tickets.
- xviii. On being asked about Mr. Mohammed Qasim, he stated that Mr. Qasim helps in documentation work related to his consignments. He doesn't know the exact address of Mr. Mohammed Qasim but as of his knowledge he works as an Agent for filing documentation like Passport, Pan Card, Aadhar Card etc. in Moazzam Jahi Market.
- xix. On being asked to provide the contact details of Mr. Jahangir, Mr. Junaid, Mr. Khasim & Mr. Mohammed Qasim, he stated that all those contacts were saved only on his mobile. But he had forgotten his mobile in Saudi Arabia while returning.
- xx. On being asked about afterthought that he forgot/lost his mobile phone intentionally, which was a crucial evidence to provide details regarding his consignments, he stated that he forgot his mobile in Saudi Arabia.
- xxi. He used I-phone 7 and JIO was my mobile service provider with mobile number +91 9032411173 from last three years
- xxii. On being asked about from whose mobile the below mentioned mail was sent to this office if the mobile was forgotten by him in Saudi Arabia, he stated that he doesn't want to comment on that.



Email

SIIB IMPORT JCNH

Re: SUMMONS

From : biamaze46@gmail.com

Tue, Oct 08, 2024 02:31 PM

Subject : Re: SUMMONS

To : SIIB IMPORT JCNH &lt;siibimport.jcnh@gov.in&gt;

Sir,

I have just reached the SIIB (imports) office at JNCH, Mumbai

Thanks

Abdul Suleman Siddiqui

Sent from my iPhone

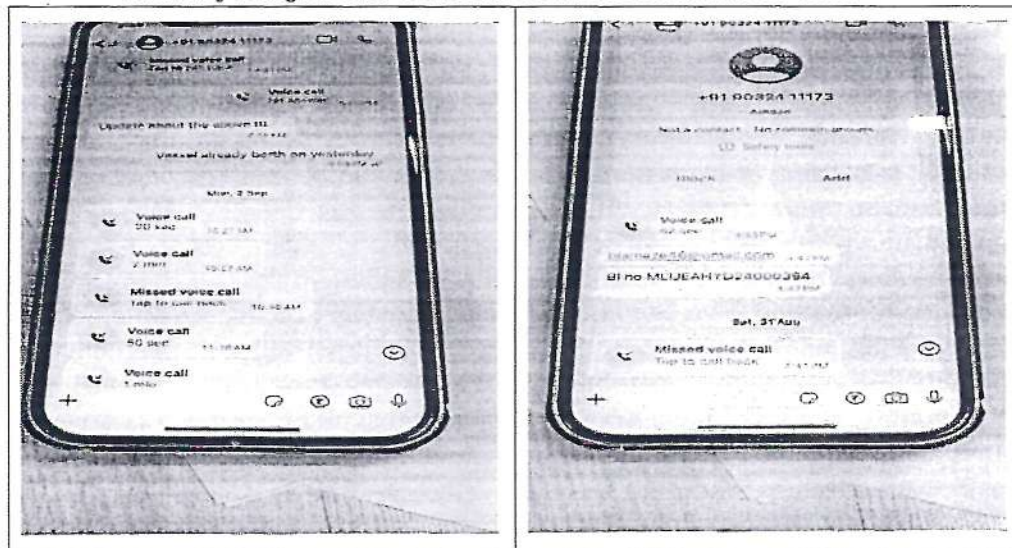
- xxiii. On being asked about people work under/along him in his businesses, he stated that Mr. Khazim, Mr. Afzal, Mr. Shahdulla, and Mr. Moeez work under him in Food Catering business M/s M K Caterers, further the work in office at MJ market is handled only by him. The catering business mostly used to work for M/s Lucky Function Hall, Kishanbagh as he gave some commission to them in return for orders from them. Mr. Youniz bhai of M/s Lucky Function Hall gave us those orders
- xxiv. On being asked about why he visited Dubai after the subject consignment was put on hold and subsequent cigarette concealment found in it on 07.09.2024. On if this was step to abscond from Custom Authorities, he stated that he didn't want to comment on that.
- xxv. On being asked about whether he contacted supplier M/s ATFI Traders after the cigarettes concealment in the goods, he stated that he contacted Mr. Junaid on 07.10.2024, but his phone was switched off.
- xxvi. He didn't contact anyone in Shipping Line M/s MLI Logistics India Pvt Ltd. regarding the subject consignment.
- xxvii. He said that had travelled all the way from Hyderabad and he was very tired. Further he said that he will fully cooperate with investigation and present himself in SIIB (I), JNCH the next day for further statement.

14. Further, Statement of Mohd. Abdul Suleman Siddiqui, IEC holder of M/s Amaze Tradex (IEC-JXIPS7632N) was recorded on 09.10.2024, under Section 108 of Customs Act, 1962 wherein it was inter-alia stated by him that **(RUD-XII):**

- i. He was shown his earlier statement dated 08.10.2024 and confirmed the facts mentioned in the said statement.
- ii. He was aware of the customs procedures regarding import.
- iii. On being asked about actual beneficial owner of M/s Amaze Tradex and who all are involved in this syndicate of illegally importing foreign origin cigarettes he stated that he is the sole beneficiary of owner of goods imported by M/s Amaze Tradex. Further, he didn't know who were involved in the syndicate.
- iv. On being asked to provide bank statement, he said that he forgot his mobile phone in Saudi Arabia, whole bank details & contacts were saved on that mobile. So, he cannot produce them currently.
- v. On being asked if he intentionally left his mobile phone in Saudi Arabia he said he forgot his mobile phone in hurry.



