कार्यालय: प्रधान आयुक्त सीमाशुल्क, मुन्द्रा,
सीमाशुल्क भवन, मुन्द्रा बंदरगाह, कच्छ, गुजरात- 370421
**OFFICE OF THE PRINCIPAL COMMISSIONER OF CUSTOMS:**
**CUSTOM HOUSE, MUNDRA PORT, KUTCH, GUJARAT-370421.**
**PHONE : 02838-271426/271163 FAX :02838-271425**
**E-mail id- adj-mundra@gov.in**

| | | |
|---|---|---|
| **A** | **FILE NO.**<br>फ़ाइल संख्या | **GEN/ADJ/ADC/939/2026-Adjn-O/o Pr. Commr-Cus-Mundra** |
| **B** | **OIO NO.**<br>आदेश संख्या | MCH/ZDC/ADC/229/2026-27 |
| **C** | **PASSED BY**<br>जारीकर्ता | **Dipak Zala,**<br>Additional Commissioner of Customs/अपर आयुक्त सीमा शुल्क,<br>Custom House, Mundra/कस्टम हाउस, मुंद्रा। |
| **D** | **DATE OF ORDER**<br>आदेश की तारीख | 24.07.2026 |
| **E** | **DATE OF ISSUE**<br>जारी करने की तिथि | 24.07.2026 |
| **F** | **SCN No. & Date**<br>कारण बताओ नोटिस क्रमांक | **92/2026-27/ADC/ZDC/MCH dated 10.06.2026** |
| **G** | **NOTICEE/ PARTY/ IMPORTER**<br>नोटिसकर्ता/पार्टी/आयातक | **(i) M/s. Rainbow Corporation (IEC: AJDPB7984L)** |

**1.** यहआदेश संबन्धित को नि:शुल्क प्रदान किया जाता है।
This Order - in - Original is granted to the concerned free of charge.

**2.** यदि कोई व्यक्ति इस आदेश से असंतुष्ट है तो वह सीमाशुल्क अपील नियमावली 1982 के नियम 3 के साथ पठित सीमाशुल्क अधिनियम 1962 की धारा 128 के अंतर्गत प्रपत्र सीए- 1 में चार प्रतियों में नीचे बताए गए पते परअपील कर सकताहै-

Any person aggrieved by this Order - in - Original may file an appeal under Section 128 of Customs Act, 1962 read with Rule 3 of the Customs (Appeals) Rules, 1982 in quadruplicate in Form C. A. -1 to:

**"सीमाशुल्कआयुक्त (अपील),**

**चौथी मंजिल, हुडको बिल्डिंग, ईश्वरभुवन रोड,**

**नवरंगपुरा,अहमदाबाद 380 009"**

**"THE COMMISSIONER OF CUSTOMS (APPEALS), MUNDRA**

**HAVING HIS OFFICE AT 4TH FLOOR, HUDCO BUILDING, ISHWAR BHUVAN ROAD,**

**NAVRANGPURA, AHMEDABAD-380 009."**

**3.** उक्तअपील यहआदेश भेजने की दिनांक से 60 दिन के भीतर दाखिल की जानी चाहिए।
Appeal shall be filed within sixty days from the date of communication of this order.

**4.** उक्त अपील के पर न्यायालय शुल्क अधिनियम के तहत 5/- रुपए का टिकट लगा होना चाहिए और इसके साथ निम्नलिखित अवश्य संलग्न किया जाए-
Appeal should be accompanied by a fee of Rs. 5/- under Court Fee Act it must be accompanied by –

(i) उक्त अपील की एक प्रति और A copy of the appeal, and

(ii) इस आदेश की यह प्रति अथवा कोई अन्य प्रति जिस पर अनुसूची-1 के अनुसार न्यायालय शुल्क अधिनियम-1870 के मद सं°-6 में निर्धारित 5/- रुपये का न्यायालय शुल्क टिकट अवश्य लगा होना चाहिए।
This copy of the order or any other copy of this order, which must bear a Court Fee Stamp of Rs. 5/- (Rupees Five only) as prescribed under Schedule – I, Item 6 of the Court Fees Act, 1870.

**5.** अपील ज्ञापन के साथ ड्यूटि/ ब्याज/ दण्ड/ जुर्माना आदि के भुगतान का प्रमाण संलग्न किया जाना चाहिये।
Proof of payment of duty / interest / fine / penalty etc. should be attached with the appeal memo.

**6.** अपील प्रस्तुत करते समय, सीमाशुल्क (अपील) नियम, 1982 और सीमाशुल्क अधिनियम, 1962 के अन्य सभी प्रावधानों के तहत सभी मामलों का पालन किया जाना चाहिए।
While submitting the appeal, the Customs (Appeals) Rules, 1982 and other provisions of the Customs Act, 1962 should be adhered to in all respects.

**7.** इस आदेश के विरुद्ध अपील हेतु जहां शुल्क या शुल्क और जुर्माना विवाद में हो, अथवा दण्ड में, जहां केवल जुर्माना विवाद में हो, Commissioner (A) के समक्ष मांग शुल्क का 7.5% भुगतान करना होगा।

An appeal against this order shall lie before the Commissioner (A) on payment of 7.5% of the duty demanded where duty or duty and penalty are in dispute, or penalty, where penalty alone is in dispute.

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## BRIEF FACTS OF THE CASE

**1.1** M/s. Rainbow Corporation, (IEC: AJDPB7984L), having its registered office/principal place located at Office No. 302 Second Floor, Dharmnath Complex, Opp. Jain Kanyas, Bhavnagar-364001 (hereinafter referred to M/s Rainbow Corporation as the *"Importer")*, imported goods vide **Bill of Entry No.4890122 dated 03.10.2025** at Customs House Mundra**.**

**1.2** Specific intelligence gathered by the **Directorate of Revenue Intelligence (DRI)** indicated that the aforesaid consignment imported by M/s. Rainbow Corporation lying at Mundra Port and declared as "**Industrial Oil"** under **CTH 27101990**, were **mis-declared with respect to their description and nature,** with the deliberate intent to clear prohibited/restricted goods.

The details of the import consignment are as follows:

***Table-I***

| | **Details of Bill of Entry** |
|---|---|
| **Bill of Entry No.** | 4890122 dated 03.10.2025 |
| **Bill of Lading No.** | RSTJEAMUN25000142 |
| **Declared Goods in BE** | Industrial Oil |
| **Declared Quantity** | 238980 (in KGS) |
| **Customs Broker** | M/s. Gaurav M Jhaveri |
| **Country of Origin** | UAE |
| **Supplier** | M/s F A S Trading LLC, UAE |

**1.3** Based on the aforesaid intelligence, the consignment imported by M/s. Rainbow Corporation lying at Mundra Port and declared as "Industrial Oil" under CTH 27101990 were put on hold by the DRI on 08.10.2025.

## 2. Examination and drawl of Samples:

The examination of aforesaid consignment was conducted by the DRI under panchnama dated 13/14.10.2025 at Mundra Port, in the presence of the authorized representative of the Customs Broker appointed by the importer. During the said examination proceedings, representative samples, in duplicate, were drawn from each of the 12 containers, for laboratory testing to ascertain the exact nature of the import goods in the said consignment.

**3. <u>Testing of the Samples</u>:**

**3.1** The 12 samples drawn from the containers covered under 4890122 dated 03.10.2025 were sent to Custom House Laboratory, Visakhapatnam for testing vide Test Memos No. 498/2025 to 509/2025 dated 24.10.2025 respectively.

**3.2** The laboratory subsequently submitted their test reports reference Lab No.368-DRI to 379-DRI, vide report dated 07.01.2026, in respect of Bill of Entry No. 4890122 dated 03.10.2025.

**3.3** The test reports in respect of all 12 samples pertaining to Bill of Entry No. 4890122 dated 03.10.2025, based on the parameters tested by the Custom House Laboratory, indicated that all the samples conform to the stringent parameters of Automotive Diesel Fuel. Since all the samples yielded similar findings, the report in respect of Lab No. 368-DRI is reproduced hereunder for illustration:

- ***The sample has been tested for all the characteristics parameters tested above & which are stringent parameters also to characterize petroleum fuels.***

- ***The sample meets all the stringent parameter of Automotive diesel fuel as mentioned in IS: 1460:2025 except flash point (which is 10°C lower than required (decreased by means of using lighter hydrocarbon)) and Distillation Recovery at 360°C (which is 93% and 2% less than 95%).***

- ***The GCMS pattern of sample shows presence of lighter hydrocarbons, which cannot be part of Diesel fuels, as per standard refinery protocol & classification of petroleum fuels. Minor deviation from the required values of above 02 parameters does not affect its application as diesel fuel for Automotive purpose (IS:1460).***

- ***The sample is adulterated diesel in respect of the definition of "adulteration" as mentioned in 5.1 of marketing discipline guideline published by PSU's.***

- ***There is no specification available for industrial oil in National & International standards.***

- ***The sample also meets the specification of HFHSD (IS 16861) up to the extent of parameters tested above except flash point which was lowered by using lighter hydrocarbons.***

**3.4** For parameters not covered in the Custom Laboratory's Vishakhapatnam testing, additional samples were forwarded to Mangalore Refinery and Petrochemicals Limited (MRPL) vide Test Memo No. 905/2025 dated 05.02.2026 in respect of Bill of of Entry No. 4890122 dated 03.10.2025 respectively, to ensure comprehensive testing of all specifications under IS 1460, as mandated by the Hon'ble Supreme Court in ***Gastrade International v. Commissioner of Customs, Kandla.***

**3.6** The Mangalore Refinery and Petrochemicals Limited (MRPL) has submitted their reports vide Test report No. MRPL/DRI/2026/18 dated 10.04.2026.

The findings of the both aforementioned Test Reports are reproduced below:

***Table-II***

| **Sl. No.** | **Bill of Entry No. & Dated** | **Quantity** | **Declared Description** | **Sample Test Result** | **IS Standards** |
|---|---|---|---|---|---|
| 01. | 4890122 dated 03.10.2025 | 238980 KGs | Industrial Oil | Conform to the parameters of Automotive Diesel Fuel (ADF) | IS 1460:2025 |

**4.** Whereas, detailed analysis of the MRPL Test Report indicates that the samples meets all parameters (*including Distillation recovery*) of Automotive Diesel Fuel (IS 1460:2025) except for one parameter, namely Sulphur. Therefore, the Test Reports highlighted in **Table-II** above suggested that the goods imported meets the requirements Automotive Diesel Fuel (ADF) conforming to standard IS 1460:2025

**4.1** Further, the specifications of Automotive Diesel Fuel (ADF) as per IS 1460 of the Bureau of Indian Standards (BIS) are reproduced below:

**Table 1 Requirement for Automotive Diesel Fuel**

(*Clauses* 3.1.4, 3.2 *and Foreword*)

| Sl No. | Characteristic | Requirement | Method of Test, Ref to Parts of IS 1448 ISO/EN/Annex |
|---|---|---|---|
| (1) | (2) | (3) | (4) |
| i) | Appearance | Clear, bright and free from sediments, suspended matter and undissolved water at normal ambient fuel temperature | Visual |
| ii) | Total Acid Number (TAN), mg of KOH/g, *Max* | 0.20 | (Part 2)[8] |
| iii) | Ash, percent by mass, *Max* | 0.01 | (Part 4/Sec 1)[8] |
| iv) | Carbon residue, on 10 percent residue[1], percent by mass, *Max* | 0.30 | (Part 8)[8] /(Part 189) |
| v) | Cetane number, *Min* | 51[2] | (Part 9)[8] |
| vi) | Cetane index, *Min* | 46[2] | (Part 174)[8] |
| vii) | Pour point[3], °C, *Max*: | | (Part 10/Sec 2)[8] |
| | a) Winter | 3 | |
| | b) Summer | 15 | |
| viii) | Copper strip corrosion for 3 h at 50 °C, *Max* | Class 1 | (Part 15)[8] |
| ix) | Distillation, 95 percent *v/v* recovery, °C, *Max* | 360 | (Part 18)[8]/ISO 3405 |

**Table 1** (*Concluded*)

| Sl No. | Characteristic | Requirement | Method of Test, Ref to Parts of IS 1448 ISO/EN/Annex |
|---|---|---|---|
| (1) | (2) | (3) | (4) |
| x) | Flash point, Abel[4], °C, *Min* | 35 | (Part 20)[8] |
| xi) | Kinematic viscosity, $mm^2/s$, at 40 °C | 2.0 to 4.5 | (Part 25/Sec 1)[8]/(Part 186) |
| xii) | Total contamination, mg/kg, *Max* | 24 | EN 12662[8] |
| xiii) | Density at 15 °C, $kg/m^3$ | 810 to 845[5] | (Part 16)[8] /(Part 32)/(Part 167) |
| xiv) | Total sulphur, mg/kg, *Max* | 10 | (Part 160)[8]/(Part 34)/ (Part 161)/(Part 159) |
| xv) | Water content, mg/kg, *Max* | 200 | (Part 182)[8] |
| xvi) | Cold Filter Plugging Point (CFPP)[3], °C, *Max*: | | (Part 110)[8] |
| | a) Winter | 6 | |
| | b) Summer | 18 | |
| xvii) | Oxidation stability[6], $g/m^3$, *Max* | 25 | (Part 154)[8] |
| | Oxidation stability[6], minutes, *Min* | 60 | EN 16091[12] |
| xviii) | Oxidation stability (for diesel fuel having FAME content of above 2 percent *v/v*), hours, *Min* | 20 | EN 15751[8] |
| | Oxidation stability (for diesel fuel having FAME content of above 2 percent *v/v*), minutes, *Min* | 60 | EN 16091 |
| xix) | Polycyclic Aromatic Hydrocarbon (PAH), percent by mass, *Max* | 8 | EN 12916[8] |
| xx) | Lubricity, wear scar diameter (wsd) at 60 °C, µm, *Max* | 460 | (Part 149)[8] |
| xxi) | FAME content[7], percent *v/v*, Max | 7.0 | Annex B[8] |

**4.2** And whereas on analysis of the parameters detailed in the Test Reports vis-a-vis the parameters stipulated in the BIS standards of IS 1460, it appears in accordance with the intelligence, that goods being imported under aforesaid Bill of Entry appears to be mis-declared and following conclusion appears to flow from the analysis.

