



प्रधान आयुक्त का कार्यालय, सीमा शुल्क, अहमदाबाद

“सीमा शुल्क भवन,” पहली मंजिल, पुराने हार्ड कोर्ट के सामने, नवरंगपुरा, अहमदाबाद – 380 009.

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F. No. GEN/ADJ/ADC/2014/2025-ADJN-O/o PR COMM-R-CUS-AHMEDABAD Date: 18.12.2025
DIN: 20251271MN000031363C

SHOW-CAUSE NOTICE

(Notice To Show Cause Under Section 28 Read With Section 124 Of The Customs Act 1962, And Notification No. 18/2015-Cus, Dated 01-04-2015, As Amended by Notification No. 79 /2017-Cus, Dated 13-10-2017)

Whereas it appears that M/s. Navratan Speciality Chemicals LLP, B-802, Siddhi Vinayak, S. G. Highway, Ahmedabad-380 051, an importer having IEC No.0811023362 have contravened the provisions of Section 17 & 46 of the Customs Act, 1962, and also the provisions of Customs Notification No. 18/2015-Cus dated 01-04-2015, as amended by the Customs Notification No. 79/2017 dated 13-10-2017, read with provisions of Para 4.03 & 4.14 of the Foreign Trade Policy (2015-20), as amended by the DGFT Notification No. 33/2015-20 dated 13-10-2017, issued in terms of the provision of Para 4.13 of the Foreign Trade Policy (2015-20), as they imported PVC Resin (HS Code 39041090) and Titanium Dioxide (HS Code 32061110) through Customs, Mundra Port without payment of duty of Customs under cover of Advance Authorizations, on the strength of the subject notification and availed benefit of exemption from payment of BCD, SWS, IGST and ADD on the goods so imported, leivable in terms of Section 3 of the Customs Tariff Act, 1975, but failed to comply with pre-import and/or physical export conditions laid down in the subject notification. Their act of omission and/or commission appears to have resulted in nonpayment of duty of Customs in the form of Customs duty (BCD+SWS+IGST+ADD) to the extent of Rs. 43,27,555/- in respect of imports made at Customs Mundra Port, which appears to be recoverable under Section 28(4) of the Customs Act, 1962 read with Notification No. 18/2015-Cus dated 01-04-2015, as amended by the Customs Notification No. 79/2017 dated 13-10-2017, read with provisions of Para 4.03 & 4.14 of the Foreign Trade Policy (2015-20), as amended by the DGFT Notification No. 33/2015-20 dated 13-10-2017, issued in terms of the provision of Para 4.13 of the Foreign Trade Policy (2015-20), along with applicable interest, and also appears to attract provision of section 111(o) of the Customs Act, 1962, making the goods liable for confiscation and the company liable to penalty under Section 112 (a) of the Act ibid.

Brief facts of the case:

2.1 M/s. Navratan Speciality Chemicals LLP requested multiple times including letter dated 23.11.2024 (**RUD-I**) to the Deputy Commissioner of Customs, Mundra for reassessment of the Bills of Entry filed in the year 20192020 under

Advance Authorization No. 0810145531 dated 18.06.2019, which was registered at ICD-Khodiyar (INSBI6). However, Customs Mundra vide their letter dated 13.8.2025 (**RUD-II**) declined their request for reassessment on the ground that once an assessment is finalized and no appeal is preferred, Bill of Entry cannot be reassessed by the Custom Officer without any valid/legitimate grounds and their request for reassessment appears to be attempt to circumvent the bond conditions executed at the time of registration of Advance Authorization at ICD, Khodiyar. It has also been mentioned that Para 4.50 allows for duty payment to regularize export obligation defaults but does not empower the officer for reassessment of a finally assessed Bill of Entry. Copy of the said letter was also marked to the Additional Commissioner of Customs, In-charge of ICD Khodiyar, for initiation of appropriate action with regard to enforcement of conditions of bond furnished by the said importer at the time of registration of Advance License No. 0810145531 dated 18.06.2019. It is further evident from the letter dated 29.01.2025, of Customs Mundra that the Importer approached Mundra office for regularization of excess import and amendment in quantity citing inability to fulfill export obligation due to COVID19. However, the importer has failed to fulfill the prescribed export obligation and has not submitted the required Export Obligation Discharge Certificate (EODC). Moreover, although the importer has cited COVID-19 as a reason for non-fulfillment, no extension or relaxation appears to have been granted by the Directorate General of Foreign Trade (DGFT). Further, the importer filed application dated 01.02.2025 (**RUD-III**) for clubbing and closure of Advance Authorization Nos. 0810144701 and 0810145531, which was duly processed by DGFT vide their F.No. 08AI04006647AM25. After examining the import and export details submitted by the importer to the DGFT, they issued deficiency letter from **F.No.08AI04006647AM25 dated 09.07.2025 (RUD-IV)**. As per the said deficiency letter, the importer is liable to pay duty plus interest in respect of excess import items (i) PVC RESIN: 162631.72 Kgs and (ii) TITANIUM DIOXIDE: 5447.39 Kgs, which pertains to the Advance Authorization No. 0810145531 dated 18.06.2019.