- vi. On being asked about his earlier statement dated 08.10.2024 regarding his vacated premises in Nellore in 03 months right after issuance of IEC & GST on that address and It appearing that his intention was clear to engage in illegal business/activities by using that address he said that he don't want to comment on that.
- vii. On being asked about Whatsapp chat between him (+91 9032411173) and Shri Dhanraj Shriyan, Import Manager of Shipping Line M/s MLI Logistics India Pvt Ltd, wherein he inquired him regarding the subject consignment status and asked him to comment about it and confirm whether the above-mentioned contact number is his or not, he confirmed that the contact number is his and he doesn't know Mr. Dhanraj Shriyan and he doesn't want to comment on that.



- viii. He visited Dubai two times, once in Aug, 2023 and the recent visit in Sept, 2024
- ix. On being asked whether the previous consignments were also smuggled by concealing cigarettes inside the cavities of gypsum plaster board, he replied in negative and said all the goods in previous consignments were delivered as declared.
- x. He used to supply/distribute the imported goods to local mestri/contractors. Further he doesn't maintain the records of sale invoices/bills.
- xi. Also, he doesn't maintain the records of local mestri/contractors. However, few portion of goods, he does maintain proper records. For those only, he filed GST.
- xii. Shri Mohammad Qasim files GST and its returns on behalf of M/s Amaze Tradex.
- xiii. On being asked about e-way bill, it is evident that after the out of charge of his previous consignments, the same were shipped to an address in Shamshabad, Hyderabad; he replied that all the containers were first shipped near Kashish Palace in Shamshabad, Hyderabad, 500077. There, they were unloaded and then reloaded onto trucks, which were subsequently delivered to our office - opp. to Haldiram's, Moazzam Jahi Market, Hyderabad, 500012.



- xiv. On being asked about the purpose of declaring the item as "Gipsam" instead of "Gypsum?" and whether this intended to evade RMS or the container getting scanned, he replied that he was unaware of it.
- xv. On being asked that whether he was aware that the smuggled cigarettes are in violation of the COTPA Act, 2003 & Customs Act, 1962, he replied that he was unaware of it.
- xvi. On being asked about his past 9 shipments, he replied that Customs Broker M/s V R Logistics cleared his past 9 shipments but he had not contacted any Customs Broker for filing Bills of Entry of the said consignment.
- xvii. On being asked about at what rate the impugned goods were bought from Supplier M/s ATFI Traders, he replied that he was unaware of the concealment. So, he don't know the rate.

15. It is clear from the investigation that Shri Mohd. Abdul Suleman Siddiqui was deeply involved in the planning and execution of the smuggling operation. Ongoing through the voluntarily statement of Shri Mohd Abdul Suleman Siddiqui, it is clearly evident that he is not disclosing the information about the persons who were involved in this smuggling activity. His evasive and contradictory responses, provided during questioning under Section 108 of the Customs Act, 1962, further implicates him. By failing to provide complete and accurate information, Shri Siddiqui actively obstructed the investigation. That, in view of the above, it appears that Shri Mohd Abdul Suleman Siddiqui has committed cognizable and non-bailable offence committed under Section 135 (1) (a) and (b) of the Customs Act, 1962, punishable under section 135 (1) (a) (i) (A) and 135 (1) (b) (i) (A) *ibid*. The valuation of smuggled foreign origin cigarettes arrived at Rs 11,40,48,000 /- (Rupees Eleven Crores Forty Lakhs Forty Eight Thousand Only) based on the market value. In view of the foregoing, **Shri Mohd Abdul Suleman Siddiqui was arrested under section 104 of the Customs Act, 1962 on 09.10.2024** and produced before the JMFC, Uran on 09.10.2024 which in turn remanded him to the Judicial Custody.

16. Searches has been carried out at the residence of Mr. Mohammed Abdul Suleman Siddiqui, IEC Holder of M/s Amaze Tradex at R/o 10-5-391/1/1, Syed Nagar, Ahmed Nagar, Asif Nagar, Hyderabad-500028 on 00.01.2025, Lucky Palace Function Hall, Road No. 9, Kishen Bagh, Hyderabad by the officers of DRI, Hyderabad as per request of SIIB(I), JNCH. No incriminating documents or goods were found during the searches.

17. The investigation could not be completed within six months from the date of Seizure of the goods. Hence, the Pr. Commissioner of Customs, SIIB(Import) extended the due date for the issuance of investigation report for a period of six months under intimation to M/s Amaze TRADEX. **(RUD-XIII)**

#### **VALUATION OF GOODS:-**

18. In the absence of any import documents/ invoice, the true & correct values of the impugned seized cigarettes of foreign origin were not available. The "transaction value" as envisaged under Section 14 (1) of the Customs Act, 1962 read with Rule 3 (1) of the Customs Valuation (Determination of Value of Imported Goods) Rules, 2007, was, therefore, not available to arrive at its correct Value.

- a. Rule 3 (4) of the Customs Valuation (Determination of Value of Imported Goods) Rules, 2007, lays down that if the value cannot be determined as per Rule 3 (1) *ibid*, determination of value has to be done sequentially through Rules 4 to 9 *ibid*.



- b. Rules 4, 5, 6 & 7 *ibid* provide for valuation based on "identical" or "similar" goods. From the data available on the DGOV web-site, none of the said clearances matched all the identified parameters simultaneously viz. description, make etc.as the cigarettes. As such, Rules 4 & 5 *ibid* which refer to "identical" or "similar" goods, appeared inapplicable. If the value of imported goods cannot be determined under the provisions of Rules 3, 4 or 5 of the Customs Valuation (Determination of Value of Imported Goods) Rules, 2007, Rule 6 *ibid*, provides that the value shall be determined under the provisions of Rule 7 *ibid* or, when the value cannot be determined under Rule 7 *ibid* or Rule 8 *ibid*.
- c. Rule 7 of the Customs Valuation (Determination of Value of Imported Goods) Rules, 2007, which provides for determining value based on deductive value and Rule 8 is based on the computed value based on the cost of raw materials and processing/fabricating cost. The cost of material or other fabrication or processing employed in the production of imported goods that would constitute such cigarettes and the amounts of profits that would be attributable to the manufacturer are material within the exclusive knowledge of the companies. In the absence of reliable cost data which is usually available in case of importation from related persons, Rule 7 and Rule 8 *ibid* also appeared inapplicable.
- d. Therefore, the valuation of impugned goods was to be done under Rule 9 of the CVR, 2007 using reasonable means consistent with the principles and general provisions of these Rules and on the basis of data available in India. Accordingly, for the valuation of the goods, letter was written to Government approved valuer for the purpose of valuation of the goods as per market rate available in India.