**Table-III**

| Sr No | Bill of Entry No. | Quantity | Product description as per analysis of Test Report (CRCL+MRPL) |
|---|---|---|---|
| 1 | 4890122 dated 03.10.2025 | 238980 KGs | Automotive Diesel Fuel (ADF) conforming to Standards IS 1460:2025 |

**4.3** As per Customs Tariff Act, it appears that the goods found as Automotive Diesel Fuel (ADF) conforming to standard IS 1460:2025 are classifiable under CTH 27101944.The relevant descriptions of the above mentioned CTHs as per the Customs Tariff Act are as below:

| HS CODE (1) | ITEM DESCRIPTION (2) | UNIT (3) | BASIC (4) | EFFECTIVE (5) | PRE. (6) | IGST (7) | SWS (8) | TOTAL (9) | POLICY (10) | REMARKS (11) |
|---|---|---|---|---|---|---|---|---|---|---|
| 2710 19 43 | ---- Light diesel oil conforming to standard IS 15770 | kg. | 5.00 | 5.00 | --- | 18.00 | 0.50 | 24.490 | State Trading Enterprises | *Import as per Policy Condition (5) of Chapter 27* |
| 2710 19 44 | ---- Automotive diesel fuel, not containing biodiesel, conforming to standard IS 1460 | kg. | 2.50 | 2.50 | --- | 14% + Rs. 15 per litre | 0.08 | | State Trading Enterprises | *Import as per Policy Condition (5) of Chapter 27 SWS - 3% by Ntfn 12/2018-Cus.* |

Further, as per ITC(HS), 2022, Schedule 1: Import Policy, Section V: Mineral Products, Chapter 27: Mineral Fuels, Mineral Oils And Products Of Their Distillation; Bituminous Substances; Mineral Waxes: Goods falling under the description of "Automotive Diesel Fuel (ADF) conforming to standard IS 1460", the import policy makes the goods restricted by way of importation by State Trading Enterprises only by virtue of Policy Condition No. 5 which prescribes "Import allowed through IOC subject to para 2.21 of Foreign Trade Policy, except for the companies who have been granted rights for marketing of transportation fuels in terms of Ministry of P&NGs Resolution No. P23015/1/2001-MKT. Dated 8.3.2002 including HPCL, BPCL and IBP who have been marketing transportation fuels before this date". The screenshots of the relevant extracts:

| Sl.No. | Notes | Notification No. | Notification Date |
|---|---|---|---|
| 1 | Import of naphtha is free. | | |
| 2 | Import of SKO shall be allowed through State Trading Enterprises (STEs) i.e. IOC, BPCL, HPCL and IBP for all purposes with STC being nominated as a State Trading Enterprise (STE) for supplies to Advance Licence holders. Advance Licence holders shall however, have the option to import SKO from the above mentioned STEs including STC | | |
| 3 | Import is restricted in terms of Interim PIC Procedure of Rotterdam Convention on Prior Informed Consent procedure for hazardous chemicals and pesticides. | | |
| 4 | Automobile industries, having RandD registration, are allowed to make free import of reference fuels (Petrol and Diesel) which are not manufactured in India, up to maximum of 5 KL per annum, subjects to the condition that the said imported reference fuels shall be used for RandD and emission testing purposes only | | |
| 5 | Import allowed through IOC subject to para 2.21 of Foreign Trade Policy, except for the companies who have been granted rights for marketing of transportation fuels in terms of Ministry of P&NGs Resolution No. P23015/1/2001-MKT. Dated 8.3.2002 including HPCL, BPCL and IBP who have been marketing transportation fuels before this date. | 08/2023 | 29/05/2023 |
| 6 | Import of pet coke for fuel purpose is prohibited. However, import of Pet coke of the following categories shall be permitted, subject to conditions :<br>a. Import of Pet coke is free for cement, lime kiln, calcium carbide, gasification industries and graphite electrodo industries for use as feed stock or in the manufacturing process only on Actual User basis.<br>b. Total import of 1.9 Million MTs of Raw Petroleum Coke(RPC) for manufacturing Calcined Petroleum Coke(CPC) and 0.5 Million MTs of CPC for Aluminium Industry respectively shall be permissible during 2024-25, and 1.9 Million MTs of RPC for manufacturing CPC Manufacturing and 0.8 Million MTs of CPC for Aluminium Industry respectively shall be permissible from 2025-26 onwards, subject to the following conditions:<br>i. Import of RPC & CPC shall be permitted only as a feedstock / raw material and under no circumstances shall be used as fuel.<br>ii.Import of RPC and CPC shall be permitted to cater entirely to the domestic needs of aluminium | 27/2024-25 | 04/09/2024 |

## 5 Seizure:

**5.1** As per the test results above, it is evident that the importer had imported restricted petroleum products, by mis-declaring the same as “Industrial oil”. The Custom Laboratory reports confirmed that the goods imported vide Bill of Entry No. 4890122 dated 03.10.2025 was in fact Automotive Diesel Fuel, which is restricted for import into India, and permissible only subject to Condition No. 5 of Chapter 27 of ITC(HS), 2022, Schedule 1 Import Policy issued by DGFT. Therefore, having a reasonable belief that the goods in **Table No-II** above, were liable to be confiscated under the provisions of the Section 111 of the Customs act, 1962, the same were placed under seizure as per the provisions of Section 110(1) of the Customs Act, 1962 vide seizure memo dated 12.01.2026**.**

**6.** During investigation, statements of following person were recorded under Section 108 of the Customs Act, 1962, which are briefly discussed herein-below:

**6.1 Statement of Shri Mahebubkhankhan Anvarkhan Baloch, Proprietor of M/s Rainbow Corporation (AJDPB7984L), Bhavnagar was recorded on 18.05.2026, wherein he interalia stated that:**

- On being asked about who is responsible for negotiating terms with the overseas suppliers in the firm, he stated that the negotiation with overseas suppliers is undertaken by him only and generally such negotiations are carried out through emails. He further stated that he looks after local management, import-related work and GST-related matters of the firm.

- On being asked about who is responsible for managing remittances and how terms of payment are decided, he stated that he himself negotiates with overseas suppliers and is responsible for making payments to them. He stated that most transactions are conducted on 100% advance payment basis, however, in some cases payment is made after the consignment reaches the port.

- On being asked about the specifications ordered from overseas suppliers in absence of fixed standards for Industrial Oil and whether the same are based on domestic buyers' requirements, he stated that orders are placed based on the Certificate of Analysis (COA) provided by the supplier. If the COA matches the requirements of domestic buyers, the order is placed accordingly. He further stated that domestic buyers mainly rely upon density and flash point as key parameters.

- On being asked about whether sampling was conducted in his presence or in the presence of his authorized representative, he stated that sampling of cargo covered under Bill of Entry No. 4890122 dated 03.10.2025 was conducted in the presence of a person duly authorized by them.

- On being asked about the CRCL Test Report dated 07.01.2026 and whether he was aware that the goods conform to ADF/HFHSD, he stated that he has seen the said report and has signed it as token of acknowledgment. He stated that the report indicates that lighter

hydrocarbons appear to have been added and the goods conform to ADF. However, he stated that they had ordered Industrial Oil only, and the supplier has exported the wrong consignment i.e. ADF. He further stated that he was not aware that the goods imported were diesel or any restricted commodity.

- On being asked about the MRPL Test Report dated 10.04.2026 and to offer comments, he stated that he has seen the said report and signed the same as token of acknowledgment. He stated that the report shows that the consignment meets 20 out of 21 parameters of IS 1460:2025, with sulphur slightly exceeding the prescribed limit. He reiterated that they had ordered Industrial Oil only, however, the supplier has exported the wrong consignment i.e. ADF.

- On being asked about the combined findings of CRCL and MRPL reports and whether he was aware that the goods were diesel, he stated that he was not aware that the goods imported were diesel or any restricted commodity. He stated that the order was placed strictly for Industrial Oil based on COA provided by the supplier. He further stated that no instructions were ever given to add lighter hydrocarbons or alter composition. He reiterated that the deviation in parameters is attributable to the supplier and that the supplier has exported the wrong consignment i.e. ADF.

**7. In the identical cases being investigated in parallel by DRI, the Hon'ble High Court of Gujarat at Ahmedabad has passed an order/judgment dated 09.03.2026 in R/Special Civil Application No. 16799 of 2025 and allied matters:**

**7.1** During the course of identical investigations conducted by DRI, various importers filed Special Civil Applications before the Hon'ble High Court of Gujarat at Ahmedabad, challenging the seizure and seeking provisional release of their consignments. The Hon'ble High Court of Gujarat at Ahmedabad, vide

order/judgment dated 09.03.2026, disposed of the said Special Civil Applications.

**7.2 <u>The observations of the Hon'ble High Court on the test reports issued by the Customs Laboratory, Visakhapatnam (CRCL) and Mangalore Refinery and Petrochemicals Limited (MRPL) are reproduced below</u>**:

> "46. *Keeping in mind the aforesaid principles enunciated by the Supreme Court, we have attempted to distinguish the case of the petitioners for the following reasons.*
>
> *47. Significantly, in the Test Reports in the case of* ***Gastrade International (supra),*** *the Apex Court has recorded that there was no opinion and finding expressed that the imported goods are "most akin" to HSD, which is not the issue in the Test Reports in question. In the first test report of CRCL, Visakhapatnam, out of 18 parameters tested, except for the parameters relating to flash point, distillation recovery and sulphur, the report categorically records that the sample is mainly composed of diesel fraction, is adulterated with lighter hydrocarbons, and is most "akin to HFHSD (IS 16861) / adulterated HFHSD". The diesel fraction is found to be between 95% to 98%). Thus, out of 21 parameters, the 18 parameters tested by CRCL, Visakhapatnam and MRPL, there is a clear opinion by the laboratory that the sample meets all characteristics of ADF and HFHSD, except the flash point, which is lowered by mixing lighter hydrocarbons. In this context, we may refer to the definition of 'adulteration' as supplied in the 'Malpractices Order,2005'. It reads thus:*
>
> > *"2(a) "adulteration" means [presence of marker in motor spirit and high speed diesel and/or] [Inserted by Notification No. G.S.R. 18(E) dated 12.1.2007 (w.e.f. 21.12.2005).] the introduction of any foreign substance into motor spirit or high speed diesel illegally or unauthorisedly with the result that the product does not conform to the requirements of the Bureau of Indian Standards specifications number IS 2796 and IS 1460 for motor spirit and high speed diesel respectively or any other requirement notified by the Central Government from time to time;"*
>
> *Thus, any foreign substance, which is blended in high-speed diesel illegally or unauthorizedly, which ultimate results into failure of requirements of BIS specifications IS 1460 is an adulteration.*

*48. In the instant case, there is a definite conclusion that the flash point, which is one of the most important parameters as emphasized by the Supreme Court, has been lowered by the use of lighter hydrocarbons and the product is therefore characterized as adulterated HFHSD. No such clear and unambiguous opinion was rendered by any of the three laboratories in the case of* ***Gastrade International(supra)*** *and also by the expert, who was examined during the inquiry."*

.

