	सीमा शुल्क के प्रधान आयुक्त का कार्यालय सीमा शुल्क सदन, मुंद्रा, कच्छ, गुजरात OFFICE OF THE PRINCIPAL COMMISSIONER OF CUSTOMS CUSTOMS HOUSE, MUNDRA, KUTCH, GUJARAT Phone No.02838-271165/66/67/68 FAX.No.02838-271169/62, Email-adj-mundra@gov.in	 आजादी का अमृत महोत्सव
A. File No.	: CUS/AG/MISC/1844/2024-A/G-O/o Pr Commr-Cus-Mundra	
B. Order-in-Original No.	: 01/2025-26	
C. Passed by	: Nitin Saini, Commissioner of Customs, Customs House, AP & SEZ, Mundra.	
D. Date of order and Date of issue:	: 13-01-2026 13-01-2026	
E. SCN No. & Date	: Show Cause Notice No. 01/2025-26 dated 19.07.2025, under regulation 17(1) of the CBLR, 2018	
F. Noticee(s) / Party / Importer	: M/s. Trident Shipping & Logistics, Mundra.	
G. DIN	: 20260171MO0000777CF7	

1. यह अपील आदेश संबंधित को निःशुल्क प्रदान किया जाता है।

This Order - in - Original is granted to the concerned free of charge.

2. यदि कोई व्यक्ति इस अपील आदेश से असंतुष्ट है तो वह सीमा शुल्क अपील नियमावली 1982 के नियम 6(1) के साथ पठित सीमा शुल्क अधिनियम 1962 की धारा 129A(1) के अंतर्गत प्रपत्र सीए3-में चार प्रतियों में नीचे बताए गए पते पर अपील कर सकता है-

Any person aggrieved by this Order - in - Original may file an appeal under Section 129 A (1) (a) of Customs Act, 1962 read with Rule 6 (1) of the Customs (Appeals) Rules, 1982 in quadruplicate in Form C. A. -3 to:

“केन्द्रीय उत्पाद एवं सीमा शुल्क और सेवाकर अपीलीय प्राधिकरण, पश्चिम जोनल पीठ, 2nd फ्लोर, बहुमाली भवन, मंजुश्री मिल कंपाउंड, गिर्धनगर ब्रिज के पास, गिर्धनगर पोस्ट ऑफिस, अहमदाबाद-380 004”

“Customs Excise & Service Tax Appellate Tribunal, West Zonal Bench, 2nd floor, Bahumali Bhavan, Manjushri Mill Compound, Near Girdharnagar Bridge, Girdharnagar PO, Ahmedabad 380 004.”

3. उक्त अपील यह आदेश भेजने की दिनांक से तीन माह के भीतर दाखिल की जानी चाहिए।

Appeal shall be filed within three months from the date of communication of this order.

Brief Facts of the Case:

1. M/s. Trident Shipping & Logistics, Mundra (hereinafter referred to as *the Customs Broker* or *CUSTOMS BROKER*) is a licensed Customs Broker holding License No. CHM/CUSTOMS BROKER /05/2021 issued under Regulation 7(2) of CBLR, 2018.
2. The Custom Broker filed shipping bills on behalf of M/s. Rain Pharma Impex, Rajkot, declaring export of pharmaceutical products. Customs Broker M/s. Trident Shipping & Logistics, Mundra has filed Shipping Bill Nos. 2397515 dated 13.07.2024, 2555194 dated 19.07.2024, 1577470 dated 11.06.2024 and 1959487 dated 26.06.2024 for the exporter M/s. Rain Pharma Impex and during the examination of consignments covered under these shipping bills, Tramadol Hydrochloride Tablets were found concealed in them.
3. Total 41 samples (27 from first seizure + 14 from second seizure) were drawn during the Proceedings under section 52A of the NDPS Act, 1985 for inventory, sampling and photography of the seized psychotropic substance, conducted in the presence of Hon'ble Additional Chief Judicial Magistrate, Mundra on 31.07.2024 and 22.09.2024 respectively and the same have tested positive for Tramadol Hydrochloride and the concerned Test Reports have been accepted by the Hon'ble Additional Chief Judicial Magistrate, Mundra on 01.10.2024 and 16.10.2024 respectively. Remaining quantity of Tramadol tablets after sampling viz. 9416240 (in nos.) have been destroyed by Mundra Customs on 23.01.2025 by incineration at M/s. Saurashtra Enviro Projects Pvt. Ltd., Survey No. 417, Village Juna Katariya, Tal. Bhachau, Dist. Kutch-370150.
4. Statement of Shri Bhagirathsinh B. Jadeja, F-Card Holder of the Customs Broker Firm M/s. Trident Shipping & Logistics, Mundra (Custom Broker License No. CHM/CUSTOMS BROKER /05/2021) was recorded under Section 67 of the NDPS Act, 1985 on 06.08.2024 during which on being asked, he interalia stated that:
 - a. they collect the KYC documents from their customers and do online verification of the same;
 - b. they have conducted complete KYC of M/s. Rain Pharma Impex (IECABHFR1616F), Rajkot and collected
 - (i) Authority Letter,
 - (ii) GST Registration Certificate (24ABHFR1616F1ZI),
 - (iii) Bank details for ICICI Bank Account No. 338805500627
 - (iv) Aadhar Card of Partner Shri Bhavik Jayeshbhai Vora (7206 0931 1045),
 - (v) IEC
 - (vii) Photocopy of cancelled Cheque No. 000286 of ICICI Bank;
 - c. they did not have original copy of the said cancelled cheque but only a photocopy which was provided by Shri Chetansinh; they have not conducted physical verification of the office premises of the said firm and verified the KYC documents online;
 - d. they have received the work for clearance of export consignments of M/s. Rain Pharma Impex by Shri Chetansinh, who is known to him since last 3-4 years, and the export documents for the export consignments were provided to them by Shri Chetansinh only;
 - e. they get the checklists approved by their clients before filing the shipping bills and in the instant case, they filed the shipping bills only after receiving

return approval email i.e. tanvishippingmundra@gmail.com from Shri Chetansinh;

f. they did not verify the genuineness of Invoice and Packing List related to the said shipping bills but they have verified the KYC documents of M/s. Rain Pharma Impex which were received from email tanvishippingmundra@gmail.com;

From the statement of Shri Bhagirathsinh B. Jadeja, it appeared that he was not in direct contact with anyone from M/s. Rain Pharma Impex or Shri Kanajee (Keval) Ratilal Gondaliya or Shri Harshit Shaileshbhai Sheladiya or Shri Neel Rajeshbhai Pambhar (accused in the case) and KYC verification and filing of shipping bills of the said exporter was being done on the basis of documents provided by Shri Chetansinh. The fact is corroborated with CDR data of Shri Bhavik Jayeshbhai Vora (Partner of M/s. Rain Pharma Impex), Shri Kanajee (Keval) Ratilal Gondaliya and Shri Harshit Shaileshbhai Sheladiya.

5. The License of the Customs Broker was suspended vide Order No. 01/2024-25 dated 21.08.2024 under regulation 16 of the CBLR, 2018 as M/s. Trident Shipping & Logistics appeared to have failed to fulfil their obligations under Regulation 10(d) and 10(n) of CBLR, 2018. The Suspension of the License was continued vide Order no. 02/2024-25 dtd 17.09.2024, as per regulation 16(2) of the CBLR, 2018.
6. An Offence Report dated 23.04.2025 was forwarded against the Customs Broker, highlighting lapses in KYC verification, non-compliance with advisory duties, and filing of mis-declared shipping documents. From the Offence Report, it was evident that M/s. Trident Shipping & Logistics failed to comply with Regulations 10(d) and 10(n) of the CBLR, 2018. The Customs Broker neither advised its client, M/s. Rain Pharma Impex, on compliance with Customs and allied laws nor brought non-compliance to the notice of Customs, thereby violating Regulation 10(d) of CBLR 2018. Further, the Customs Broker did not directly verify the exporter's identity, relied solely on an intermediary, failed to obtain original documents, and neglected to verify genuineness of export documents, thereby contravening Regulation 10(n) of CBLR 2018. Such lapses amount to gross negligence, undermining the substantive obligations of a Customs Broker, whose duty is to exercise due diligence and safeguard the integrity of Customs processes.
7. Accordingly, a Show Cause Notice No. 01/2025-26 dated 19.07.2025, under regulation 17(1) of the CBLR, 2018, was issued to M/s Trident Shipping & Logistics, Mundra. The Show Cause Notice alleged that the Customs Broker failed to directly verify and establish the identity and functioning of the exporter, Relied on an unauthorized intermediary, Shri Chetansinh Manubhai Jadeja, for all dealings. Failed to properly verify KYC documents, some of which were only partial photocopies. Did not advise the exporter of compliance obligations under Customs and allied laws. Filed shipping bills containing misdeclarations, thereby facilitating attempted illegal export of psychotropic substances.
7.1 Thus, the Commissioner directed the Assistant Commissioner Shri Ajoy Kumar, CB Section, Mundra, to inquire into the allegations levelled in aforesaid SCN dated 19.07.2025.
8. The inquiry report dated 13.10.2025 in respect of the Show Cause Notice No. 01/2025-26 dated 19.07.2025, issued under regulation 17 (5) of the CBLR, 2018, was issued by the Assistant Commissioner, CB Section, Mundra against M/s Trident Shipping & Logistics, Mundra.