**18.1.** The sample goods of impugned seized cigarettes of foreign origin Cigarettes of Brand "Gudang Garam" and "Gypsum Panel Strips" were inspected by the Government Approved Chartered Engineer in the presence of customs officer at 4<sup>th</sup> floor office, SIIB(I), JNCH on 24.02.2025. Accordingly, Value of the goods was determined by the Customs approved Chartered Engineer M/s Gattini & Co. vide Ref: INS/CER/2425-168 dated 10.03.2025 (**RUD-XIV**). The details of the prices quoted and the value given by the CE is as below:

- a. The cargo shown / Inspected consisted of Gudang Garam International brand of cigarette, Made under authority of Pt. Gudang Garam Tbk., Kediri-Indonesia.
- b. The Gudang Garam International cigarettes shown / inspected were in cartons having 20 Packets of each having 12 cigarettes sticks.
- c. The Gudang Garam International cigarette cartons & packets were in good condition. Though, cigarettes have no expiration date. But with time, they do become quite stale, especially when the pack is exposed to air. A brand-new, unopened pack of cigarettes has a two-year shelf life at the time of manufacture.
- d. Sample sticks were checked for smell and physical state.
- e. Cigarettes shown/inspected are not local brands. All the brands as mentioned in the Annexure are of overseas and are not manufactured in India. The retail market values arrived / found varied from place to place, hence average values is considered.
- f. The samples of gypsum board strips appear to have been cut from standard 6x4 feet sheet for packing (enclosure). Such strips generally do not have any market value.

- g. Based on Physical, Visual inspection and market survey of the cigarettes shown, in our Opinion /View the local retail value of the Gudang Garam Internation cigarettes, estimated/approximated should be @ **Rs. 240/- per pack of 12 Sticks** in the present state/condition. The values given, is considering the brand, availability locally etc, since all the cigarettes are of foreign brand the value considered may vary from place to place, subject to availability/demand.

**18.2.** Thus, on the basis of the Valuation Report submitted by the Government Approved Valuer, the value of the goods which have been recovered and seized have been worked out and the details are enumerated as under:-

**TABLE-1**

Sr.No	Brand	Total Pcs	Price Per Piece (In Rs.) provided by valuer	Total Price (In Rs.)
1	GUDANG GARAM	57,02,400	20	11,40,48,000/-

**18.3.** The market value of the smuggled foreign-origin cigarettes varies depending upon the demand in the local market. Further, if there are Cigarettes and Other Tobacco Products (Prohibition of Advertisement & Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 [COTPA] compliance then the rate per cigarette would be much higher. Since these are smuggled cigarettes without COTPA compliance, the market value estimated by the government approved valuer has been taken for arriving at the valuation. The smuggled cigarettes seized were not COTPA compliant.

**18.4.** Further, on the basis of the Valuation Report submitted by the Government Approved Valuer, the value of gypsum board strips has been taken as 'NIL'.

**18.5.** Given the above, the total value of 57,02,400 cigarette sticks amounts to Rs.11,40,48,000/- [Rupees Eleven Crore Forty Lakh Forty-Eight Thousand only] and the value of "Gypsum Panel Strips" has been taken as NIL. Therefore, the total value of the goods imported in the name of M/s Amaze Tradex (IEC-JXIPS7632N) comes to around Rs. 11,40,48,000/- (Rupees Eleven Crore Forty Lakh Forty-Eight Thousand only).

#### **LEGAL PROVISIONS:**

**19.** Relevant provisions of law relating to import of goods in general, the Policy and Rules relating to the import of Cigarettes, the liability of the goods to confiscation and liability of the persons concerned to penalty for improper/illegal imports, under the provisions of the Customs Act, 1962 and other laws for the time being in force are summarized as under:

##### **19.1. Customs Act, 1962:**

- i. As per Section 2(33) of the Customs Act, 1962 defines "prohibited goods" as any goods the import or export of which is subject to any prohibition under this Act or any other law for the time being in force but does not include any such goods in respect of which the conditions subject to which the goods are permitted to be imported or exported have been complied with, implying that any goods imported in violation of the



conditions subject to which the goods are permitted to be imported are prohibited goods. Hence the cigarettes imported in contravention of the Cigarettes and Other Tobacco Products Act and rules made thereunder, have to be treated as prohibited, for the purposes of the Customs Act. It is pertinent to mention here that the Hon'ble Supreme Court of India in Sheikh Mohd Omer Vs Collector of Customs, Calcutta, 1983(13) ELT 1439 (SC) and Om Prakash Bhatia Vs Commissioner of Customs 2003 (155) ELT 423 (SC) has clearly laid down that any prohibition applies to every type of prohibitions which may be complete or partial and even a restriction on import or export is to an extent, a prohibition. Hence the restrictions imposed on the said imports are to an extent a prohibition and any violation of the said conditions/restrictions would make the impugned goods liable for confiscation, under section 111 of the Customs Act, 1962.