**7.3 Application of the "Most Akin Test" by the Hon'ble Gujarat High Court**:

*"50. Thus, if the rule of the "most akin test" is applied, the product declared by the petitioners as industrial oil is found to be Automotive Diesel Fuel / HFHSD, which is a restricted commodity. Hence, in view of the settled legal position laid down in the cases of* ***Om Prakash Bhatia (supra)*** *and* ***Raj Grow Impex (supra)****, we are not inclined to set aside the action of seizure of goods in question."*

**7.4 Observations of the Hon'ble Gujarat High Court on Testing Conducted at Different Laboratories:**

*"Hence, even if there are two or more Test Reports from different laboratories, so long as they conform to the directions of the Supreme Court in the case of* ***Gastrade International (supra)*** *and test the parameters prescribed under the relevant Indian Standards, such test results cannot be discarded merely because they were undertaken by different laboratories."*

**7.5 Emphasis by the Hon'ble Gujarat High Court on Environmental Impact**:

*"53. The product imported by the petitioners, if released, will have a direct environmental impact affecting society at large. In such circumstances, having regard to the nature of the product, the Test Reports cannot be discarded merely because different parameters were tested in two different laboratories."*

**7.6** The High Court of Gujarat dismissed the SCAs filed by the importers vide common oral judgment and order dated 09.03.2026, in R/Special Civil Application No. 16799 of 2025 and allied matters.

**8. Extension under Section 110(2) of the Customs Act, 1962**

Since the investigation could not be completed within the mandated six-month period, the competent authority granted a further extension of four months

under Section 110(2) of the Customs Act, 1962, which was conveyed to the importer vide this office letter dated 06.04.2026.

## 9. Relevant Legal provisions:

**9.1** The relevant portion of ITC(HS), 2022 Schedule 1 Import Policy Section V, MINERAL PRODUCTS Chapter 27 Mineral Fuels, Mineral Oils and Products Of Their Distillation; Bituminous Substances; Mineral Waxes is reproduced as under:

| | | | | |
|---|---|---|---|---|
| 27101939 | --- | obtained from kerosene intermediate: ---- Aviation turbine fuels, kerosene type conforming to standard IS 1571 | STE (State Trading Enterprise) | Import as per Policy Condition (5) of Chapter 27. |
| 27101941 | --- | Gas oil and oils obtained from gas oil: ---- Gas oil | STE (State Trading Enterprise) | Import as per Policy Condition (5) of Chapter 27. |
| 27101942 | --- | Gas oil and oils obtained from gas oil: ---- Vacuum gas oil | STE (State Trading Enterprise) | Import as per Policy Condition (5) of Chapter 27. |
| 27101943 | --- | Gas oil and oils obtained from gas oil: ---- Light diesel oil conforming to standard IS 15770 | STE (State Trading Enterprise) | Import as per Policy Condition (5) of Chapter 27. |
| 27101944 | --- | Gas oil and oils obtained from gas oil: ---- Automotive diesel fuel, not containing biodiesel, conforming to standard IS 1460 | STE (State Trading Enterprise) | Import as per Policy Condition (5) of Chapter 27. |
| 27101949 | --- | Gas oil and oils obtained from gas oil: ---- High flash high speed diesel fuel conforming to standard IS 16861 | STE (State Trading Enterprise) | Import as per Policy Condition (5) of Chapter 27. |
| 27101951 | --- | Fuel oils conforming to standard IS 1593: ---- Grade LV | Free | |

**9.2** Further, Para 2.21 of the Foreign Trade Policy, 2023 reads as under:

"***2.21 State Trading Enterprises (STEs)***

*(a) State Trading Enterprises (STEs) are governmental and non-governmental enterprises, including marketing boards, which deal with goods for export and /or import. Any good, import or export of which is governed through exclusive or special privilege granted to State Trading Enterprise (STE), may be imported or exported by the concerned STE as per conditions specified in ITC (HS). The list of STEs notified by DGFT is in Appendix-2J.*

*(b) Such STE(s) shall make any such purchases or sales involving imports or exports solely in accordance with commercial considerations, including price, quality, availability, marketability, transportation and other conditions of purchase*

*or sale in a non-discriminatory manner and shall afford enterprises of other countries adequate opportunity, in accordance with customary business practices, to compete for participation in such purchases or sales.*

*(c) DGFT may, however, grant an authorisation to any other entity to import or export any of the goods notified for exclusive trading through STEs.***"**

**9.3** Further, Policy Condition of Chapter 27 of the Customs Tariff is reproduced as below:

*"(5) Import allowed through IOC subject to Para 2.21 of the Foreign Trade Policy, except for companies who have been granted rights for marking of transportation fuels in terms of MoP&NG Resolution No. P-23015/1/2001-MKT dated 08.03.2022 for products excluding gasoline conforming to standard IS 2796 (ITC HS Code: 27101241) and Automotive Diesel Fuel, not containing Bio Diesel conforming to standard IS 1460 (ITC HS Code 27101944) which would be allowed to be imported by entities in terms of MoPNG Resolution No. P-12029(11)/2/2018-OMC-PNG dated 08.11.2019.*

**(B) RELEVANT PROVISIONS OF CUSTOMS ACT, 1962:**

**9.4** **Section 2(22):** *"goods" includes (a) vessels, aircrafts and vehicles; (b) stores; (c) baggage; (d) currency and negotiable instruments; and (e) any other kind of movable property;*

**Section 2(23):** *"import", with its grammatical variations and cognate expressions, means bringing into India from a place outside India;*

**Section 2(25):** *"imported goods", means any goods brought into India from a place outside India but does not include goods which have been cleared for home consumption;*

**Section 2(26):** *"importer", 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;*

**Section 2(39):** *"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.*

**Section 11A:** *"illegal import" means the import of any goods in contravention of the provisions of this Act or any other law for the time being in force.*

**9.5** **Section 17 Assessment of duty**:

*(1) An importer entering any imported goods under section 46, or an exporter entering any export goods under section 50, shall, save as otherwise provided in section 85, self-assess the duty, if any, leviable on such goods.*

*..*

*(4) Where it is found on verification, examination or testing of the goods or otherwise that the self-assessment is not done correctly, the proper officer may, without prejudice to any other action which may be taken under this Act, re-assess the duty leviable on such goods.*

**9.6 Section 46 Entry of goods on importation:**

***(4)*** *The importer while presenting a bill of entry shall make and subscribe to a declaration as to the truth of the contents of such bill of entry and shall, in support of such declaration, produce to the proper officer the invoice, if any, relating to the imported goods.*

***(4A)*** *the importer who presents a bill of entry shall ensure the following, namely:*

*(a) The accuracy and completeness of the information given therein;*

*(b) The authenticity and validity of any document supporting it; and*

*(c) Compliance with the restriction or prohibition, if any, relating to the goods under this Act or under any other law for the time being in force.*

**9.7 Section 111. Confiscation of improperly imported goods, etc.**:

*The following goods brought from a place outside India shall be liable to confiscation:-*

*--**(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;*

***(m)*** *any goods which do not correspond in respect of value or in any other particular with the entry made under this Act or in the case of baggage with the declaration made under section 77 in respect thereof, or in the case of goods under transhipment, with the declaration for transhipment referred to in the proviso to sub-section (1) of section 54;*

**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, harbouring, 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,-

i. *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 5 [not exceeding the value of the goods or five thousand rupees], whichever is the greater;*

ii. *in the case of dutiable goods, other than prohibited goods, subject to the provisions of section 114A, to a penaltyot exceeding ten per cent. of the duty sought to be evaded or five thousand rupees, whichever n is higher:*

**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.*

**(C) Relevant Provisions of Customs Valuation (Determination of Value of Imported Goods) Rules, 2007:**

**"*Rule 4. Transaction value of identical goods. -*** *(1) (a) Subject to the provisions of rule 3, the value of imported goods shall be the transaction value of identical goods sold for export to India and imported at or about the same time as the goods being valued;*

*……..*

*(3) In applying this rule, if more than one transaction value of identical goods is found, the lowest such value shall be used to determine the value of imported goods.*

***"Rule 5. Transaction value of similar goods . -*** *(1) Subject to the provisions of rule 3, the value of imported goods shall be the transaction value of similar goods sold for export to India and imported at or about the same time as the goods being valued:*

*Provided that ……..*

*(2) The provisions of clauses (b) and (c) of sub-rule (1), sub-rule (2) and sub-rule (3), of rule 4 shall, mutatis mutandis, also apply in respect of similar goods.*

***Rule 7 of the CVR, 2007, stipulates that:-***

*(1) Subject to the provisions of rule 3, if the goods being valued or identical or similar imported goods are sold in India, in the condition as imported at or about the time at which the declaration for determination of value is presented, the value of imported goods shall be based on the unit price at which the imported goods or identical or similar imported goods are sold in the greatest aggregate quantity to*

*persons who are not related to the sellers in India, subject to the following deductions : -*

*(i) either the commission usually paid or agreed to be paid or the additions usually made for profits and general expenses in connection with sales in India of imported goods of the same class or kind;*

*(ii) the usual costs of transport and insurance and associated costs incurred within India;*

*(iii) the customs duties and other taxes payable in India by reason of importation or sale of the goods.*

*(2) If neither the imported goods nor identical nor similar imported goods are sold at or about the same time of importation of the goods being valued, the value of imported goods shall, subject otherwise to the provisions of sub-rule (1), be based on the unit price at which the imported goods or identical or similar imported goods are sold in India, at the earliest date after importation but before the expiry of ninety days after such importation.*

*(3) (a) If neither the imported goods nor identical nor similar imported goods are sold in India in the condition as imported, then, the value shall be based on the unit price at which the imported goods, after further processing, are sold in the greatest aggregate quantity to persons who are not related to the seller in India.*

*(b) In such determination, due allowance shall be made for the value added by processing and the deductions provided for in items (i) to (iii) of sub-rule (1).*

***Rule 8 of the CVR, 2007, stipulates that:-***

*Subject to the provisions of rule 3, the value of imported goods shall be based on a computed value, which shall consist of the sum of:-*

*(a) the cost or value of materials and fabrication or other processing employed in producing the imported goods;*

*(b) an amount for profit and general expenses equal to that usually reflected in sales of goods of the same class or kind as the goods being valued which are made by producers in the country of exportation for export to India;*

*(c) the cost or value of all other expenses under sub-rule (2) of rule 10.*

***Rule 9 of the CVR, 2007, stipulates that:-***

*(1) Subject to the provisions of rule 3, where the value of imported goods cannot be determined under the provisions of any of the preceding rules, the value shall be determined using reasonable means consistent with the principles and general provisions of these rules and on the basis of data available in India;*

*Provided that the value so determined shall not exceed the price at which such or like goods are ordinarily sold or offered for sale for delivery at the time and place of importation in the course of international trade, when the seller or buyer has no interest in the business of other and price is the sole consideration for the sale or offer for sale.*

*(2) No value shall be determined under the provisions of" this rule on the basis of –*

*(i) the selling price in India of the goods produced in India;*

*(ii) a system which provides for the acceptance for customs purposes of the highest of the two alternative values;*

*(iii) the price of the goods on the domestic market of the country of exportation; (iv) the cost of production other than computed values which have been determined for identical or similar goods in accordance with the provisions of rule 8;*

*(v) the price of the goods for the export to a country other than India;*
*(vi) minimum customs values; or*
*(vii) arbitrary or fictitious values.*

***Rule 12. Rejection of declared value** . - (1) When the proper officer has reason to doubt the truth or accuracy of the value declared in relation to any imported goods, he may ask the importer of such goods to furnish further information including documents or other evidence and if, after receiving such further information, or in the absence of a response of such importer, the proper officer still has reasonable doubt about the truth or accuracy of the value so declared, it shall be deemed that the transaction value of such imported goods cannot be determined under the provisions of sub-rule (1) of rule 3.*

**10. <u>Valuation:</u>**

**10.1** From the foregoing paras, it is evident that M/s. Rainbow Corporation was involved in mis-declaration of goods in terms of description and classification and the declared value in the corresponding Bill of Entry appears to be not acceptable as true transaction value and merits rejection in terms of Section 14 of Customs Act, 1962 read with Rule 12 of Customs Valuation (Determination of Value of Imported Goods) Rules, 2007. The value is required to be re-determined by sequentially proceeding in terms of Rules 4 to 9 of Customs Valuation (Determination of Value of Imported Goods) Rules, 2007. Since exact comparative data in respect of the import goods covered under the subject consignment are not available in absence of clear descriptions and mis-declaration on the part of the importer, the value of the subject import consignments cannot be determined as per the provisions of Rule 4 to Rule 8 to the Customs Valuation (Determination of value of Imported goods) Rules, 2007. Since the goods cannot be fully compared with similar/identical imports as the same are restricted goods, their value appears to be determinable under Rule 9 (Residual method) of the Customs Valuation (Determination of Value of Imported Goods) Rules, 2007 read with sub-section (1) of Section 14 of Customs Act, 1962 and on the basis of objective and quantifiable data available in India. For valuation of the seized goods-ADF, the prevailing market rates of the goods in the 1st week of October-2025 were taken, such as invoices generated by M/s Nayara Energy Limited,

ADF-**Rs 52,541.75/KL**. Accordingly, in terms of Rule 9 of the Customs Valuation Rules, 2007, the same value can be adopted for the offending goods in this case.