9. Findings of the Inquiry Report:

- 9.1 The inquiry establishes that the Customs Broker had relied solely on all the documents (viz. KYC & export documents) provided by an intermediary Shri Chetansinh Manubhai Jadeja (who is not an employee of the CUSTOMS BROKER firm M/s. Trident Shipping & Logistics, Mundra) and they were not in direct contact with the exporter M/s. Rain Pharma Impex so the question of them advising their client to comply with the provisions of the Act, other allied Acts and the rules and regulations thereof, does not arise.
- 9.2 Further, there have been lapses on part of the Customs Broker in carrying out proper KYC of the said exporter in as much as they did not obtain original copy of cancelled cheque from the exporter. They did not verify the genuineness of the export documents while filing the shipping bills and were getting check list approval through the intermediary. The CB's reliance on a self-declaration-cum-authorization letter from the exporter dated 29.04.2024 cannot be accepted as sufficient discharge of their statutory responsibility. Merely obtaining a declaration-cum-authority letter does not prove that actual advice was rendered, nor does it demonstrate that the CB ensured compliance by the exporter.
- 9.3 Failure to raise the issue to Customs authority despite the presence of irregularities reflects lack of due diligence. The Customs Broker's defence that KYC verification was done based on IEC, GSTIN, Aadhaar, and bank certificate does not absolve them of responsibility. The failure to obtain the original cancelled cheque, a critical element of bank account verification, indicates non-compliance with prescribed KYC norms. A copy does not serve the same evidentiary value as the original document and undermines the authenticity of verification.
- 9.4 The defence of CB's that there was "no involvement beyond documentation" cannot be accepted, as the very act of filing documents without proper verification constitutes a breach of CBLR obligations. By relying on an unauthorized intermediary and filing shipping bills with misdeclared goods, the Customs Broker created conditions for violation of both NDPS Act and Customs Act. Even in the absence of connivance and negligence, failure to discharge obligations under Regulation 10 attracts regulatory action. The CB's conduct in this case shows lapses in advising the client, monitoring compliance, reporting irregularities and ensuring KYC verification. In view of the above, the submissions made by the Customs Broker are not acceptable. The investigation establishes that M/s. Trident Shipping & Logistics, Mundra, failed to conduct proper due diligence of their client, M/s. Rain Pharma Impex. They violated their statutory obligations under Regulation 10(d) and 10(n) of CUSTOMS BROKER LR, 2018. Their negligence facilitated the attempted illegal export of Tramadol Hydrochloride Tablets, prohibited under the NDPS Act, 1985.
- 9.5 Therefore, the inquiry report recommended revocation of the Customs Broker licence, forfeiture of the security deposit and imposition of penalty under the relevant provisions of CBLR, 2018.

10. Representation of CB against the Inquiry report dated 13.10.2025:

- 10.1 In the matter of the Show Cause Notice dated 19.07.2025 issued to M/s. Trident Shipping & Logistics, the noticee has submitted a detailed rebuttal to the Inquiry Report dated 13.10.2025, categorically denying any contravention of Regulations 10(d) and 10(n) of the CBLR, 2018. Regarding the allegation under Regulation 10(d), the noticee contends that they sufficiently discharged their duty to advise the client, M/s. Rain Pharma Impex, as evidenced by the "Authority-cum-Appointment" letter dated 29.04.2024. In this document, the exporter explicitly affirmed their understanding of the Customs Act and Foreign Trade Policy. The noticee challenges the Inquiry Officer's finding that

personal communication or the absence of an intermediary is a prerequisite for compliance, arguing instead that the written affirmation on record is a valid and sufficient form of professional advice.