- ii. As per Section 2(26) of the Customs Act, 1962, "importer" is defined as the person dealing in relation to any goods at any time between their importation and the time when they are cleared for home consumption, includes any owner, beneficial owner or any person holding himself out to be the importer.
- iii. Section 2(39) of the Customs Act, 1962 defines "smuggling", in relation to any goods, means any act or omission which will render such goods liable to confiscation under section 111 or section 113.
- iv. Section 11A (a) of the Customs Act, 1962 defined illegal import as the import of any goods in contravention of the provisions of the Customs Act, 1962 or any other law for the time being in force.
- v. Section 110 of the Customs Act, 1962: - Seizure of goods documents and things-
  - a. *If the proper officer has reason to believe that any goods are liable to confiscation under this Act, he may seize such goods:*
    - i. *Provided that where it is not practicable to seize any such goods, the proper officer may serve on the owner of the goods an order that he shall not remove, part with, or otherwise deal with the goods except with the previous permission of such officer.*
- vi. Section 111: Confiscation of improperly imported goods. etc. -
  - a. *The following goods brought from a place outside India shall be liable to confiscation: -*
    1. ....
    - b. (d) any goods which are imported or attempted to be imported or are brought within the Indian Customs waters for the purpose of being imported, contrary to any prohibition imposed by or under this Act or any other law for the time being in force shall be liable to confiscation;
    - c. (f) any dutiable or prohibited goods required to be mentioned under the regulations in an [arrival manifest or import manifest] or import report which are not so mentioned;
    - d. (i) any dutiable or prohibited goods found concealed in any manner in any package either before or after the unloading thereof
- vii. SECTION 112. Penalty for improper importation of goods, etc.-  
Any person, -

- a. *who, in relation to any goods, does or omits to do any act which act or omission would render such goods liable to confiscation under: section 111, or abets the doing or omission of such an act, or*
- b. *who acquires possession of or is in any way concerned in carrying, removing, depositing, harboring, keeping, concealing, selling or purchasing, or in any other manner dealing with any goods which he knows or has reason to believe are liable to confiscation under section 111, shall be liable, -*
- ii) *in the case of goods in respect of which any prohibition is in force under this Act or any other law for the time being in force, to a penalty [not exceeding the value of the goods or five thousand rupees], whichever is greater;*
- iii) *in the case of dutiable goods, other than prohibited goods, subject to the provisions of section 114, to a penalty not exceeding ten per cent. of the duty sought to be evaded or five thousand rupees, whichever is higher:*
- iv) *Provided that where such duty as determined under sub-section (8) of section 28 and the interest payable thereon under section 28AA is paid within thirty days from the date of communication of the order of the proper officer determining such duty, the amount of penalty liable to be paid by such person under this section shall be twenty-five per cent of the penalty so determined;*
- v) *in the case of goods in respect of which the value stated in the entry made under this Act or in the case of baggage, in the declaration made under section 77 (in either case hereafter in this section referred to as the declared value) is higher than the value thereof, to a penalty [not exceeding the difference between the declared value and the value thereof or five thousand rupees, whichever is the greater;*
- vi) *in the case of goods falling both under clauses (i) and (iii), to a penalty [not exceeding the value of the goods or the difference between the value and the value thereof or five thousand rupees], whichever is highest;*
- vii) *in the case of goods falling both under clauses (ii) and (iii), to a penalty not exceeding the duty sought to be evaded on such goods or the difference between the declared value and the value thereof or five thousand rupees, whichever is the highest.*

**viii. SECTION 114AA. Penalty for use of false and incorrect material.** - If a person knowingly or intentionally makes, signs or uses, or causes to be made, signed or used, any declaration, statement or document which is false or incorrect in any material particular, in the transaction of any business for the purposes of this Act, shall be liable to a penalty not exceeding five times the value of goods.

**ix. Section 117: Penalties for contravention, etc., not expressly mentioned**

a. "Any person who contravenes any provision of this Act or abets any such contravention or who fails to comply with any provision of this Act with which it was his duty to comply, where no express penalty is elsewhere provided for such contravention or failure, shall be liable to a penalty not exceeding four lakh rupees."



x. Section 124 of the Customs Act, 1962 deals with issue of show cause notice before confiscation of goods, etc.

### **19.2. Foreign Trade Policy 2023**

i. The policy relating to Import / Exports is given in Chapter 2 of the Foreign Trade Policy 2023 and as per Para 2.01 of the said Foreign Trade Policy 2023, the Exports and Imports shall be Free' except when regulated by way of 'prohibition', 'restriction' or 'exclusive trading through State Trading Enterprises (STEs)' as laid down in Indian Trade Classification (Harmonised System) [ITC (HS)] of Exports and Imports.

ii. In terms of Section 11 of the Foreign Trade (Development and Regulation) Act, 1992, as amended in 2010, no export or import shall be made by a person except in accordance with the provisions of this Act, the rules and orders made there under and the Foreign Trade Policy for the time being in force.

iii. Section 11 (2) of the Foreign Trade (Development and Regulation) Act, 1992, as amended by the Foreign Trade (Development & Regulation) Amendment Act, 2010 states that where any person makes or abets or attempts to make any export or import in contravention of any provision of this Act or any rules or orders made there under or the export and import policy, he shall be liable to a penalty not less than ten thousand rupees or five times the value of the goods in respect of which any contravention is made.

iv. As per Rule 14 (1) of the Foreign Trade (Regulation) Rules, 1993, no person shall make, sign or use or cause to be made, signed or used any declaration, statement or document for the purposes of importing any goods knowing or having reason to believe that such declaration, statement or document is false in any material particular.

v. As per Rule 14 (2) of the Foreign Trade (Regulation) Rules, 1993, No person shall employ any corrupt or fraudulent practice for the purposes of obtaining any license or importing or exporting any goods.

### **19.3. Relevant provisions of the Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 (COTPA) applicable in the case:**

Section 7 of the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 (COTPA) interalia reads as under:

(i) Section 7- Restrictions on trade and commerce in, and production, supply and distribution of cigarettes and other tobacco products. -

(1) No person shall, directly or indirectly, produce, supply or distribute cigarettes or any other tobacco products unless every package of cigarettes or any other tobacco products produced, supplied or distributed by him bears thereon, or on its label 1 [such specified warning including a pictorial warning as may be prescribed.]