**10.2** Further, import of "**Automotive Diesel Fuel *(ADF) as per IS 1460:2025***", is restricted into India, and the same can only be imported subject to Policy Condition No. 5 of Chapter 27 of Customs Tariff, which stipulates that only '*import is allowed through IOC subject to para 2.21 of Foreign Trade Policy, except for the companies who have been granted rights for marketing of transportation fuels in terms of Ministry of P&NGs Resolution No. P23015/1/2001-MKT. Dated 8.3.2002*' to import the same. It therefore appears that said importer mis-declared restricted goods i.e. "**Automotive Diesel Fuel *(ADF) as per IS 1460:2025***" as "Industrial Oil" in the consignment.

**10.3** As discussed above, the consignment covered under Bill of Entry No. 4890122 dated 03.10.2025 was reported as "***Automotive Diesel Fuel (ADF) as per IS 1460:2025***" by the Custom Laboratory, Vishakhapatnam and MRPL.The outcome of the test reports indicate that the invoice value declared by the importer does not reflect the actual value of the goods. Since the goods were mis-declared in Bill of Entry, the declared assessable value of Rs **1,09,60,859/-** in Bill of Entry cannot be accepted as the true "transaction value" under Section 14 of the Customs Act, 1962, and is liable to rejection under Rule 12 of the CVR, 2007.

**10.4** Accordingly, for valuation purpose, to arrive at a fair and reasonable value within the framework of law and procedures under the Valuation Rules, ADF data dated 01.10.2025 from the M/s Nayara Energy Limited was referred. The base price was noted as **Rs 52,541.75/KL**. Based on this, the re-determined value of the consignment of "***Automotive Diesel Fuel (ADF) as per IS 1460:2025***", having a total quantity of **238980** KGs equivalent to 289.16 KL (using average density of 0.82646 g/ml as reported by Custom House Laboratory, Visakhapatnam), is **Rs. 1,51,93,025/-**, in terms of provisions of Rule 9 of the CVR, 2007.

Thus, the value of the goods, as per the test reports of the Custom Laboratory and MRPL, is determined accordingly, are as below:

**Table-IV**

| **Sl. No.** | **Bill of Entry No.** | **Sample Test Result** | **Declared Description** | **Quantity (in KGs)** | **Declared value as per BoE** | **Approx. Market Value (in Rs.)** |
|---|---|---|---|---|---|---|
| 01. | 4890122 dated 03.10.2025 | Automotive Diesel Fuel (ADF) | Industrial Oil | 238980 | **1,09,60,859/-** | **1,51,93,025/-** |
| **Total** | | | | | **1,09,60,859/-** | **1,51,93,025/-** |

Therefore, the said goods having declared value of Rs. **1,09,60,859/-** and re-determined value of Rs. **1,51,93,025/-** as per Table-IV, appear to be liable for confiscation under Section 111(d) and 111 (m) of the Customs Act, 1962.

## 11. Findings of the investigation:

**11.1** Specific intelligence gathered by the Directorate of Revenue Intelligence indicated that M/s. Rainbow Corporation was indulged in import of restricted goods through mis-declaration. The importer had declared the consignment as Industrial Oil, whereas examination and sampling carried out by the DRI revealed otherwise. The representative samples drawn in respect of Bill of Entry No. 4890122 dated 03.10.2025 were forwarded to the Custom House Laboratory, Visakhapatnam which confirmed that the goods **met all stringent parameters of Automotive Diesel Fuel (ADF) under IS 1460:2025**

The Custom House Laboratory reports revealed that "***The sample meets all the stringent parameter of Automotive diesel fuel as mentioned in 1S: 1460:2025"***

To ensure comprehensive testing of all 21 parameters mandated by the Hon'ble Supreme Court in ***Gastrade International v. Commissioner of Customs, Kandla***, additional samples were sent to Mangalore Refinery and Petrochemicals Limited (MRPL). The combined reports from CRCL and MRPL

conclusively established that the imported goods were in fact Automotive Diesel Fuel conforming to IS 1460, and not Industrial Oil as declared.

**11.2** The sample Test report (CRCL Visakhapatnam, Lab No.368-DRI, Test Memo No. 498/2025) in respect of Bill of Entry No. 4890122 dated 03.10.2025 is reproduced below:

**TEST REPORT** **Date: 07.01.2026**

**Lab No:** VCL/368-DRI **Date:** 01.11.2025
**F. No.** DRI/GRU/Int-26/2025 **Date:** 24.10.2025
**Test Memo No:** 498/2025
**B.E. No:** 4890122 **Date:** 03.10.2025
**Container No.s:** RILU1110885
**Sample Received from:** M/S. Rainbow Corporation, Bhavnagar, DRI.
**Description of Sample:** INDUSTRIAL OIL (CTH 27101990)
**Date of Receipt:** 01.11.2025
**Sample Plan:** Sample not Drawn by this laboratory
**Report:** The sample is in the form of pale yellow coloured oily liquid. It is mainly composed of Mineral Hydrocarbon Oils having mineral oil content more than 70 % by weight. It is having following characteristics:

| | | |
|---|---|---|
| 1. | Appearance | = clear & bright, free from sediments, suspended matter &undissolved water |
| 2. | Total Acid Number (mg of KOH/gr) | = Less than 0.20% by wt. |
| 3. | Ash content | = Nil |
| 4. | Carbon residue on 10% Residue | = Less than 0.30% by wt. |
| 5. | Cetane Number | = To be done at Refinery end. |
| 6. | Cetane Index | = 58.7 |
| 7. | Pour Point | = below $3^0$C. |
| 8. | Flash Point(Abel), deg. C | = 25 $^0$C (10 $^0$C less than 35 $^0$C) |
| 9. | Density at $15^0$ C | = 826.50 g/ml |
| 10. | Kinematic viscosity at $40^0$ C | = 3.00 cSt. |
| 11. | Sulphur Content | = Less than 50 ppm. |
| 12. | Distillation: IBP | = 72 $^0$C |
| | 50% distilled at, $^0$C | = 284 $^0$C |
| | 85% Recovery by vol., at $^0$C | = 334 $^0$C |
| | %Volume recovered at 360 deg. C | = 93 % by vol. |
| | 95% Recovery by vol., at $^0$C | = 362$^0$C |
| 13. | Cold Filter Plugging Point | = Facilility available at Refinery end only |
| 14. | Oxidation stability | = To be done at refinery end only. |
| 15. | Lubricity wear scan at 60° C | = Facility available at Refinery end only |
| 16. | Fame Content | = Absent |
| 17. | PAH % by max | = not determined as it is not an characteristic parameter. |
| 18. | Water | = Less than 200 PPM. |

The sample has been tested for all the characteristics parameters tested above & which are stringent parameters also to characterize petroleum fuels.

The sample meets all the stringent parameter of Automotive diesel fuel as mentioned in IS:1460:2025 except flash point (which is 10 $^0$C Lower than required (decreased by means of using Lighter hydrocarbon) and Distillation Recovery at 360 $^0$C (which is 93% and 2% less than 95%).

The GCMS pattern of sample shows presence of lighter hydro carbons, which can not a part of Diesel fuels, as per standard refinery protocol & classification of petroleum fuels. Minor deviation from the required values of above 02 parameters, does not effects its application as diesel fuel for Automotive purpose.(IS:1460)

The sample is adulterated diesel in respect of the definition of "adulteration" as mentioned in 5.1 of marketing discipline guideline published by PSU's.

There is no specification available for industrial oil in National & International standards.

The sample also meets the specification of HFHSD (IS 16861) up to the extent of parameter tested above except, flash point which was lowered by using lighter hydrocarbons.

Sealed remnant sample returned herewith.

The above test reports in respect of Bill of Entry No. 4890122 dated 03.10.2025 clearly establish, as the intelligence had suggested, that the importer had in fact imported restricted goods, namely Automotive Diesel Fuel (ADF), conforming to the parameters and specifications of **IS 1460.**

**11.2.1** As per Schedule 1 Import Policy under ITC(HS), 2022 for Chapter-27 (Mineral Fuels, Mineral Oils, etc.), import of "***Automotive Diesel Fuel (ADF) as per IS 1460***" covered under CTH 27101944, is restricted into India, and the same can only be imported subject to Policy Condition No. 5 of Chapter 27. Accordingly, there being a reasonable belief that that the said goods are liable for confiscation under the provisions of Section 111 of the Customs Act, the same were placed under seizure under Section 110 of the Customs Act, 1962,

**11.3** During the investigation, DRI ensured that all 21 parameters under IS 1460 were tested, as mandated by the Hon'ble Supreme Court in ***Gastrade International v. Commissioner of Customs, Kandla.***

On analyzing the comprehensive test reports of CRCL, Visakhapatnam and MRPL, a combined parameter-wise assessment was carried out for both consignments against all 21 parameters prescribed under IS 1460:2025 for Automotive Diesel Fuel. The consolidated findings are summarised in the Table below:

**Table-V: Combined Parameter-wise Summary of Test Reports (CRCL + MRPL) vs. IS 1460:2025**

| Sr. No. | Parameter | IS 1460:2025 Limit | B.E. No. 4890122 dated 03.10.2025 (Result / Match) with IS 1460:2025 | Remarks |
|---|---|---|---|---|
| 1 | Flash Point (°C) | Min. 35°C | 35°C / MATCHING | Within range |
| 2 | Sulphur Content (ppm) | Max. 10 ppm | 12.5 ppm / Not MATCHING | Addition of Sulphur/not undergone Desulfurization |
| 3 | Appearance (Visual) | Clear, bright, free from sediments, | Clear & bright | Within range |

| Sr. No. | Parameter | IS 1460:2025 Limit | B.E. No. 4890122 dated 03.10.2025 (Result / Match) with IS 1460:2025 | Remarks |
|---|---|---|---|---|
| | | suspended matter & undissolved water | | |
| 4 | Total Acid Number (mg KOH/g) | Max. 0.20 | 0.03 | Within range |
| 5 | Ash Content (% by mass) | Max. 0.01 | <0.001 | Within range |
| 6 | Carbon Residue on 10% Residue (% by mass) | Max. 0.30 | <0.1 | Within range |
| 7 | Cetane Number | Min. 51 | 57.9 | Within range |
| 8 | Cetane Index | Min. 46 | 59.7 | Within range |
| 9 | Pour Point (°C) | Max. +3°C (Winter) | -9°C | Within range |
| 10 | Copper Strip Corrosion (3h at 100°C) | Max. Class 1 | Class 1a | Within range |
| 11 | Distillation, 95% v/v Recovery (°C) | Max. 360°C | 352.5°C | Within range |
| 12 | Kinematic Viscosity @40°C ($mm^2/s$) | 2.0 – 4.5 | 3.016 cSt | Within range |
| 13 | Total Contamination (mg/kg) | Max. 24 | 12 | Within range |
| 14 | Density @15°C ($kg/m^3$) | 810 – 845 | 826.7 | Within range |
| 15 | Water Content (mg/kg) | Max. 200 | 50 | Within range |
| 16 | Cold Filter Plugging Point (CFPP) (°C) | Max. +6°C (Winter) | -5°C | Within range |
| 17 | Oxidation Stability (min) | Min. 60 min | >60 min | Within range |
| 18 | Polycyclic Aromatic Hydrocarbon (PAH) (% by mass) | Max. 8.0 | 1.5 | Within range |

| Sr. No. | Parameter | IS 1460:2025 Limit | B.E. No. 4890122 dated 03.10.2025 (Result / Match) with IS 1460:2025 | Remarks |
|---|---|---|---|---|
| 19 | Lubricity, WSD @60°C (µm) | Max. 460 | 430 µm | Within range |
| 20 | FAME Content (% v/v) | Max. 7 | Absent | Within range |
| 21 | Oxidation Stability (with FAME above/below 2%) | Required only if blended with biodiesel | Not applicable – FAME absent | Within range |
| **TOTAL** | **21 Parameters tested** | **—** | **20/21 Matching;** | **20/21 parameters found meeting** |