2.2 M/s. Navratan Speciality Chemicals LLP had imported above input materials without payment of duty of Customs under cover of Advance Authorization No. 0810145531 issued by Regional Directorate General of Foreign Trade (hereinafter referred to as DGFT). While executing such imports, the importer availed benefit of exemption extended by notification No. 18/2015-Cus dated 01-04-2015, as amended by the Customs Notification No.79 /2017 dated 13-10-2017, and did not pay Customs duty in the form of BCD, SWS, IGST and ADD on the goods so imported, leviable in terms of Section 3 of the Customs Tariff Act, 1975, on such input materials at the time of import. However, such exemption was extended subject to condition that the person willing to avail such benefit should comply with pre-import condition and the finished goods should be subjected to physical exports only. Further, no extension/relaxation to the validity of this Advanced Authorization has been granted by the DGFT.

2.3 Accordingly, inquiry was initiated by way of issuance of letter under Customs Act, 1962 for production of documents in connection with Import & Export under Advance authorizations. M/s. Navratan Speciality Chemicals LLP vide email dated 27.05.2025 submitted the information as below:

Sr.No.	Product Name	Bill of Entry No. and Date	Import Quantity (Kgs)	Regularization Quantity (Kgs)	RUD

1	PVC Resin	7565660 dtd.01.05.2020	400057	162632	V
2	Titanium Dioxide Anatase	5837115 dated 26.11.2019	13400	5448	VI

RELEVANT PROVISIONS:

a) Para 4.03 of the Foreign Trade Policy (2015-20) inter-alia states that: -

An Advance Authorisation is issued to allow duty free import of inputs, which are physically incorporated in export product (making normal allowance for wastage). In addition, fuel, oil, energy, catalysts which are consumed/ utilised to obtain export product, may also be allowed by DGFT, by means of Public Notice, may exclude any product(s) from purview of Advance Authorisation.

b) Para 4.14 Foreign Trade Policy (2015-20) inter-alia states that: -

4.14 Details of Duties exempted-

Imports under Advance Authorisation are exempted from payment of Basic Customs Duty, Additional Customs Duty, Education Cess, Anti-dumping Duty, Countervailing Duty, Safeguard Duty, Transition Product Specific Safeguard Duty, wherever applicable. Import against supplies covered under paragraph 7.02 (c), (d) and (g) of FTP will not be exempted from payment of applicable Anti-dumping Duty, Countervailing Duty, Safeguard Duty and Transition Product Specific Safeguard Duty, if any. However, imports under Advance Authorisation for physical exports are also exempt from whole of the integrated tax and Compensation Cess leviable under sub-section (7) and sub-section (9) respectively, of section 3 of the Customs Tariff Act, 1975 (51 of 1975), as may be provided in the notification issued by Department of Revenue, and such imports shall be subject to pre-import condition. Imports against Advance Authorisations for physical exports are exempted from Integrated Tax and Compensation Cess upto 31.03.2018 only.

Section 2(e) of the Foreign Trade (DR) Act, 1992 states that: -

(e) "import" and 'export" means respectively bringing into, or taking out of, India any goods by land, sea or air;

c) Notification No. - 18/2015 - Customs, Dated: 01-04-2015-

G.S.R. 254 (E).- In exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act, 1962 (52 of 1962), the Central Government, being satisfied that it is necessary in the public interest so to do, hereby exempts materials imported into India against a valid Advance Authorisation issued by the Regional Authority in terms of paragraph 4.03 of the Foreign Trade Policy (hereinafter referred to as the said authorisation) from the whole of the duty of customs leviable thereon which is specified in the First Schedule to the Customs Tariff Act, 1975 (51 of 1975) and from the whole of the additional duty, safeguard duty, transitional product specific safeguard duty and anti-dumping

duty leviable thereon, respectively, under sections 3, 8B, 8C and 9A of the said Customs Tariff Act, subject to the following conditions, namely :-