(2) No person shall carry on trade or commerce in cigarettes or any other tobacco products unless every package of cigarettes or any other tobacco products sold, supplied or distributed by him bears thereon, or on its label, the specified warning.

(3) No person shall import cigarettes or any other tobacco products for distribution or supply for a valuable consideration or for sale in India unless every package of cigarettes or any other tobacco products so imported by him bears thereon, or on its label, the specified warning.

(4) The specified warning shall appear on not less than one of the largest panels of the package in which cigarettes or any other tobacco products have been packed for distribution, sale or supply for a valuable consideration.

(5) No person shall, directly or indirectly, produce, supply or distribute cigarettes or any other tobacco products unless every package of cigarettes or any other tobacco products produced, supplied or distributed by him indicates thereon, or on its label, the nicotine and tar contents on each cigarette or as the case may be on other tobacco products along with the maximum permissible limits thereof: Provided that the nicotine and tar content shall not exceed the maximum permissible quantity thereof as may be prescribed by rules made under this

**19.4. Section 7 of the Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003, (COTPA 2003):**

Restrictions on trade and commerce in, and production, supply and distribution of cigarettes and other tobacco products. -

(1) No person shall, directly or indirectly, produce, supply or distribute the cigarettes or any other tobacco products unless every package of cigarettes or any other tobacco products produced, supplied or distributed by him bears thereon, or on its label 1 [such specified warning including a pictorial warning as may be prescribed.]

(2) No person shall carry on trade or commerce in cigarettes or any other tobacco products unless every package of cigarettes or any other tobacco products sold, supplied or distributed by him bears thereon, or on its label, the specified warning.

(3) No person shall import cigarettes or any other tobacco products for distribution or supply for a valuable consideration or for sale in India unless every package of cigarettes or any other tobacco products so imported by him bears thereon, or on its label, the specified warning.

(4) The specified warning shall appear on not less than one of the largest panels of the package in which cigarettes or any other tobacco products have been packed for distribution, sale or supply for a valuable consideration.

(5) No person shall, directly or indirectly, produce, supply or distribute cigarettes or any other tobacco products unless every package of cigarettes or any other tobacco products produced, supplied or distributed by him indicates thereon, or on its label, the nicotine and tar contents on each cigarette or as the case may be on other tobacco products along with the maximum permissible limits thereof: Provided that the nicotine and tar contents shall not exceed the maximum permissible quantity thereof as may be prescribed by rules made under this Act.



**19.5. Section 8 of the Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003, (COTPA 2003):- Manner in which specified warning shall be made.-**

(1) The specified warning on a package of cigarettes or any other tobacco products shall be- (a) legible and prominent; (b) conspicuous as to size and colour; (c) in such style or type of lettering as to be boldly and clearly presented in distinct contrast to any other types on the package in a colour which contrasts conspicuously with the background of the package or its labels.

(2) The manner in which a specified warning shall be printed, painted or inscribed on a package of cigarettes or any other tobacco products shall be such as may be specified in the rules made under this Act.

(3) Every package containing cigarettes or any other tobacco products shall be so packed as to ensure that the specified warning appearing thereon, or on its label, is, before the package is opened, visible to the consumer

**19.6. Para 6 of the CBEC Circular No. 09/2017-Customs, issued vide F.No. 711/07/2003- Cus (AS) dated 29th March 2017:-** *All tobacco products (whether domestically manufactured and sold or imported) are required to comply with the requirements contained in the Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003, (COTPA 2003) and the Rules framed thereunder. Ministry of Health and Family and Welfare vide Notification GSR 727(E) dated 15.10.2014 notified the Cigarettes and other Tobacco Products (Packaging and Labeling) Amendment (COTP) rules, 2014, which came into effect from 01.04.2016 (G.S.R. 739 (E) dated 24.09.2015). The COTP Rules are strict in nature and their compliance requires that the printing of pictorial and textual warning on cigarette packets is in specified format, colors, resolution, for and Language.*

**19.7. As per CBEC instruction dated 30.11.2011,** *the Board has issued instructions to the Customs field formations dealing with clearance of these products to ensure strict compliance and implementation of the specified health warning on the cigarette and other tobacco products prescribed under "The Cigarettes and other Tobacco Products (Packaging and Labelling) Rules, 2008 Rules" in the manner in which the specified health warning shall be displayed on the tobacco product packs covering all types of tobacco products produced, supplied, imported and distributed in India.*

**19.8.** *Also a set of new pictorial health warning has been issued by the Ministry of Health & Family Welfare vide Notification G.S.R. No. 592 (E) dated 21st July, 2022 which manufactured / packaged / imported for sale in India have to bear the new specified health warnings as prescribed in the said Notification.*

**20. Foreign Trade (Development and Regulation) Act, 1992**

i. As per Section 3(2) of the Foreign Trade (Development and Regulation) Act, 1992 the Central Government may by Order make provision for prohibiting, restricting or otherwise regulating, in all cases or in specified classes of cases and subject to such exceptions, if any, as may be made by or under the Order, the import or export of goods or services or technology.

ii. As per Section 3(3) of the Foreign Trade (Development and Regulation) Act, 1992 all goods to which any Order under sub-section (2) applies shall be deemed to be goods the import or export of which has been prohibited under section 11 of the Customs Act, 1962 (52 of 1962) and all the provisions of that Act shall have effect accordingly.

iii. As per Section 11(1) of the Foreign Trade (Development and Regulation) Act, 1992 no export or import shall be made by any person except in accordance with the provisions of this Act, the rules and orders made thereunder and the foreign trade policy for the time being in force.

iv. As per Section 11(3) of the Customs Act, 1962 any prohibition or restriction or obligation relating to import or export of any goods or class of goods or clearance thereof provided in any other law for the time being in force, or any rule or regulation made or any order or notification issued thereunder, shall be executed under the provisions of that Act only if such prohibition or restriction or obligation is notified under the provisions of this Act, subject to such exceptions, modifications or adaptations as the Central Government deems fit