**11.4** The combined reports from CRCL and MRPL conclusively establish that the imported goods were in fact Automotive Diesel Fuel conforming to IS 1460:2025, except for one parameter, i.e., Sulphur content, and not Industrial Oil as declared

**11.5 Sulphur Content and BS-VI (Euro VI) Standards:** The sulphur parameter is a critical quality and environmental compliance marker for diesel fuel. It may be noted that in Automotive diesel, sulphur parameters are quality parameters only and their focus is on reducing emissions, as required by latest emission standards (BS-VI/Euro V-VI) requiring Ultra-Low Sulphur Diesel (ULSD) at less than 10 ppm, introduced through e-Gazette Notification dated 16.09.2016 (Central Motor Vehicles (11th Amendment) Rules, 2016), issued by Ministry of Road Transport and Highways. This limit is designed to significantly reduce Sulphur Dioxide (SO2) and particulate emissions from vehicles, thereby safeguarding public health and meeting India's environmental commitments. The reduction of sulphur to these levels ordinarily requires a process known as Desulfurization (generally through hydro-desulfurization). In the present case, the sulphur content of the imported goods was found to be 12.5ppm for against the maximum permissible 10 ppm under IS 1460:2025. In the instant case, since lab reports have pointed out towards adulteration of diesel to make it fall out of IS standard parameters, the deviation of the said parameters by way of

adulteration with Sulphur and lower hydrocarbons is expected to lead to these specious results in the aforesaid reports.

**11.4.1 In** this regard, it is pertinent to refer to the definition of "adulteration" as contained in Section 2(a) of the Motor Spirit and High-Speed Diesel (Regulation of Supply, Distribution and Prevention of Malpractices) Order, 2005 (hereinafter referred to as the "Malpractices Order, 2005"), issued by the Government of India in exercise of powers conferred by Section 3 of the Essential Commodities Act, 1955. The said provision defines "adulteration" as follows:

> *"2(a) 'adulteration' means [presence of marker in motor spirit and high speed diesel and/or] the introduction of any foreign substance into motor spirit or high speed diesel illegally or unauthorisedly with the result that the product does not conform to the requirements of the Bureau of Indian Standards specifications number IS 2796 and IS 1460 for motor spirit and high speed diesel respectively or any other requirement notified by the Central Government from time to time;*
> "

Thus, in terms of the aforesaid statutory definition, any introduction of a foreign substance into high-speed diesel, illegally or without authorisation, which results in the product failing to conform to the BIS specification IS 1460, constitutes adulteration. The Hon'ble Gujarat High Court in its judgment dated 09.03.2026 expressly applied this definition and held that the lowering of the flash point through mixing of lighter hydrocarbons constituted adulteration of HFHSD within the meaning of Section 2(a) of the Malpractices Order, 2005.

**11.4.2** In sum, viewed collectively, the deviation in sulphur content is not independent anomalies but form a coherent pattern consistent with deliberate adulteration of Automotive Diesel Fuel. The selective parameter deviations serve only to confirm that an otherwise conforming diesel product was manipulated with lighter hydrocarbons and other substances, with the deliberate design to render it non-compliant with IS 1460 specifications, so as to facilitate its illegal import as "Industrial Oil."

**11.5** From the above, it is evident that the importation made by the importer is in violation of the Import Policy pertaining to CTH 27101944 and thereby it is in violation of Para 2.01 and 2.21 of the Foreign Trade Policy 2023 as extended. As per Para 2.01 of the FTP, the imports shall be free, except when regulated by way of prohibition, restriction or exclusive trading through State Trading Enterprises (STEs) as laid down in the Indian Trade Classification (Harmonized System) [ITC (HS)] of Exports and Imports. Looking to the aforesaid facts, since the goods falling under HS Code 27101944 not being freely importable, the same would fall in the exceptional character with importation through the STEs only. As per Para 2.21 of the FTP, any goods, import of which is governed through exclusive or special privilege granted to the STEs, may be imported by the concerned STEs as per the condition specified in the ITC (HS). DGFT has however been given authority to grant an authorization to any other person to import the goods notified for exclusive trading through the STEs.

**11.5.1** As per Para 11.41 of the FTP,2023, "Prohibited" indicates the import/export policy of an item, as appearing in ITC (HS) or elsewhere, whose import or export is not permitted. In the instant case, since the import of ADF classifiable under HS Code 27101944 is not permitted by the entities other than STEs, the import of said goods by the private entities is prohibited.

**11.5.2** As per Section 3 (2) of the FTDR Act, 1992 empowers the Central Government to issue order, making provisions for prohibiting, restricting or otherwise regulating, the import of goods. As per Section 3(3) of the FTDR Act, 1992, all goods to which the order under Section 3(2) applies shall be deemed to be goods the imports of which has been prohibited under Section 11 of the Customs Act, 1962 and all the provisions of that Act shall have effect accordingly.

**11.6** And whereas the provisions of Section 17(1) of the Customs Act, 1962 read with Section 2(2) of the Customs Act lay down onus on the importer to determine duty, classification etc. by way of self-assessment. The importer, at the time of self-assessment, is required to ensure that he declares the correct classification,

applicable rate of duty, value, benefit of exemption notifications claimed, if any, in respect of the imported goods while presenting the Bill of Entry. By furnishing incorrect and wrong information in the import documents, it appears that the importer has violated the provisions of the said Section 17(1) read with Section 2(2) of the Customs Act, 1962.

**11.7** And whereas in terms of Section 46(4) of the Customs Act, 1962, the importer has to certify the truth of the contents of the Bill of Entry. Further, in terms of Section 46(4A) of the Customs Act, 1962, the importer who presents a bill of entry shall ensure the accuracy and completeness of the information given therein; shall ensure the authenticity and validity of any document supporting it; and shall ensure compliance with the restriction or prohibition, if any, relating to the goods under this Act or under any other law for the time being in force. In the instant case it appears that the importer was fully aware of the actual goods imported by them. Thus, in view of the facts discussed in the foregoing paras and material evidences available on records, it appears that M/s Rainbow Corporation has contravened the provisions of Section 46(4) and 46(4A) of the Customs Act, 1962, in as much as they had intentionally mis-declared the description of the goods imported by them with a malafide intention to import restricted goods under the garb and guise of freely importable goods.

**12. Role and Culpability:**

**12.1 Role played by M/s Rainbow Corporation, (IEC: AJDPB7984L), located at Office No. 302 Second Floor, Dharmnath Complex, Opp. Jain Kanyas, Bhavnagar-364001:**

From the facts narrated in foregoing paras and evidences gathered during investigation, it appears that M/s Rainbow Corporation, Bhavnagar imported consignment covered under 4890122 dated 03.10.2025 filed at Mundra, by mis-declaring the import goods as "Industrial Oil" classified under CTH 27101990. The investigation conducted by DRI revealed that the actual goods were "***Automotive Diesel Fuel (ADF) as per IS 1460***", which is a '***Restricted***' commodity permitted for import only into India under Policy Condition No. 5 of the Customs Tariff. The inquiry further established that the importer deliberately

adulterated the goods by mixing lighter hydrocarbons in order to manipulate certain parameters, thereby attempting to disguise the restricted product as Industrial Oil. This act of mis-declaration and adulteration was intended to circumvent import restrictions and facilitate the clearance of restricted goods for sale in the domestic market.Therefore, it appears that M/s. Rainbow Corporation, by filing incorrect declarations and failing to ensure proper classification of the goods, knowingly violated the provisions of Section 17(1), Section 46(4) and 46(4A) of the Customs Act, 1962 by deliberately mis-declaring and mis-classifying the imported goods with intent to import restricted goods under the garb of freely importable goods, thereby contravening the import restrictions prescribed under the Foreign Trade Policy and rendering the goods liable to confiscation under Section 111(d) and 111(m) of the Customs Act, 1962. Therefore, M/s Rainbow Corporation have made themselves liable for penalty under Section 112(a) and 112(b) of the Customs Act, 1962. Furthermore, M/s Rainbow Corporation have deliberately filed false and incorrect documents with the Customs Authorities, suppressing the actual nature of the goods, in order to import restricted goods, M/s Rainbow Corporation are also liable for penalty under Section 114AA of the Customs Act, 1962.

**13.** Accordingly, M/s Rainbow Corporation, (IEC: AJDPB7984L), located at Office No. 302 Second Floor, Dharmnath Complex, Opp. Jain Kanyas, Bhavnagar-364001' were called upon to Show cause in writing to **the Additional Commissioner of Customs, Customs House, Mundra**, having office situated at office of the Pr. Commissioner of Customs, 5B, Port User Building, Adani Ports & SEZ, Mundra, Kutch, Gujarat – 370421 within 30 (thirty) days from the date of receipt of this notice, as to why::

**(i)** The classification of goods covered under Bill of Entry No. 4890122 dated 03.10.2025 filed at Mundra Port, declared as 'Industrial Oil', under CTH 27101990, should not be rejected and the same should not be re-classified as 'Automotive Diesel Fuel (ADF) as per IS 1460:2025' under CTH 27101944;

**(ii)** The declared value of the said goods declared as 'Industrial Oil', as **Rs. 1,09,60,859/- (Rupees One Crore Nine Lakh Sixty Thousand Eight Hundred Fifty-Nine Only)** should not be rejected in terms of Rule 12 of the CVR, 2007

and the same should not be re-determined as **Rs 1,51,93,025/- (Rupees One Crore Fifty-One Lakh Ninety-Three Thousand Twenty-Five Only),** as discussed in foregoing para;

**(iii)** The goods declared as 'Industrial Oil', under the Bill of Entry No. 4890122 dated 03.10.2025 filed at Mundra Port having re-determined value of Rs **1,51,93,025/-(Rupees One Crore Fifty-One Lakh Ninety-Three Thousand Twenty-Five Only)** as discussed in Table-IV, should not be held liable for confiscation under Section 111(d) and 111(m) of the Customs Act, 1962.

**(iv)** Penalty should not be imposed upon the importer under Sections 112(a), 112(b), and114AA of the Customs Act, 1962, separately.

## WRITTEN SUBMISSION AND PERSONAL HEARING

**14.** M/s. Rainbow Corporation (IEC: AJDPB7984L) vide their letter dated 11.06.2026 submitted that they don't want personal hearing in this matter and requested to allow them to re-export the goods back to the supplier.

## DISCUSSION AND FINDINGS

**15.** I have carefully gone through the Show Cause Notice, the relied upon documents, written submission of the importer and the records available before me. I note that M/s. Rainbow Corporation vide their letter dated 11.06.2026 have stated that they do not wish to avail the personal hearing opportunity and have requested permission for re-export of the subject goods back to the supplier. They have not filed any written submissions on merits nor raised any substantive defence against the proposals in the Show Cause Notice. The case is therefore being decided on the basis of the material evidence available on record. I find that the principle of natural justice has been complied with and therefore, I proceed to decide the case on the basis of applicable laws/rules and documentary evidence available on record.

**15.1** I now proceed to decide the issues framed in the instant SCN before me. On a careful perusal of the subject Show Cause Notice and case records, I find

that following main issues are involved in this case, which are required to be decided at the stage of adjudication:

- Whether the classification of goods covered under Bill of Entry No. 4890122 dated 03.10.2025 filed at Mundra Port, declared as 'Industrial Oil' under CTH 27101990, should be rejected and the same should be re-classified as 'Automotive Diesel Fuel (ADF) conforming to IS 1460:2025' under CTH 27101944;
- Whether the declared value of **Rs. 1,09,60,859/-** (Rupees One Crore Nine Lakh Sixty Thousand Eight Hundred Fifty-Nine Only) should be rejected in terms of Rule 12 of the CVR, 2007 and re-determined as **Rs. 1,51,93,025/-** (Rupees One Crore Fifty-One Lakh Ninety-Three Thousand Twenty-Five Only);
- Whether the goods covered under Bill of Entry No. 4890122 dated 03.10.2025, having re-determined value of **Rs. 1,51,93,025/-**, are liable for confiscation under Section 111(d) and 111(m) of the Customs Act, 1962;
- Whether penalty is imposable upon M/s. Rainbow Corporation under Sections 112(a), 112(b), and114AA of the Customs Act, 1962.