- (i) that the said authorisation is produced before the proper officer of customs at the time of clearance for debit;
- (ii) that the said authorisation bears, -
 - (a) the name and address of the importer and the supporting manufacturer in cases where the authorisation has been issued to a merchant exporter; and
 - (b) the shipping bill number(s) and date(s) and description, quantity and value of exports of the resultant product in cases where import takes place after fulfilment of export obligation; or
 - (c) the description and other specifications where applicable of the imported materials and the description, quantity and value of exports of the resultant product in cases where import takes place before fulfilment of export obligation;
- (iii) that the materials imported correspond to the description and other specifications where applicable mentioned in the authorisation and are in terms of para 4.12 of the Foreign Trade Policy and the value and quantity thereof are within the limits specified in the said authorisation;
- (iv) that in respect of imports made before the discharge of export obligation in full, the importer at the time of clearance of the imported materials executes a bond with such surety or security and in such form and for such sum as may be specified by the Deputy Commissioner of Customs or Assistant Commissioner of Customs, as the case may be, binding himself to pay on demand an amount equal to the duty leviable, but for the exemption contained herein, on the imported materials in respect of which the conditions specified in this notification are not complied with, together with interest at the rate of fifteen percent per annum from the date of clearance of the said materials;
- (v) that in respect of imports made after the discharge of export obligation in full, if facility under rule 18 (rebate of duty paid on materials used in the manufacture of resultant product) or sub-rule (2) of rule 19 of the Central Excise Rules, 2002 or of CENVAT Credit under CENVAT Credit Rules, 2004 has been availed, then the importer shall, at the time of clearance of the imported materials furnish a bond to the Deputy Commissioner of Customs or Assistant Commissioner of Customs, as the case may be, binding himself, to use the imported materials in his factory or in the factory of his supporting manufacturer for the manufacture of dutiable goods and to submit a certificate, from the jurisdictional Central Excise officer or from a specified chartered accountant within six months from the date of clearance of the said materials, that the imported materials have been so used:

Provided that if the importer pays additional duty of customs leviable on the imported materials but for the exemption contained herein, then the imported materials may be cleared without furnishing a bond specified in this condition and the additional duty of customs so paid shall be eligible for availing CENVAT Credit under the CENVAT Credit Rules, 2004;

(vi) that in respect of imports made after the discharge of export obligation in full, and if facility under rule 18 (rebate of duty paid on materials used in the manufacture of resultant product) or sub-rule (2) of rule 19 of the Central Excise Rules, 2002 or of CENVAT credit under CENVAT Credit Rules, 2004 has not been availed and the importer furnishes proof to this effect to the satisfaction of the Deputy Commissioner of Customs or the Assistant Commissioner of Customs as the case may be, then the imported materials may be cleared without furnishing a bond specified in condition (v);

(vii) that the imports and exports are undertaken through the seaports, airports or through the inland container depots or through the land customs stations as mentioned in the Table 2 annexed to the Notification No.16/ 2015- Customs dated 01.04.2015 or a Special Economic Zone notified under section 4 of the Special Economic Zones Act, 2005 (28 of 2005):

Provided that the Commissioner of Customs may, by special order or a public notice and subject to such conditions as may be specified by him, permit import and export through any other sea-port, airport, inland container depot or through a land customs station within his jurisdiction;

(viii) that the export obligation as specified in the said authorisation (both in value and quantity terms) is discharged within the period specified in the said authorisation or within such extended period as may be granted by the Regional Authority by exporting resultant products, manufactured in India which are specified in the said authorisation:

Provided that an Advance Intermediate authorisation holder shall discharge export obligation by supplying the resultant products to exporter in terms of paragraph 4.05 (c) (ii) of the Foreign Trade Policy;

(ix) that the importer produces evidence of discharge of export obligation to the satisfaction of the Deputy Commissioner of Customs or Assistant Commissioner of Customs, as the case may be, within a period of sixty days of the expiry of period allowed for fulfilment of export obligation, or within such extended period as the said Deputy Commissioner of Customs or Assistant Commissioner of Customs, as the case may be, may allow;

(x) that the said authorisation shall not be transferred and the said materials shall not be transferred or sold;

Provided that the said materials may be transferred to a job worker for processing subject to complying with the conditions specified in the relevant Central Excise notifications permitting transfer of materials for job work;