- 10.2 With respect to the alleged breach of Regulation 10(n), the noticee asserts that the identity and existence of the exporter were never in doubt, having been verified through IEC, GSTIN, Aadhaar, and a bank certificate from ICICI Bank. They argue that the Inquiry Officer's reliance on the failure to obtain an original cancelled cheque—despite having a photocopy on record—is a hyper-technicality. The noticee highlights that the exporter's partner, Shri Bhavik Vora, was physically joined in the investigation and even arrested, which conclusively proves that the client was a functioning entity and not a "fly-by-night" operator. Consequently, they maintain that the KYC obligations were met in substance and spirit.
- 10.3 Finally, the noticee raises a plea of proportionality and a concern regarding the principles of natural justice. They emphasize that since their direct involvement in any underlying offense has been ruled out, the revocation of their license would be an excessively harsh penalty, resulting in the loss of livelihood for the firm's dependents. Furthermore, the noticee points out that the Offence Report dated 23.04.2025 was never provided to them despite multiple requests, thereby hampering their right to a full defence. The submission concludes with a request to drop the proposal for revocation, forfeiture of security, and imposition of penalties, while reserving the right to file additional submissions once the Offence Report is made available.

Discussion and findings

11. I have carefully examined the Show Cause Notice No. 01/2025-26 dated 19.07.2025 issued under Regulation 17(1) of the Customs Brokers Licensing Regulations, 2018, the Offence Report dated 23.04.2025, the Inquiry Report dated 13.10.2025 submitted under Regulation 17(5) of the Customs Brokers Licensing Regulations, 2018, and the representation of the Customs Broker against the Inquiry Report dated 13.10.2025.

11.1 The proceedings arise from the filing of export documents and Shipping Bill No. 1577470 dated 11.06.2024, Shipping Bill No. 1959487 dated 26.06.2024, Shipping Bill No. 2397515 dated 13.07.2024, and Shipping Bill No. 2555194 dated 19.07.2024 by M s Trident Shipping and Logistics, Mundra, as Customs Broker for the exporter M s Rain Pharma Impex, Rajkot, where Tramadol Hydrochloride Tablets were found concealed during examination.

11.2 I note that sampling proceedings under section 52A of the NDPS Act, 1985 were conducted in the presence of the Honble Additional Chief Judicial Magistrate, Mundra on 31.07.2024 and again on 22.09.2024, that test reports confirming Tramadol Hydrochloride were accepted by the Honble Additional Chief Judicial Magistrate, Mundra on 01.10.2024 and 16.10.2024, and that the remaining seized quantity after sampling was destroyed on 23.01.2025 by incineration at the stated facility.

11.3 I further note that the statement of Shri Bhagirathsinh B Jadeja, F Card holder of the Customs Broker, was recorded under section 67 of the NDPS Act, 1985 on 06.08.2024, wherein he admitted that the work was received through an intermediary Shri Chetansinh Manubhai Jadeja, that the export documents were provided by that intermediary, that checklist approvals were obtained through the intermediary, that physical verification of the exporter premises was not conducted, and that only a photocopy of the cancelled cheque was taken and not the original.

11.4 The Customs Broker license was suspended by Order No. 01/2024-25 dated 21.08.2024 under Regulation 16 of the Customs Brokers Licensing Regulations, 2018, and the suspension was continued by Order No. 02/2024-25 dated 17.09.2024 under Regulation 16(2).

11.5 The Show Cause Notice dated 19.07.2025 proposes action for violation of Regulation 10(d) and Regulation 10(n) of the Customs Brokers Licensing Regulations, 2018. The Inquiry Report dated 13.10.2025 records findings that the Customs Broker worked entirely through an unauthorised intermediary, did not directly interact with the exporter, did not establish actual advising on compliance, relied on photocopied and incomplete KYC, did not obtain an original cancelled cheque, did not verify the genuineness of export documents, and thereby violated Regulation 10(d) and Regulation 10(n), recommending revocation, forfeiture of security deposit, and penalty.