**16.** I now take up the **first issue** regarding mis-declaration and mis-classification of the goods. I find that intelligence developed by the Directorate of Revenue Intelligence (DRI) indicated that M/s. Rainbow Corporation was importing restricted petroleum products falling under Chapter 27 of the Customs Tariff by mis-declaring them as "Industrial Oil" under CTH 27101990, with the deliberate intent to clear restricted goods as freely importable goods.

**16.1** I find that M/s. Rainbow Corporation filed Bill of Entry No. 4890122 dated 03.10.2025 at Mundra Port declaring the goods as "Industrial Oil" classifiable under CTH 27101990. The examination of the aforesaid consignment was conducted by the DRI under Panchnama dated 13/14.10.2025 at Mundra Port, in the presence of the authorized representative of the Customs Broker appointed by the importer. During the said examination proceedings, representative samples, in duplicate, were drawn from each of the 12 containers,

for laboratory testing to ascertain the exact nature of the imported goods in the said consignment, vide Test Memos Nos. 498/2025 to 509/2025 dated 24.10.2025.

**16.2** I find that upon testing of representative samples drawn from all 12 containers under Panchnama dated 13/14.10.2025 by the Custom House Laboratory, Visakhapatnam (Test Memos 498/2025 to 509/2025 dated 24.10.2025; Lab Nos. 368-DRI to 379-DRI, report dated 07.01.2026) and subsequently by Mangalore Refinery and Petrochemicals Limited (MRPL) vide Test Memo No. 905/2025 dated 05.02.2026 (Report No. MRPL/DRI/2026/18 dated 10.04.2026), the goods were found to conform to the parameters of Automotive Diesel Fuel (ADF) as per IS 1460:2025, classifiable under CTH 27101944.

**16.3** I find that the Combined Parameter-wise Summary of Test Reports (CRCL, Visakhapatnam and MRPL) as set out in **Table-V** above confirms that 20 out of 21 parameters prescribed under IS 1460:2025 for Automotive Diesel Fuel are met by the subject goods. The only parameter found to be marginally outside the IS 1460:2025 limit is Sulphur content, which was found to be 12.5 ppm as against the maximum permissible limit of 10 ppm. I deal with the significance and legal import of this single deviation in detail in the paragraphs that follow.

**16.4** I note that the testing in this case has been conducted in full compliance with the directions of the Hon'ble Supreme Court in *Gastrade International v. Commissioner of Customs, Kandla*, which requires that all parameters under the relevant IS standard be tested. The Custom House Laboratory, Visakhapatnam tested the requisite parameters, and the remaining parameters including Distillation Recovery at 360°C were tested by MRPL, such that the combined test reports together cover all 21 parameters under IS 1460:2025. The Hon'ble High Court of Gujarat at Ahmedabad, in its order/judgment dated 09.03.2026 in R/Special Civil Application No. 16799 of 2025 and allied matters — arising from identical parallel investigations by DRI in this very category of cases — has specifically held that even where test reports are from two different laboratories, so long as they conform to the directions of the Supreme Court in *Gastrade International* and test the parameters prescribed under the relevant IS standards, such test results cannot be discarded merely because they were undertaken by

different laboratories. The Hon'ble Gujarat High Court further upheld the "**most akin test**" and applied it to conclude that the product was Automotive Diesel Fuel/HFHSD, which is a restricted commodity, thereby dismissing the Special Civil Applications filed by the importers. The facts and test methodology in the present case are squarely covered by and consistent with the findings of the Hon'ble Gujarat High Court in the aforesaid judgment.

**16.5** I now deal specifically with the significance of the single parameter deviation, i.e., Sulphur content at 12.5 ppm (against the IS 1460:2025 limit of maximum 10 ppm), and the finding of the CRCL, Visakhapatnam that the flash point was lowered by use of lighter hydrocarbons. I find that the Sulphur parameter under IS 1460:2025 is a **quality and environmental compliance marker** for Automotive Diesel Fuel, not a parameter that determines whether a product is or is not a diesel fuel in its intrinsic character. The limit of 10 ppm has been prescribed under BS-VI (Euro VI) emission norms, introduced vide e-Gazette Notification dated 16.09.2016 (Central Motor Vehicles (11th Amendment) Rules, 2016), issued by the Ministry of Road Transport and Highways, with the objective of reducing Sulphur Dioxide ($SO_2$) and particulate emissions from vehicles. Attaining this limit ordinarily requires the process of hydro-desulphurization. The marginal excess of 2.5 ppm in the present case is precisely the kind of deviation that occurs when a product that is otherwise Automotive Diesel Fuel in all its physical and chemical characteristics has been subjected to deliberate adulteration through the introduction of lighter hydrocarbons and other foreign substances, which simultaneously alters sulphur levels and lowers the flash point. I find that this deviation, far from establishing that the goods are not diesel, only reinforces the conclusion that the goods are **adulterated Automotive Diesel Fuel**.

**16.6** In this regard, I find that the definition of "adulteration" under Section 2(a) of the Motor Spirit and High-Speed Diesel (Regulation of Supply, Distribution and Prevention of Malpractices) Order, 2005 — issued by the Government of India under Section 3 of the Essential Commodities Act, 1955 — is directly applicable. As per that provision, "adulteration" means the introduction of any foreign substance into motor spirit or high speed diesel illegally or unauthorisedly with the result that the product does not conform to the

requirements of BIS specification IS 1460 for high speed diesel. The Hon'ble High Court of Gujarat, in its judgment dated 09.03.2026 referred to above, has expressly held that lowering of the flash point through mixing of lighter hydrocarbons constitutes "adulteration" of HFHSD within the meaning of this provision, and further held that the product so adulterated is to be characterized as adulterated diesel.

**16.7** I therefore find that the deviation in sulphur content is not independent anomalies suggesting that the goods are something other than diesel; they form a coherent and internally consistent pattern that is characteristic of deliberate adulteration of Automotive Diesel Fuel with lighter hydrocarbons and foreign substances, designed to render the product marginally non-compliant with certain IS 1460 parameters so as to facilitate its import as "Industrial Oil" — a category for which, as noted by CRCL, there is no recognized national or international standard. The approach of importing adulterated diesel that falls marginally outside one IS 1460 parameters in order to avoid detection as ADF is a well-recognized modus operandi in these categories of cases, and the courts have consistently held that such attempts cannot be used to escape the classification and restriction applicable to Automotive Diesel Fuel.

**16.8** I find it pertinent to note that the classification of goods is governed by the General Rules for the Interpretation of the Harmonized System (GIR). The relevant rules are reproduced below:

**GENERAL RULES FOR THE INTERPRETATION OF THE HARMONIZED SYSTEM**

Classification of goods in the Nomenclature shall be governed by the following principles :

1. The titles of Sections, Chapters and sub-Chapters are provided for ease of reference only; for legal purposes, classification shall be determined according to the terms of the headings and any relative Section or Chapter Notes and, provided such headings or Notes do not otherwise require, according to the following provisions :

2. (a) Any reference in a heading to an article shall be taken to include a reference to that article incomplete or unfinished, provided that, as presented, the incomplete or unfinished article has the essential character of the complete or finished article. It shall also be taken to include a reference to that article complete or finished (or falling to be classified as complete or finished by virtue of this Rule), presented unassembled or disassembled.

   (b) Any reference in a heading to a material or substance shall be taken to include a reference to mixtures or combinations of that material or substance with other materials or substances. Any reference to goods of a given material or substance shall be taken to include a reference to goods consisting wholly or partly of such material or substance. The classification of goods consisting of more than one material or substance shall be according to the principles of Rule 3.

3. When by application of Rule 2 (b) or for any other reason, goods are, *prima facie*, classifiable under two or more headings, classification shall be effected as follows :

   (a) The heading which provides the most specific description shall be preferred to headings providing a more general description. However, when two or more headings each refer to part only of the materials or substances contained in mixed or composite goods or to part only of the items in a set put up for retail sale, those headings are to be regarded as equally specific in relation to those goods, even if one of them gives a more complete or precise description of the goods.

   (b) Mixtures, composite goods consisting of different materials or made up of different components, and goods put up in sets for retail sale, which cannot be classified by reference to 3 (a), shall be classified as if they consisted of the material or component which gives them their essential character, insofar as this criterion is applicable.

   (c) When goods cannot be classified by reference to 3 (a) or 3 (b), they shall be classified under the heading which occurs last in numerical order among those which equally merit consideration.

4. Goods which cannot be classified in accordance with the above Rules shall be classified under the heading appropriate to the goods to which they are most akin.

In terms of GIR Rule 1, Supplementary Note (e) to Chapter 27 of the Customs Tariff Act, 1975 defines "Automotive Diesel Fuel (ADF)" as any hydrocarbon oil conforming to the Indian Standards Specification IS 1460. CTH 27101944 specifically covers "Gas oil and oils obtained from bituminous minerals — Automotive diesel fuel, not containing biodiesel, conforming to standard IS 1460." Since the imported goods have been found, upon comprehensive testing by CRCL, Visakhapatnam and MRPL, to conform to the parameters of IS 1460:2025 in respect of 20 out of 21 parameters — with the single non-conforming parameters being directly attributable to slightly elevated sulphur content due to the absence of adequate desulfurization — the goods are correctly classifiable under CTH 27101944 in terms of GIR Rule 1 read with the Supplementary Note to Chapter 27. Further, even applying GIR Rule 4, the goods are most akin to Automotive Diesel Fuel under CTH 27101944, as has been

specifically held by the Hon'ble Gujarat High Court in R/SCA No. 16799 of 2025 (order dated 09.03.2026) applying the "most akin test" laid down by the Hon'ble Supreme Court in *Gastrade International v. Commissioner of Customs, Kandla*.

**16.9** I find that as per Customs Tariff Act, the goods found as Automotive Diesel Fuel (ADF) conforming to standard IS 1460:2025 are classifiable under CTH 27101944.The relevant descriptions of the above mentioned CTHs as per the Customs Tariff Act are as below:

| HS CODE (1) | ITEM DESCRIPTION (2) | UNIT (3) | BASIC (4) | EFFECTIVE (5) | PRE. (6) | IGST (7) | SWS (8) | TOTAL (9) | POLICY (10) | REMARKS (11) |
|---|---|---|---|---|---|---|---|---|---|---|
| 2710 19 43 | ---- Light diesel oil conforming to standard IS 15770 | kg. | 5.00 | 5.00 | --- | 18.00 | 0.50 | 24.490 | State Trading Enterprises | *Import as per Policy Condition (5) of Chapter 27* |
| 2710 19 44 | ---- Automotive diesel fuel, not containing biodiesel, conforming to standard IS 1460 | kg. | 2.50 | 2.50 | --- | 14% + Rs. 15 per litre | 0.08 | | State Trading Enterprises | *Import as per Policy Condition (5) of Chapter 27 SWS - 3% by Ntfn 12/2018-Cus.* |