**21. Rule 3 of the cigarettes and Other Tobacco products (Packaging and Labeling) Rules, 2008 and its Amendment Rules, 2017, read-with Circular No. 09/2017- Customs, issued under F. No. 711/07/2003-Cus (AS) dated 29.03.2017:**

The manner of packing and labeling of the Cigarettes and other Tobacco products have been defined as under -

Manner of packing and labeling:-

1. Every person engaged directly or indirectly in the production, supply, import or distribution of cigarettes or any other tobacco product shall ensure that:

a. Every package of cigarettes or any other tobacco product shall have the specified health warning exactly as specified in the Schedule to these rules.

b. Para 3 of Circular No. 09/2017-Customs dated 29.03.2017 states:-

The Legal Metrology Act, 2009 and the Legal Metrology (Packaged Commodities) Rules, 2011 apply to packaged commodity which includes cigarettes. As the imported cigarette packs are intended for retail sale, they are covered under the Legal Metrology (Packaged Commodity) Rules, 2011 which require a declaration on the packs containing the name and address of the manufacturer or importer or packer, quantity of the product, month and year of manufacturing or pre-packing or importation, the retail sale price, etc. In terms of the said Act and Rules it is illegal to manufacture, pack, sell, import, distribute, deliver, offer, expose or possess for sale any pre-packaged commodity unless the package is in such standard quantities or number and bears thereon such declarations and particulars in such a manner as prescribed.

2. Para 5 of Circular No. 09/2017-Customs dated 29.03.2017 states-

<i> "The Cigarette packets shall have, inter alia, specified health warning to cover 85% of the principal display area of the package; 60% shall cover pictorial warning and 25% shall cover textual health warning, the placement of the warning; the language to be used on the package; every package of Cigarette should have name of the product; name and address of the manufacturer or importer or packer; origin of the product (for import) quantity



of the product and date of manufacture (Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution Act, 2003 (COTPA 2003) and rules may be

#### **Discussions and Summary of Contraventions:**

**22.** Imports of Cigarette into India are governed by the following legal provisions:

(a) Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003, (COTPA 2003) read with Cigarettes and other Tobacco Products (Packaging and Labelling) Rules, 2008

(b) Legal Metrology Act, 2009 read with Legal Metrology (Packaged Commodities) Rules, 2011

(c) General Note 5 & 13 of Import Policy read with Sections 3(2), 3(3) and 11(1) of the Foreign Trade (Development and Regulation) Act, 1992, Rule 14 of the Foreign Trade (Regulation) Rules, 1993 and Para 2.01(b), 2.03(a) of the Foreign Trade Policy 2015-2020

(d) Section 11 of the Customs Act read with Circular No. 09/2017-Customs dated 29.03.2017 and Circular No. 20/2018-Customs dated 20.06.2018 Proviso to Rule 3(1)(b) of the Cigarettes and other Tobacco Products (Packaging and Labeling) Rules, 2008 and Para 5 of Circular No. 09/2017-Customs dated 29.03.2017 provides as under: -

*"The cigarette packets shall have, inter alia, specified health warning to cover 85% of the principal display area of the package; 60% shall cover pictorial warning and 25% shall cover textual health warning; the placement of the warning; the language to be used on the package; every package of cigarette should have name of the product; name and address of the manufacturer or importer or packer; origin of the product (for import); quantity of the product and date of manufacture"*

(e) In this regard, the latest warnings on the packs of cigarette are specified in Cigarettes and other Tobacco Products (Packaging and Labelling) Amendment Rules, 2022 read with Section 7 (3) and Section 8 of COTPA 2003. According to General Note 5, Import Policy issued by DGFT, packaged commodities which are subject to provisions of the Legal Metrology (Packaged Commodities) Rules, 2011(as amended from time to time) when produced/ packed/ sold in domestic market, shall be subject to compliance of all the provisions of the said rules, when imported into India.

(f) The packages of Cigarettes being ready to consume goods, Name and Address of the Importer were also required to be pre- printed on the packages in terms of the provisions of the Rule 6(2) and 10 of the Legal Metrology (Packaged Commodities) Rules, 2011.

(g) Further in terms of Rule 27 of the Legal Metrology (Packaged Commodities) Rules, 2011, the importer of any pre-packed commodity should register with the Director or Controller. Section 18 of the Legal Metrology Act, 2009 also prescribes the making declaration on the pre-packed commodities.

(h) From the foregoing legal provisions, it appears that the 57,02,400 sticks of cigarettes seized in the subject consignment, have been mis-declared as

"Gypsum Plaster Board" in the attempt to smuggle them into India to evade Customs Duty.

(i) During the examination of the imported goods, it was observed that the imported/smuggled cigarettes do not have the health warning and pictorial graphics that are required under Rule 3 of the Cigarettes and Other Tobacco Products (Packaging and Labelling) Rules, 2014 issued under the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce Production Supply and Distribution) Act, 2003. Further, the said cigarettes were not declared Import Goods Manifest (including Bill of Lading) filed to the Customs as per the statutory requirements and were instead found concealed in a consignment purported to be "Gypsum Plaster Boards". Thus the 57,02,400 sticks of cigarettes seized in the subject consignment appear to be liable for confiscation under Section 111(d), 111(f) & 111(i) of the Customs Act, 1962 of the Customs Act read with Sections 7 and 14 of the Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce Production Supply and Distribution) Act, 2003.

(j) As per Section 104(6) of Customs Act, 1962, as amended by The Finance Act, 2013, Notwithstanding anything contained in the Code of Criminal Procedure, 1973, an offence punishable under section 135 of Customs Act, 1962 wherein import or export of any goods which have not been declared in accordance with the provisions of this Act and the market price of which exceeds one crore rupees is non-bailable.