Provided further that, no such transfer for purposes of job work shall be effected to the units located in areas eligible for area based exemptions from the levy of excise duty in terms of notification Nos. 32/1999-Central Excise dated 08.07.1999, 33/1999-Central Excise dated 08.07.1999, 39/2001- Central Excise dated 31.07.2001, 56/2002- Central Excise dated 14.11.2002, 57/2002- Central Excise dated 14.11.2002, 49/2003- Central Excise dated 10.06.2003, 50/2003- Central Excise dated 10.06.2003, 56/2003- Central Excise dated 25.06.2003, 71/03- Central Excise dated 09.09.2003, 8/2004- Central Excise dated 21.01.2004 and 20/2007- Central Excise dated 25.04.2007;

(xi) that in relation to the said authorisation issued to a merchant exporter, any bond required to be executed by the importer in terms of this notification shall be executed jointly by the merchant exporter and the supporting

manufacturer binding themselves jointly and severally to comply with the conditions specified in this notification.

d) Notification No. - 79/2017 - Customs, Dated: 13-10-2017-

Central Government, on being satisfied that it is necessary in the public interest so to do, made the following further amendments in each of the notifications of the Government of India in the Ministry of Finance (Department of Revenue), specified in column (2) of the Table below, in the manner as specified in the corresponding entry in column (3) of the said Table:

: Table:

<i>S. No.</i>	<i>Notification number and date</i>	<i>Amendments</i>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
1	<i>16/2015- Customs, dated the 1st April, 2015 [vide number G.S.R. 252(E), dated the 1st April, 2015]</i>	<i>In the said notification,- (a) in the opening paragraph, after clause (ii), the following shall be inserted, namely:- "(iii) the whole of integrated tax and the goods and services tax compensation cess leviable thereon under sub-section (7) and subsection (9) of section 3 of the said Customs Tariff Act: Provided that the exemption from integrated tax and the goods and services tax compensation cess shall be available up to the 31st March, 2018."; (b) in the Explanation C (II), for the words "However, the following categories of supplies, shall also be counted towards fulfilment of export obligation:", the words "However, in authorizations where exemption from integrated tax and goods and service tax compensation cess is not availed, the following categories of supplies, shall also be counted towards fulfilment of export obligation:" shall be substituted.</i>
2.	<i>18/2015- Customs, dated the 1st April, 2015 [vide number G.S.R. 254 (E), dated the 1st April, 2015]</i>	<i>In the said notification, in the opening paragraph,- (a) for the words, brackets, figures and letters "from the whole of the additional duty leviable thereon under sub- 2 sections (1), (3) and (5) of section 3, safeguard duty leviable thereon under section 8B and anti-dumping duty leviable thereon under section 9A", the words, brackets, figures and letters "from the whole of the additional duty leviable thereon under sub-sections (1), (3) and (5) of section 3, integrated tax leviable thereon under subsection (7) of section 3, goods and services tax compensation cess leviable thereon under subsection (9) of section 3, safeguard duty leviable thereon under section 8B, countervailing duty</i>

	<p>leviable thereon under section 9 and anti-dumping duty leviable thereon under section 9A" shall be substituted;</p> <p>(b) in condition (viii), after the proviso, the following proviso shall be inserted, namely: -</p> <p>"Provided further that notwithstanding anything contained hereinabove for the said authorization where the exemption from integrated tax and the goods and services tax compensation cess leviable thereon under sub-section (7) and sub-section (9) of section 3 of the said Customs Tariff Act, has been availed, the export obligation shall be fulfilled by physical exports only;";</p> <p>(c) after condition (xi), the following conditions shall be inserted, namely: -</p> <p>"(xii) that the exemption from integrated tax and the goods and services tax compensation cess leviable thereon under sub-section (7) and subsection (9) of section 3 of the said Customs Tariff Act shall be subject to pre-import condition;</p> <p>(xiii) that the exemption from integrated tax and the goods and services tax compensation cess leviable thereon under sub-section (7) and subsection (9) of section 3 of the said Customs Tariff Act shall be available up to the 31st March, 2018.".</p>
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e) Section 111 (o) of the Customs Act, 1962 inter alia stipulates-

"111. Confiscation of improperly imported goods, etc. -

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

(o) any goods exempted, subject to any condition, from duty or any prohibition in respect of the import thereof under this Act or any other law for the time being in force, in respect of which the condition is not observed unless the non-observance of the condition was sanctioned by the proper officer;"

f) Further section 112 of the Customs Act, 1962 provides for penal action and inter-alia stipulates: -

Any person shall be liable to penalty for improper importation of goods, -

(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, "

g) Section 124 of the Customs Act, 1962 inter alia stipulates: -

No order confiscating any goods or imposing any penalty on any person shall be made under this Chapter unless the owner of the goods or such person