Further, as per ITC(HS), 2022, Schedule 1: Import Policy, Section V: Mineral Products, Chapter 27: Mineral Fuels, Mineral Oils And Products Of Their Distillation; Bituminous Substances; Mineral Waxes: Goods falling under the description of "Automotive Diesel Fuel (ADF) conforming to standard IS 1460", *the import policy makes the goods restricted by way of importation by State Trading Enterprises only by virtue of Policy Condition No. 5 which prescribes "Import allowed through IOC subject to para 2.21 of Foreign Trade Policy, except for the companies who have been granted rights for marketing of transportation fuels in terms of Ministry of P&NGs Resolution No. P23015/1/2001-MKT. dated 8.3.2002 including HPCL, BPCL and IBP who have been marketing transportation fuels before this date".* The screenshots of the relevant extracts are as below:

| Sl.No. | Notes | Notification No. | Notification Date |
|---|---|---|---|
| 1 | Import of naphtha is free. | | |
| 2 | Import of SKO shall be allowed through State Trading Enterprises (STEs) i.e. IOC, BPCL, HPCL and IBP for all purposes with STC being nominated as a State Trading Enterprise (STE) for supplies to Advance Licence holders. Advance Licence holders shall however, have the option to import SKO from the above mentioned STEs including STC | | |
| 3 | Import is restricted in terms of Interim PIC Procedure of Rotterdam Convention on Prior Informed Consent procedure for hazardous chemicals and pesticides. | | |
| 4 | Automobile industries, having RandD registration, are allowed to make free import of reference fuels (Petrol and Diesel) which are not manufactured in India, up to maximum of 5 KL per annum, subjects to the condition that the said imported reference fuels shall be used for RandD and emission testing purposes only | | |
| 5 | Import allowed through IOC subject to para 2.21 of Foreign Trade Policy, except for the companies who have been granted rights for marketing of transportation fuels in terms of Ministry of P&NGs Resolution No. P23015/1/2001-MKT. Dated 8.3.2002 including HPCL, BPCL and IBP who have been marketing transportation fuels before this date. | 08/2023 | 29/05/2023 |
| 6 | Import of pet coke for fuel purpose is prohibited. However, import of Pet coke of the following categories shall be permitted, subject to conditions :<br>a. Import of Pet coke is free for cement, lime kiln, calcium carbide, gasification industries and graphite electrodo industries for use as feed stock or in the manufacturing process only on Actual User basis.<br>b. Total import of 1.9 Million MTs of Raw Petroleum Coke(RPC) for manufacturing Calcined Petroleum Coke(CPC) and 0.5 Million MTs of CPC for Aluminium Industry respectively shall be permissible during 2024-25, and 1.9 Million MTs of RPC for manufacturing CPC Manufacturing and 0.8 Million MTs of CPC for Aluminium Industry respectively shall be permissible from 2025-26 onwards, subject to the following conditions:<br>i. Import of RPC & CPC shall be permitted only as a feedstock / raw material and under no circumstances shall be used as fuel.<br>ii.Import of RPC and CPC shall be permitted to cater entirely to the domestic needs of aluminium | 27/2024-25 | 04/09/2024 |

**Policy Condition (5) of Chapter 27 of ITC (HS) Import Policy**

**16.10** Policy Condition (5) of Chapter 27 of ITC (HS) Import Policy: As per Policy Condition 5 of Chapter 27, only State Trade enterprises can import the said goods. The said policy was amended by Notification No. 27/2015-2020 dated 16.09.2021. The same is produced below:

Government of India
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Foreign Trade

Notification No.27/2015-2020
New Delhi, Dated: 16th September, 2021

Subject: Amendment of policy condition no. 5 of Chapter 27 of ITC (HS), 2017, Schedule – I (Import Policy).

**S.O.(E):** In exercise of powers conferred by Section 3 read with Section 5 of FT (D&R) Act, 1992, read with paragraph 1.02 and 2.01 of the Foreign Trade Policy, 2015-2020, as amended from time to time, the Central Government hereby amends policy condition no.5 of Chapter 27 of ITC (HS), 2017, Schedule – I (Import Policy) as under:

| Existing Policy Condition | Revised Policy Condition |
|---|---|
| Import allowed through IOC subject to para 2.20 of Foreign Trade Policy, except for the companies who have been granted rights for marketing of transportation fuels in terms of Ministry of P and NGs Resolution No. P23015/1/2001-MKT.Dated 8.3.2002 including HPCL, BPCL and IBP who have been marketing transportation fuels before this date. | Import allowed through IOC subject to para 2.20 of Foreign Trade Policy, except for the companies who have been granted rights for marketing of transportation fuels in terms of MoP&NG Resolution No. P-23015/1/2001-MKT dated 08.03.2002 for products excluding gasoline conforming to standard IS 2796 (ITC HS Code: 27101241) and Automotive diesel fuel, not containing biodiesel, conforming to standard IS 1460 (ITC HS Code 27101944) which would be allowed to be imported by entities in terms of MoPNG Resolution No. P-12029(11)/2/2018-OMC-PNG dated 08.11.2019". |

2. **Effect of the Notification:** Policy condition no.5 of Chapter 27 of ITC (HS), 2017, Schedule – I (Import Policy) amended in terms of Government Resolution No. P-12029(11)/2/2018-OMC-PNG dated 08.11.2019.

**16.11.** From above, it is seen that import of restricted goods is allowed subject to para 2.20 of Foreign Trade Policy (now para 2.21 of FTP) and the same is produced below:

*"2.20 State Trading Enterprises (STEs)*

*(a) State Trading Enterprises (STEs) are governmental and nongovernmental enterprises, including marketing boards, which deal with goods for export and /or import. Any good, import or export of which is governed through exclusive or special privilege granted to State Trading Enterprise (STE), may be imported or exported by the concerned STE as per conditions specified in ITC (HS). The list of STEs notified by DGFT is in Appendix-2J.*

*(b) Such STE(s) shall make any such purchases or sales involving imports or exports solely in accordance with commercial considerations, including price, quality, availability, marketability, transportation and other conditions of purchase or sale in a non discriminatory manner and shall afford enterprises of other countries adequate opportunity, in accordance with customary business to compete for participation in such purchases or sales.*

*(c) DGFT may, however, grant an authorisation to any other person to import or export any of the goods notified for exclusive trading through STEs."*

**16.12** I find that in the instant case, M/s. Rainbow Corporation is neither a State Trading Enterprise (STE) nor has any authorization been granted by DGFT to the importer for import of the said restricted goods.

**16.13** In view of the above, I find that the declared classification of the goods as "Industrial Oil" under CTH 27101990 is incorrect and is rejected. The goods are correctly classifiable as **Automotive Diesel Fuel (ADF) most akin to IS 1460:2025 under CTH 27101944, which is restricted as per Import Policy.**

**16.14** I find that the provisions of Section 17(1) of the Customs Act, 1962 read with Section 2(2) of the Customs Act, 1962 lay down the onus on the importer to determine duty, classification etc. by way of self-assessment. The importer, at the time of self-assessment, is required to ensure that he declares the correct classification, applicable rate of duty, value, and benefit of exemption notifications claimed, if any, in respect of the imported goods while presenting the Bill of Entry. By furnishing incorrect and wrong information in the import documents, I find that M/s. Rainbow Corporation has violated the provisions of the said Section 17(1) read with Section 2(2) of the Customs Act, 1962. Further, in terms of Section 46(4) of the Customs Act, 1962, the importer has to certify the truth of the contents of the Bill of Entry. Further, in terms of Section 46(4A) of the Customs Act, 1962, the importer who presents a Bill of Entry shall ensure the accuracy and completeness of the information given therein, shall ensure the

authenticity and validity of any document supporting it, and shall ensure compliance with the restriction or prohibition, if any, relating to the goods under this Act or under any other law for the time being in force. In the instant case, I find that M/s. Rainbow Corporation filed Bill of Entry No. 4890122 dated 03.10.2025 at Mundra Port declaring the goods as "Industrial Oil" under CTH 27101990. Shri Mahebubkhankhan Anvarkhan Baloch, Proprietor of M/s. Rainbow Corporation, in his statement dated 18.05.2026, accepted both the CRCL, Visakhapatnam test reports (Lab Nos. 368-DRI to 379-DRI, dated 07.01.2026) and the MRPL test report (MRPL/DRI/2026/18 dated 10.04.2026), confirming that the goods conform to 20 out of 21 parameters of IS 1460:2025. Thus, in view of the facts discussed in the foregoing paras and material evidence available on records, I find that the importer has contravened the provisions of Section 46(4) and 46(4A) of the Customs Act, 1962, inasmuch as they had intentionally mis-declared the description of the goods imported by them with a malafide intention to import restricted goods under the garb and guise of freely importable goods.

**17.** I now take up the **second issue** regarding rejection of declared value and re-determination of assessable value. I find that the declared assessable value of **Rs. 1,09,60,859/- (Rupees One Crore Nine Lakh Sixty Thousand Eight Hundred Fifty-Nine Only)** in Bill of Entry No. 4890122 dated 03.10.2025 cannot be accepted as the true and correct transaction value of the subject goods, since the goods have been found to be mis-declared in respect of description and classification. The declared invoice value pertains to "Industrial Oil" and not to the goods actually found, i.e., Automotive Diesel Fuel conforming to / most akin to IS 1460:2025 classifiable under CTH 27101944. In terms of Rule 12 of the Customs Valuation (Determination of Value of Imported Goods) Rules, 2007 read with Section 14 of the Customs Act, 1962, the declared value is accordingly rejected and the assessable value is required to be re-determined by sequentially proceeding through Rules 4 to 9 of the CVR, 2007.

**17.1** I find that since the goods were mis-declared and are restricted goods, exact comparative import data for the actual goods, i.e., ADF, is not readily available for application of Rules 4 to 8 of the CVR, 2007. The value is

accordingly determinable under Rule 9 (Residual Method) of the CVR, 2007, read with Section 14 of the Customs Act, 1962, on the basis of objective and quantifiable data available in India. For this purpose, the prevailing market rate of ADF in the 1st week of October 2025 as per the invoice generated by M/s. Nayara Energy Limited, i.e., **Rs. 52,541.75/- per KL**, has been adopted as the reference price, being the best available objective data on record.

**17.2** I find that the total quantity of the subject goods is **238,980 Kgs**, which is equivalent to **289.16 KL** using the average density of 0.82646 g/ml as reported by Custom House Laboratory, Visakhapatnam. Accordingly, the re-determined value of the subject goods works out to **Rs. 1,51,93,025/- (Rupees One Crore Fifty-One Lakh Ninety-Three Thousand Twenty-Five Only)** [i.e., 289.16 KL × Rs. 52,541.75/- per KL]. I find that this re-determined value is fair, reasonable and based on objective data available on record, and is accordingly adopted as the re-determined value of the goods. The details for re-determination of assessable value under Rule 9 of CVR 2007, are as follows:

| **Particulars** | **BE No. 4897106 dt. 04.10.2025** |
|---|---|
| ADF Market Price (Nayara Energy, Oct 2025) | Rs. 52,541.75 per KL |
| Imported Quantity | 238,980 KGs |
| Average Density (as per CRCL Visakhapatnam) | 0.82646 g/ml |
| Volume Equivalent | 289.16 KL |
| Re-determined Assessable Value | Rs. 1,51,93,025/- |

## 18. CONFISCATION OF GOODS:

**18.1** I now proceed to discuss the **third issue**, i.e., confiscation of the imported goods under Section 111 of the Customs Act, 1962. I find that the Show Cause Notice has proposed confiscation of the impugned goods under Sections 111(d) and 111(m) of the Customs Act, 1962. The relevant legal provisions are reproduced below:

> *"(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;*

*…*

*(m) any goods which do not correspond in respect of value or in any other particular with the entry made under this Act or in the case of baggage with the declaration made under section 77 in respect thereof, or in the case of goods under transhipment, with the declaration for transhipment referred to in the proviso to sub-section (1) of section 54."*

**18.2** I find that M/s. Rainbow Corporation filed Bill of Entry No. 4890122 dated 03.10.2025 at Mundra Port declaring the goods as "Industrial Oil" under CTH 27101990, whereas the goods on testing by CRCL, Visakhapatnam and MRPL were found to be Automotive Diesel Fuel (ADF) conforming to / most akin to IS 1460:2025, classifiable under CTH 27101944. Shri Mahebubkhankhan Anvarkhan Baloch, Proprietor of M/s. Rainbow Corporation, in his statement dated 18.05.2026, accepted test reports and acknowledged their findings. The single parameter deviation in sulphur content, as discussed in detail in the preceding paras, is attributable to deliberate adulteration and does not alter the essential character and classification of the goods as Automotive Diesel Fuel. Thus, there is no ambiguity that the goods were mis-declared by the importer with respect to description, classification and import policy status. The goods actually imported, i.e., Automotive Diesel Fuel (ADF) conforming to / most akin to IS 1460:2025, are restricted goods under Policy Condition No. 5 of Chapter 27 of ITC(HS), 2022 and can be imported only by State Trading Enterprises (STEs) or entities specifically authorized by DGFT. M/s. Rainbow Corporation is neither a STE nor does it possess any such authorization from DGFT.

**18.3** I find that the importer has violated Policy Condition No. 5 of Chapter 27 of the ITC(HS), 2022 which mandates that *"Import allowed through IOC subject to para 2.21 of Foreign Trade Policy, except for the companies who have been granted rights for marketing of transportation fuels in terms of MoP&NG Resolution No. P-23015/1/2001-MKT dated 08.03.2002…"* Further, in terms of Section 3(3) of the Foreign Trade (Development and Regulation) Act, 1992, all goods to which

any order under Section 3(2) applies shall be deemed to be goods the import of which has been prohibited under Section 11 of the Customs Act, 1962 and all provisions of that Act shall have effect accordingly. By mis-declaring the restricted goods as "Industrial Oil" under CTH 27101990 (Free), the importer has deliberately attempted to circumvent the import restrictions. The goods are therefore liable for confiscation under **Section 111(d)** of the Customs Act, 1962.