(k) As per Section 104(4) of the Customs Act, 1962, \*Notwithstanding anything contained in the Code of Criminal Procedure, 1973, an offence relating to prohibited goods or evasion or attempted evasion of duty exceeding fifty lakh rupees shall be cognizable". In the present case, the cumulative value of Cigarettes attempted to be smuggled is Rs.11,40,48,000/- (Rupees Eleven Crores Forty Lakhs Forty-Eight Thousand Only) thereby attracting the provisions of Section 104(6) of the Customs Act, 1962 read with Section 135 of the ibid Act and make the offence non-bailable.

(l) Further, according to Section 119 of the Customs Act, 1962, any goods used for concealing smuggled goods shall also be liable for confiscation.

### **23. Summary of the investigation:**

- (i) Based on specific intelligence gathered from CSD, JNCH & NCTC that cigarettes are being smuggled by way of mis-declaration through Nhava Sheva Port, in the import cargo of container no. GLDU7125510 (40 Feet) vide Bill of Lading No. MLJEAHYD24000394 dated 11.07.2024, imported in the name of consignee M/s AMAZE TRADEX (IEC-JXIPS7632N), examination of the Container was done under Panchanama dated 07.09.2024.
- (ii) Upon examination, it was found that the container was found to be 18 pallets, packed with white board sheets, seemingly made of gypsum, arranged on pallets and wrapped in transparent PP. It is observed that inside the White Board Sheets cavity, 396 cartons were found concealed in which Cigarettes of brand "GUDANG GARAM" were found in 18 pallets. The declared cargo in the said consignment was "Gipsam Plaster Board". The above said 396 cartons containing 57,02,400 Cigarettes sticks of GUDANG : GARAM Brand having value of approximately



**11,40,48,000/-** (@Rs 20/- per Cigarette stick) were seized under Section 110 of the Customs Act, 1962 vide Seizure memo dated 09.09.2024.

- (iii) Various searches were done and statements of various persons were recorded under Section 108 of Customs Act, 1962.
- (iv) During the course of investigation and ongoing through the voluntary statement of Shri Mohd Abdul Suleman Siddiqui, it is emerged that Shri Mohd Abdul Suleman Siddiqui withheld critical information pertaining to the smuggling operation. Evidence suggests that Shri Siddiqui had full knowledge of the illegal importation of cigarettes, concealed under the guise of Gypsum Plaster Boards, intentionally mislabeled as "Gipsam" in "Bill of Lading" and thus falsifying the documents and attempted to smuggle fraudulently and by willful misstatement of the description of goods before the Customs authority at the time of import with the clear intent to smuggle foreign origin cigarettes. Upon receiving news that SIIB (I) had intercepted and seized the illicit consignment, Shri Siddiqui absconded from India to Saudi Arabia/Dubai on 08.09.2024.
- (v) It is clear from the investigation that Shri Siddiqui was deeply involved in the planning and execution of the smuggling operation. He provided evasive and contradictory responses during questioning by the officers under Section 108 of the Customs Act, 1962. By failing to provide complete and accurate information and his personal phone (I-phone) which contained crucial information viz. contact details/communication with supplier/whatsapp chats, import documents, Shri Siddiqui actively obstructed the investigation.
- (vi) His actions, both deliberate omissions and commissions, indicate a significant role in orchestrating the illegal import of cigarettes, thereby violating multiple provisions of the Customs Act, 1962 and COTPA Act, 2003. His conduct reflects a serious breach of law, demonstrating intent to defraud customs authorities and evade legal accountability.
- (vii) Upon receiving information on 07.09.2024 about the consignment hold and examination leading to cigarette concealment, the applicant, Shri Mohd Abdul Suleman Siddiqui, absconded from India to Saudi Arabia/Dubai on 08.09.2024, subsequently switching off his mobile phone. This is corroborated by the voluntary statements of Customs Broker and Shipping Line Manager. Furthermore, the mention of "Umrah" & the email dated 03.10.2024 appear to be an afterthought intended to evade the departmental proceedings.

## 24. CHARGES

In the light of above facts and the legal provisions discussed supra,

- a. The seized 57,02,400 sticks of foreign origin 'Gudang Garam' brand cigarette (without mandatory statutory warning), valued at Rs. 11,40,48,000 (Rupees Eleven Crores Forty Lakhs Forty Eight Thousand Only), smuggled into India, that were found concealed in the import consignment of 'Gypsum board', appear to be liable for confiscation under aforesaid sub sections of Sections 111(d), 111(f) and 111(i) of the Customs Act, 1962 as they have been smuggled into India with intention to evade the customs duty payable thereon, and in violation of the provisions of the Customs Act, 1962 read with Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 and the Cigarettes and Other Tobacco Products (Packaging and Labelling) Rules, 2008. The concealment of smuggled foreign cigarettes in the



consignment of 'Gypsum board' appears to have rendered the impugned goods liable for confiscation.

- b. The gypsum boards, along with the frames and legs supporting the pallets, weighing 6700 kgs, with having no Commercial Value, used as cover cargo to conceal the smuggled foreign origin cigarettes appear to be liable for confiscation under Section 119 of the Customs Act, 1962.

**25.** M/s AMAZE TRADEX (IEC-JXIPS7632N) in whose name the smuggled foreign origin cigarettes were imported by concealing in the consignment of 'Gypsum board', also appear to be liable for penalty under Sections 112 of the Customs Act, 1962.