12. To begin with, the Customs Broker has contended that the Offence Report dated 23.04.2025 was not supplied despite requests, and that this impaired their defence.

12.1 I have considered this contention. The Show Cause Notice No. 01/2025-26 dated 19.07.2025 clearly sets out the factual allegations, the regulatory provisions invoked, and the material circumstances relied upon, including the specific shipping bills, the seizures and sampling chronology, and the statement dated 06.08.2024 which directly goes to the core of the alleged lapses. The Inquiry Report dated 13.10.2025 also summarises and evaluates the same core evidentiary material and the Customs Broker was afforded opportunity to make representation against that report.

12.2 In these circumstances, and applying the test of prejudice, I find that the defence has not demonstrated that any specific exculpatory material contained only in the Offence Report dated 23.04.2025 was withheld so as to disable an effective rebuttal, particularly when the decisive facts relied upon by me in this order are independently available from the statement dated 06.08.2024 and the undisputed chronology of shipping bills and seizures. I therefore reject the plea that the proceedings are vitiated on this ground.

Violation of Regulation 10(d) of the Customs Brokers Licensing Regulations, 2018

13. The SCN alleges that the Customs Broker failed to advise its client M s Rain Pharma Impex to comply with the Customs Act, 1962 and allied laws including the NDPS Act, 1985, and failed to bring non compliance to the notice of the jurisdictional Deputy Commissioner or Assistant Commissioner, thereby violating Regulation 10(d).

13.1 Regulation 10(d) is not a passive obligation. It requires an active professional function, namely that the Customs Broker must establish a real advisory relationship with the client, must communicate compliance requirements relevant to the work, must exercise vigilance for compliance red flags in the course of transactions, and must report non compliance to Customs when it is noticed or reasonably ought to have been noticed.

13.2 In the present case, the admitted mode of working itself defeats the possibility of compliance with Regulation 10(d). The Customs Broker accepted work, received export documents, obtained checklist approvals, and filed shipping bills entirely through an intermediary who was not an employee of the Customs Broker firm. In

such a configuration, the Customs Broker did not maintain a direct professional channel with the exporter through which meaningful advice on compliance could be given, monitored, and evidenced, and it also disabled itself from detecting and escalating non compliance.

13.3 The evidence that establishes this charge is as follows.

- i. The statement of the F Card holder Shri Bhagirathsinh B Jadeja recorded on 06.08.2024 under section 67 of the NDPS Act, 1985 records that the Customs Broker received the work for M/s Rain Pharma Impex through Shri Chetansinh Manubhai Jadeja, that all export documents were provided by him, and that checklist approvals were received from an email used by that intermediary.
- ii. The same statement dated 06.08.2024 records that the Customs Broker was not in direct contact with the exporter partners and did not conduct physical verification of the exporter premises, which shows that the Customs Broker had no effective interface to advise compliance or to detect non compliance in the exporter operations.
- iii. The shipping bills filed on 11.06.2024, 26.06.2024, 13.07.2024 and 19.07.2024 culminated in seizures of concealed Tramadol Hydrochloride Tablets, followed by sampling proceedings on 31.07.2024 and 22.09.2024 and acceptance of test reports on 01.10.2024 and 16.10.2024, which demonstrates that the export declarations filed through the Customs Broker channel were part of an attempted illegal export of a psychotropic substance, and at a minimum required the Customs Broker to demonstrate heightened compliance vigilance and reporting discipline, which is absent.
- iv. The Inquiry Report dated 13.10.2025 concludes that because the Customs Broker was not in direct contact with the exporter and relied entirely on an unauthorised intermediary, the question of advising the client and ensuring compliance did not arise, and further concludes that no evidence of actual advice and no reporting of irregularities to Customs was shown.

13.4 On the whole, I hold that the Department has established a evidentiary chain that the Customs Broker did not discharge the affirmative statutory duty under Regulation 10(d).

14. The Customs Broker has argued that it discharged Regulation 10(d) because the exporter issued an Authority cum Appointment letter dated 29.04.2024 that contains a self affirmation that the exporter understands the Customs Act and Foreign Trade Policy. I do not accept this defence for the following reasons.