**18.4** Further, the goods declared as "Industrial Oil" under CTH 27101990 in the Bill of Entry do not correspond with the actual goods found on testing, i.e., Automotive Diesel Fuel (ADF) conforming to / most akin to IS 1460:2025 classifiable under CTH 27101944. The description, classification, value and import policy status mentioned in the Bill of Entry are wholly at variance with the actual nature of the goods. The declared value of Rs. 1,09,60,859/- also does not correspond to the re-determined value of Rs. 1,51,93,025/- of the actual goods. Therefore, the goods are also liable for confiscation under **Section 111(m)** of the Customs Act, 1962.

**18.5** Accordingly, in the manner as discussed above and in contravention of Sections 17(1), 46(4) and 46(4A) of the Customs Act, 1962, I find that the said acts of omission and commission on the part of the importer have made the imported goods, i.e., 238,980 Kgs of Automotive Diesel Fuel (ADF) conforming to / most akin to IS 1460:2025, imported vide Bill of Entry No. 4890122 dated 03.10.2025 in 12 containers, having re-determined assessable value of **Rs. 1,51,93,025/- (Rupees One Crore Fifty-One Lakh Ninety-Three Thousand Twenty-Five Only)**, liable for confiscation under **Section 111(d) and 111(m) of the Customs Act, 1962**.

## 19. IMPOSITION OF REDEMPTION FINE IN LIEU OF CONFISCATION UNDER SECTION 125 OF THE CUSTOMS ACT, 1962:

**19.1** As the impugned goods have been held liable for confiscation under Sections 111(d) and 111(m) of the Customs Act, 1962, I now proceed to consider whether an option to redeem the goods on payment of redemption fine under Section 125 of the Customs Act, 1962 should be given to the importer.

**19.2** Section 125(1) of the Customs Act, 1962 reads as under:

> *"Section 125. Option to pay fine in lieu of confiscation.— (1) Whenever confiscation of any goods is authorised by this Act, the officer adjudging it may, in the case of any goods, the importation or exportation whereof is prohibited under this Act or under any other law for the time being in force, and shall, in the case of any other goods, give to the owner of the goods … an option to pay in lieu of confiscation such fine as the said officer thinks fit."*

**19.3** A plain reading of the above provision shows that imposition of redemption fine is an option in lieu of confiscation. It provides for an opportunity to the owner of confiscated goods for release of confiscated goods by paying redemption fine where there is no restriction on policy provision for domestic clearance. In the present case, the goods, i.e., Automotive Diesel Fuel (ADF) conforming to IS 1460:2025, are restricted in nature for the importer (being a non-STE) and have been imported in violation of Policy Condition No. 5 of Chapter 27. Therefore, the goods are not fit for clearance for home consumption.

**19.4** During the adjudication proceedings, M/s. Rainbow Corporation vide their letter dated 11.06.2026 have stated that they do not wish to avail personal hearing in the matter and have requested permission to re-export the goods back to the supplier. The goods have remained under customs control at Mundra Port and have not been cleared for home consumption. I observe that redemption is not a right but a discretion to be exercised by the Adjudicating Authority.

**19.5** I further observe that ordering confiscation without allowance for re-export would not serve any meaningful revenue purpose. Such a course would only result in unnecessary litigation and prolonged detention of containers at the port without yielding any revenue to the Government. The goods in question are not per se banned items; rather, their import is regulated and conditional. The confiscation ordered herein is a legal consequence of non-fulfilment of statutory conditions and absence of requisite authorization from DGFT. I also note that the Hon'ble Gujarat High Court in its order dated 09.03.2026 in R/SCA No. 16799 of 2025 and connected matters (para 56) clarified that *"in case the petitioners file an application for re-export of goods, the DRI shall consider the same, and pass*

*appropriate orders on such application"*, thus recognising the option of re-export as a legitimate course of action.

**19.6** In view of the above discussion, I am of the considered view that the ends of justice would be met by allowing redemption of the subject goods for the limited purpose of re-export. Imposition of redemption fine along with penalty is sufficient to address the violation and convey a clear deterrent message to similarly placed importers. At the same time, this course ensures that the goods do not enter the domestic market in violation of statutory conditions. Therefore, exercising powers under Section 125 of the Customs Act, 1962, I deem it appropriate to allow the importer an option to redeem the goods for the limited purpose of re-export on payment of redemption fine.

**DISCUSSION ON IMPOSITION OF PENALTY ON NOTICEE:**

**20. Penalty on M/s. Rainbow Corporation (Importer):**

**20.1** I find that M/s. Rainbow Corporation filed Bill of Entry No. 4890122 dated 03.10.2025 at Mundra Port declaring the goods as "Industrial Oil" classifiable under CTH 27101990 (Free), whereas the goods on testing by CRCL, Visakhapatnam and MRPL were found to be Automotive Diesel Fuel (ADF) conforming to IS 1460:2025 classifiable under CTH 27101944, which is a restricted item under Policy Condition No. 5 of Chapter 27 of ITC(HS), 2022 and can be imported only by State Trading Enterprises (STEs). Hence, the imported goods covered under Bill of Entry No. 4890122 dated 03.10.2025 were mis-declared by the importer with respect to description, classification and import policy status, in order to circumvent the import policy.

**20.2** Shri Mahebubkhankhan Anvarkhan Baloch, Proprietor of M/s. Rainbow Corporation, in his statement dated 18.05.2026, admitted that he personally handles all negotiations with overseas suppliers, is solely responsible for making payments, and that transactions are conducted mostly on 100% advance payment basis. He further admitted that orders are placed based on the Certificate of Analysis (COA) provided by the supplier and that domestic buyers primarily rely upon density and flash point as key parameters. Despite having

paid 100% advance for a consignment of 12 containers of liquid petroleum goods, no independent pre-shipment inspection, surveyor's load-port certificate or independent Chemical Analysis was obtained. He acknowledged the CRCL test report and the MRPL test report showing 20 out of 21 parameters of IS 1460:2025 are met, while simultaneously claiming that he was not aware the goods were diesel or any restricted commodity, and that the supplier had exported the wrong consignment.

**20.3** The defence that the overseas supplier shipped wrong goods by mistake is not acceptable for the following reasons:

(i) The importer acknowledged that orders are placed based on COA provided by the supplier and that density and flash point are the key parameters relied upon by domestic buyers. Yet, the actual goods received have a flash point of 35°C and density of 826.7 kg/m³ — parameters that are characteristic of Automotive Diesel Fuel and wholly inconsistent with Industrial Oil, for which, as noted by CRCL, there is no recognized national or international standard. An experienced trader in petroleum products who places orders based on specific COA parameters cannot plausibly claim total ignorance of the nature of the goods actually received.

(ii) The importer paid 100% advance to the overseas supplier before loading, yet no independent pre-shipment inspection, surveyor's certificate or load-port analysis was obtained. A petroleum trader making full advance payment for 12 containers of liquid goods cannot reasonably claim complete ignorance of the nature of the goods loaded.

(iii) The CRCL, Visakhapatnam report has noted the presence of lighter hydrocarbons — which cannot be part of diesel fuels as per standard refinery protocol — and has specifically found the goods to be adulterated diesel with flash point lowered by use of lighter hydrocarbons. The deliberate adulteration of the goods to marginally fall outside certain IS 1460 parameters reflects a sophisticated knowledge of the product's actual character, which is inconsistent with a simple wrong shipment by the supplier.

(iv) No protest communication with the overseas supplier, no claim for return of advance payment, and no documentary evidence of having disputed the allegedly wrong shipment has been produced by the importer. The absence of any contemporaneous commercial protest wholly undermines the claim of an inadvertent wrong shipment.

**20.4** The import of 238,980 Kgs of Automotive Diesel Fuel (ADF), without DGFT authorization, in violation of Policy Condition No. 5 of Chapter 27, by mis-declaring the goods as freely importable "Industrial Oil" under CTH 27101990, constitutes an act of smuggling as defined under Section 2(39) of the Customs Act, 1962. For their acts of omission and commission in the case as borne out by the investigation, M/s. Rainbow Corporation has rendered itself liable for penalty under the provisions of Section **112(a)(i)** of the Customs Act, 1962.

I find that imposition of penalty under Section 112(a) and 112(b) simultaneously amounts to imposition of double penalty; therefore, I refrain from imposition of penalty under Section 112(b) of the Customs Act, 1962.

Further, M/s. Rainbow Corporation knowingly and intentionally filed the Bill of Entry containing false and incorrect declarations in material particulars, namely description, classification and value of goods, and caused to be used documents supporting such declaration, thereby rendering themselves liable for penalty not exceeding five times the value of goods under Section 114AA of the Customs Act, 1962.

**21.** In view of the aforesaid discussions and findings, I pass the following order:

**ORDER**

**i.** I order to reject the declared classification of the impugned goods i.e. Automotive Diesel Fuel (ADF) conforming to IS 1460:2025, having total quantity of 238,980 Kgs, mis-declared as 'Industrial Oil' under Customs Tariff Item 27101990 imported vide Bill of Entry No. 4890122 dated 03.10.2025, and order to re-classify the same under Customs Tariff Item **27101944**.

**ii.** I order to reject the declared assessable value of **Rs. 1,09,60,859/- (Rupees One Crore Nine Lakh Sixty Thousand Eight Hundred Fifty-Nine Only)** in terms of Rule 12 of the Customs Valuation (Determination of Value of Imported Goods) Rules, 2007 and order to re-determine the same as **Rs. 1,51,93,025/- (Rupees One Crore Fifty-One Lakh Ninety-Three Thousand Twenty-Five Only)** in terms of Rule 9 of the said Rules read with Section 14 of the Customs Act, 1962.

**iii.** I order to confiscate the impugned goods i.e. 238,980 Kgs of Automotive Diesel Fuel (ADF) conforming to IS 1460:2025, sought to be imported by M/s. Rainbow Corporation, in 12 containers pertaining to Bill of Entry No. 4890122 dated 03.10.2025, having re-determined value of **Rs. 1,51,93,025/- (Rupees One Crore Fifty-One Lakh Ninety-Three Thousand Twenty-Five Only)**, under Sections 111(d) and 111(m) of the Customs Act, 1962. However, I give an option to the Importer to redeem the goods only for re-export purpose, upon payment of Redemption Fine of **Rs. 15,00,000/- (Rupees Fifteen Lakh Only)** under the provisions of Section 125 of the Customs Act, 1962.

**iv.** I impose a penalty of **Rs. 7,50,000/- (Rupees Seven Lakh Fifty Thousand Only)** on M/s. Rainbow Corporation, under Section 112(a)(i) of the Customs Act, 1962. However, I do not impose penalty under Section 112(b) of the Customs Act, 1962, for the reasons discussed above.

**v.** I impose a penalty of **Rs. 1,00,000/- (Rupees One Lakh Only)** on M/s. Rainbow Corporation, under Section 114AA of the Customs Act, 1962.

**22.** This OIO is issued without prejudice to any other action that may be taken against the Noticee under the provisions of the Customs Act, 1962 or rules made thereunder or under any other law for the time being in force.

**23.** The Show Cause Notice bearing SCN No. 92/2026-27/ADC/ZDC/MCH dated 10.06.2026 is hereby disposed of on the above terms.

Digitally signed by Dipakbhai Zala
Date: 24-07-2026 18:32:49

**(Dipak Zala)**

Additional Commissioner of Customs,

Custom House, Mundra.

**To,**

**(1)** M/s Rainbow Corporation, (IEC: AJDPB7984L),
Office No. 302 Second Floor, Dharmnath Complex,
Opp. Jain Kanyas, Bhavnagar-364001
(Email-rainbowcorporation1976@gmail.com)

**Copy to:**

**(1)** The Additional Director, Directorate of Revenue Intelligence, Regional Unit, Gandhidham (Kutch).

**(2)** The Dy./Asstt. Commissioner (RRA/TRC), Customs House, Mundra.

**(3)** The Dy./Asstt. Commissioner (Group-1/1A), Customs House, Mundra.

**(4)** The Deputy Commissioner, EDI, Customs Mundra (For uploading on official website immediately).