**26.** Mohd Abdul Suleman Siddiqui, S/o Mohd Abdul Kaleem Siddiqui, 10-5-391/1/1, Syed Nagar, Ahmed Nagar, Asif Nagar, Hyderabad-500028, appears to have made arrangements for illegal import of foreign origin cigarettes, thus playing a key role in the smuggling of foreign origin cigarettes. Further, he has intentionally avoided participating in the investigation in the smuggling of foreign origin cigarettes, though he was aware of the conscious role played by him in the illegal activity. Hence, he appears to be liable for penalty under Section 112 of the Customs Act, 1962, commensurate with the seriousness and gravity of the offence committed by him. Also Mohd Abdul Suleman Siddiqui, S/o Mohd Abdul Kaleem Siddiqui, 10-5-391/1/1, Syed Nagar, Ahmed Nagar, Asif Nagar, Hyderabad-500028, appears to have used false/incorrect documents such as invoice, packing list to illegally import of foreign origin cigarettes. Hence, he appears to be liable for penalty under Section 114AA of the Customs Act, 1962

**27.** M/s V R Logistics, with registered address at H.No: 5-123, Survey No 7 & 8, Plot No 602, S V Sai Srinivasan Residency, Moosapet, Hyderabad-500 018, who acted as Customs broker for M/s AMAZE TRADEX (IEC-JXIPS7632N). For the earlier imports, he has admitted that they had not verified any document to comply with the KYC norms and that the lapse had not happened till date and that was the only occasion where they had been a little bit careless. M/s V R Logistics, have thus failed to obtain and verify documents to comply with KYC norms as mandated by Regulation 10 of the Customs Brokers Licensing Regulations, 2018 and thereby paved way for smuggling of contraband into India and therefore, without prejudice to any action contemplated under CBLR, 2018, M/s V R Logistics, appear to be liable for penalty under Section 112 of the Customs Act, 1962. Also M/s V R Logistics, with registered address at H.No: 5-123, Survey No 7 & 8, Plot No 602, S V Sai Srinivasan Residency, Moosapet, Hyderabad-500 018 have submitted false/incorrect documents such as invoice, packing list to illegally import of foreign origin cigarettes. Hence, he appears to be liable for penalty under Section 114AA of the Customs Act, 1962

**28.** Now, therefore Mohd Abdul Suleman Siddiqui, IEC holder of M/s AMAZE TRADEX (IEC-JXIPS7632N) or any other claimant are hereby called upon jointly and/or severally, called upon to show cause to the Additional /Joint Commissioner of Customs, NS-I Commissionerate, JNCH, within 30 days from the date of receipt of this notice, as to why:

- a) The 57,02,400 sticks of foreign origin cigarettes valued at Rs.11,40,48,000/- (Rupees Eleven Crores Forty Lakhs Forty Eight Thousand Only) attempted to be smuggled into India from Jebel Ali, UAE, covered under Bill of Lading no. MLJEAHYD24000394 dated 11.07.2024 that arrived in Container No. GLDU7125510 vide IGM No. 2386574 dated 28.08.2024 should not be confiscated, under section 111(d), 111(f) and



111(i), of the Customs Act, 1962 read with section 14 of the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 and section 15 of The Foreign Trade (Development and Regulation) Act, 1992;

- b) The gypsum boards weighing 8655 kgs, with having no Commercial Value, used as cover cargo for concealing the contraband also appear to be liable for confiscation under Section 119 of the Customs Act, 1962.
- c) Penalty should not be imposed on them under section 112 of the Customs Act, 1962;
- d) Penalty should not be imposed on them under section 114AA of the Customs Act, 1962.

29. Without prejudice to any action contemplated under CBLR, 2018, M/s V R Logistics., who acted as Customs broker for M/s AMAZE TRADEX (IEC-JXIPS7632N) is hereby required to show cause to Additional/Joint Commissioner of Customs, NS-I Commissionerate, JNCH, as to why penalty should not be imposed on them under Section 112 and 114AA of the Customs ACT, 1962, for failing to obtain and verify documents to comply with KYC norms as mandated under Customs Brokers Licensing Regulations, 2018 thereby paved way for smuggling of cigarettes into India and submitting/using incorrect/false material to facilitate the import.

30. Any claimants are also required to submit along with their reply, if any, all the documents and materials that they propose to rely upon in their defense and also state in their reply or otherwise within the above-mentioned timeframe, whether they would like to be heard in person by the adjudicating authority before the case is decided. If no specific request is made in this regard or if no reply is received within the time limit stated above, or if they do not appear for the personal hearing, at the date and time fixed by the adjudicating authority, it will be presumed that they do not desire a personal hearing and that they have nothing to say in reply and the issues would be decided based on the material available on record, without any further reference to them.

31. Further, the department reserves its rights to add, alter, amend, modify or supplement this notice at any time on the basis of any evidence, material facts related to import of goods in question, which may come to the notice of the department after issuance of this notice and prior to the Adjudication of the case.

32. This Show Cause Notice is issued without prejudice to any other action that may be taken in respect of the said goods / notices and /or against any other firm / person concerned covered or not covered under the provisions of the Customs Act, 1962 and/or any other law for the time being in force in the Union of India.

Digitally signed by  
Jay Girijappa Waghmare  
Date: 04-09-2025  
16:25:24

(Jay G. Waghmare)  
Joint Commissioner of Customs  
Gr-1, NS-I, JNCH

To

1. M/s Amaze Tradex, (IEC No. JXIPS7632N), Shri Mohd Abdul Suleiman Siddiqui, the proprietor of the firm, 10-5-391/1/1, Syed Nagar, Ahmed Nagar, Asif Nagar, Hyderabad-500028.

2. Shri Mohd Abdul Suleiman Siddiqui S/o Mohd Abdul Kaleem Siddiqui, 10-5-391/1/1, Syed Nagar, Ahmed Nagar, Asif Nagar, Hyderabad-500028.
3. M/s V R Logistics to the registered address at H.No:5-123, Survey No 7 & 8, Plot No 602, S V Sai Srinivasan Residency, Moosapet, Hyderabad-500 018

Copy to: -

1. The Principal Commissioner of Customs, NS-I, JNCH, Nhava-Sheva,
2. DC/Adjudication Cell,
3. DC, SIIB(Import),
4. CHS Section, JNCH (For display on Notice Board.)
5. EDI Section, JNCH (For publish on JNCH Website)
6. Office copy.