14.1 First, a self declaration by the client dated 29.04.2024 cannot be equated with the Customs Broker advising the client. Regulation 10(d) places the burden on the Customs Broker to advise. It does not permit the Customs Broker to reverse the statutory role and treat a client self statement as a substitute for professional advice.

14.2 Second, even if I assume that the letter dated 29.04.2024 was obtained at onboarding, it still does not satisfy the second limb of Regulation 10(d), namely that in case of non compliance the Customs Broker must bring the matter to the notice of the Deputy Commissioner or Assistant Commissioner. The record shows no contemporaneous reporting by the Customs Broker of the serious red flags that were present, namely that the entire client interface was through an unauthorised intermediary, that original bank instrument was not obtained, and that export documents were being filed without direct client contact.

14.3 Third, the defence that advice can be presumed from the existence of a written affirmation is contradicted by the Customs Broker own admission in the statement dated 06.08.2024 that it did not interact directly with the exporter and relied on the intermediary for instructions and approvals. Thus, there was no actual advising relationship and no effective compliance oversight.

14.4 Accordingly, I hold that violation of Regulation 10(d) stands proved.

Violation of Regulation 10(n) of the Customs Brokers Licensing Regulations, 2018

15. The SCN alleges that the Customs Broker failed to verify the correctness of IEC, GSTIN, identity and functioning of the exporter at the declared address using reliable, independent, authentic documents, data or information, and failed to exercise due diligence in client onboarding and document filing, thereby violating Regulation 10(n).

15.1 Regulation 10(n) is framed in mandatory language. It requires not merely collection of documents, but verification of correctness and functioning by using reliable, independent and authentic sources. Customs Broker who relies on photocopies without establishing authenticity, who accepts instructions through an unauthorised intermediary, and who does not verify the genuineness of transaction documents, cannot be said to have performed the verification required under Regulation 10(n).

15.2 The evidence establishing the violation is as follows.

1. In the statement dated 06.08.2024, Shri Bhagirathsinh B Jadeja admitted that the Customs Broker did not conduct physical verification of the exporter premises and relied on online verification, and admitted that the Customs Broker did not have the original cancelled cheque but only a photocopy provided through the intermediary.
2. The same statement dated 06.08.2024 records that the Customs Broker did not verify the genuineness of the invoice and packing list related to the shipping bills and proceeded to file shipping bills on the basis of documents received from the intermediary.
3. The Offence Report dated 23.04.2025, as summarised in the proceedings record, highlights lapses in KYC verification, reliance on an intermediary, failure to obtain original bank instrument, and filing of export documents without verifying genuineness, which are directly relevant to Regulation 10(n).
4. The Inquiry Report dated 13.10.2025 specifically finds that the Customs Broker reliance on documents provided by a person who was not its employee, the absence of original cancelled cheque, and the non verification of export documents while filing shipping bills, constitute gross negligence and breach of Regulation 10(n).
5. The objective outcome that Tramadol Hydrochloride Tablets were found concealed in consignments covered by Shipping Bills dated 11.06.2024, 26.06.2024, 13.07.2024 and 19.07.2024, and that samples drawn on 31.07.2024 and 22.09.2024 tested positive and were accepted by the Court on 01.10.2024 and 16.10.2024, makes it more probable that the client onboarding and document flow were not bona fide and required the Customs Broker to apply enhanced verification, which it did not.

15.3 On totality, I find that the evidence establishes that the Customs Broker verification was not based on reliable, independent, authentic sources, but was

reduced to a paper exercise routed through an unauthorised intermediary, which is incompatible with Regulation 10(n)

16. The Customs Broker has contended that identity and existence of the exporter were never in doubt because IEC, GSTIN, Aadhaar and a bank certificate were obtained, and that the absence of an original cancelled cheque is a hyper technicality. The Customs Broker further argued that since a partner of the exporter was investigated and arrested, the exporter was a functioning entity, so Regulation 10(n) stands satisfied. I reject these contentions for the following reasons.

16.1 First, Regulation 10(n) is a duty to verify at the time of accepting and executing work, not a duty that can be retrospectively cured by later investigative developments. The later arrest of an exporter partner does not prove that the Customs Broker performed the statutory verification in the manner required before filing shipping bills dated 11.06.2024, 26.06.2024, 13.07.2024 and 19.07.2024.

16.2 Second, the defence wrongly reduces Regulation 10(n) to a mere existence check. The Regulation requires verification of functioning at the declared address using reliable, independent and authentic sources. Where the Customs Broker admits that it had no direct contact with the exporter, did not physically verify premises, accepted instructions and approvals through an unauthorised intermediary, and did not obtain an original cancelled cheque, the verification cannot be characterised as reliable and authentic.

16.3 Third, the plea of hyper technicality ignores that bank instrument verification is a standard control designed to prevent misuse of identities and diversion of proceeds, and the admission that only a photocopy of cancelled cheque was taken demonstrates that the Customs Broker accepted a lower evidentiary threshold despite the Regulation requiring authenticity.

16.4 Fourth, the Customs Broker has attempted to rely on general propositions that a broker is not required to physically verify clients in every case. Even if physical verification is not invariably mandatory, the Regulation still demands verification through reliable, independent, authentic data and information. In the present case, the problem is not only absence of physical verification, but also complete outsourcing of client interface to an unauthorised intermediary and admitted non verification of export documents, which together constitute gross negligence and a failure of the statutory gatekeeping function.

16.5. Accordingly, I hold that violation of Regulation 10(n) stands proved.

17. Now coming to the consequence part, the Customs Broker has pleaded that revocation would be disproportionate and would affect livelihood, especially when no direct involvement in concealment is alleged.

18.1 I have considered this plea, but I am unable to accept it. The regulatory scheme treats the Customs Broker as a trusted interface between trade and Customs. Any serious misconduct must be viewed strictly to protect the system. In the present case, the Customs Broker admitted on 06.08.2024 that it acted on documents and instructions of an unauthorised intermediary, did not directly deal with the exporter, did not verify export documents, and did not obtain original bank instrument, and these failures are not compatible with continued entrustment of a Customs Broker licence.

18.2 Even if I do not record a finding of deliberate connivance in concealment, it constitutes gross negligence that strikes at the heart of Regulation 10(d) and

Regulation 10(n). Customs Broker's cavalier way of working created a systemic vulnerability that can be exploited for prohibited trade [in this case, a NDPS substance]. That is sufficient to warrant revocation in public interest and for protection of revenue and security.

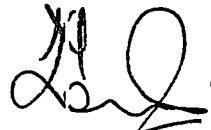
18.3 I therefore conclude that revocation of the licence is the appropriate consequence, along with forfeiture of the security deposit and imposition of penalty, as recommended in the Inquiry Report dated 13.10.2025.

Order

19. In exercise of the powers conferred under Regulation 14 read with Regulation 17 of the Customs Brokers Licensing Regulations, 2018,

1. I revoke the Customs Broker Licence No. CHM CUSTOMS BROKER 05 2021 issued under Regulation 7(2) of the Customs Brokers Licensing Regulations, 2018 to M s Trident Shipping and Logistics, Mundra, with immediate effect at all Customs Stations in India.
2. I order forfeiture of the security deposit furnished by M s Trident Shipping and Logistics under the Customs Brokers Licensing Regulations, 2018.
3. In exercise of powers under Regulation 18 of the Customs Brokers Licensing Regulations, 2018, I impose a penalty of Rs 50,000 on M s Trident Shipping and Logistics.
4. M/s Trident Shipping and Logistics is directed to surrender the original Customs Broker licence and all F Card, G Card and H Card issued to it forthwith to the licensing section.

20. This order is issued without prejudice to any other action that may be taken under the Customs Act, 1962, the NDPS Act, 1985, and any other law for the time being in force, for the acts and omissions arising from the transactions including those relating to Shipping Bill No. 1577470 dated 11.06.2024, Shipping Bill No. 1959487 dated 26.06.2024, Shipping Bill No. 2397515 dated 13.07.2024, and Shipping Bill No. 2555194 dated 19.07.2024.

13/11/26 
(Nitin Saini)
Commissioner

To,

M/s. Trident Shipping & Logistics
Office No. 110, Sadguru Empire,
Near Raspir Circle, Dhrab, Mundra-370421

Copy to: -

1. The Chief Commissioner, Gujarat Customs Zone, Ahmedabad
2. The Deputy/ Assistant Commissioner (EDI), Custom House, Mundra
3. Guard File.