- (a) *is given a notice in writing with the prior approval of the officer of customs not below the rank of an Assistant Commissioner of Customs, informing him of the grounds on which it is proposed to confiscate the goods or to impose a penalty;*
- (b) *is given an opportunity of making a representation in writing within such reasonable time as may be specified in the notice against the grounds of confiscation or imposition of penalty mentioned therein; and*
- (c) *is given a reasonable opportunity of being heard in the matter:*

2.4 It is thus evident from the above Notification No.18/2015-Customs, dated the 1st April, 2015 that in respect of imports made before the discharge of export obligation in full, the said importer was at the time of clearance of the imported materials required to execute a bond with such surety or security and in such form and for such sum as may be specified by the Deputy Commissioner of Customs or Assistant Commissioner of Customs, as the case may be, binding himself to pay on demand an amount equal to the duty leviable, but for the exemption contained herein, on the imported materials in respect of which the conditions specified in this notification are not complied with, together with interest at the rate of fifteen percent per annum from the date of clearance of the said materials. Accordingly, the said importer had executed Bond No. 2001599866 at the time of registration of Advance Authorisation No 0810145531 dated 18.06.2019, at ICD Sabarmati, Ahmedabad. They had also undertaken to fulfil all the terms and conditions specified in the License and the said Notification.

2.5 The importer in this case was issued Advance license/ Authorization No.0810145531 dated 18.06.2019 with export obligation period of 18 months. The items sought to be imported duty free under the authorization are PVC Resin-400057.00 Kgs., Dioctyl Phthalate (DOP)-176692.40 kgs, Knitted Polyester Fabric-113349.20 kgs and Titanium Dioxide-13400.00 kgs. with condition to export PVC FLEX FILM/BANNER – Qty. 670000.00 kgs. However, on the basis of the application filed by the Importer with supporting documents, DGFT issued deficiency letter from F.No.08AI04006647AM25 dated 09.7.2025. As per the said deficiency letter, the Importer is liable to pay duty plus interest in respect of excess import items (i) PVC RESIN: **162631.72 Kgs** and (ii) TITANIUM DIOXIDE: **5447.39 Kgs**, which pertains to the Advance Authorization No. 0810145531 dated 18.06.2019. The duty to be paid by the Importer w.r.t. this excess import comes to Rs.4327554.82 with applicable interest. Worksheet for calculation of this duty amount has been attached as Annexure -A attached to the show cause notice.

2.6 It is the duty of an importer seeking benefits of exemption extended by Customs Notifications issued by the Government of India/ Ministry of Finance, to comply with the conditions imposed in the notification, which determines, whether or not one becomes eligible for the exemption. **Exemption from payment of duty is not a matter of right, if the same comes with conditions which are required to be complied with. It is a pre-requisite that only if such conditions are followed, that one becomes eligible for such benefit. Such conditions have been brought in with the objective of facilitating zero-rating of exports with minimal compliance and maximum facilitation.** Thus, the said importer has failed to fulfill the export obligation as specified in the License and has not complied with the mandatory conditions of the Customs Notification No.18/2015-Cus dated 01.04.2015 as amended issued for Advance License and conditions of the Bond.

3. As per the provisions of Section 143 of the Customs Act, 1962, the aforesaid inputs /raw materials were allowed clearance by the proper officer on execution of bond by the said importer wherein the said importer has bound himself to discharge liability within a specified period in certain manner, which he has failed to do, by not fulfilling the export obligation. Therefore, the department is entitled to recover the duty less paid by raising a demand. The said section is produced herein below for reference:

SECTION 143. Power to allow import or export on execution of bonds in certain cases. - (1) Where this Act or any other law requires anything to be done before a person can import or export any goods or clear any goods from the control of officers of customs and the Assistant Commissioner of Customs or Deputy Commissioner of Customs is satisfied that having regard to the circumstances of the case, such thing cannot be done before such import, export or clearance without detriment to that person, the Assistant Commissioner of Customs or Deputy Commissioner of Customs may, notwithstanding anything contained in this Act or such other law, grant leave for such import, export or clearance on the person executing a bond in such amount, with such surety or security and subject to such conditions as the Assistant Commissioner of Customs or Deputy Commissioner of Customs approves, for the doing of that thing within such time after the import, export or clearance as may be specified in the bond.

(2) If the thing is done within the time specified in the bond, the Assistant Commissioner of Customs or Deputy Commissioner of Customs shall cancel the bond as discharged in full and shall, on demand, deliver it, so cancelled, to the person who has executed or who is entitled to receive it; and in such a case that person shall not be liable to any penalty provided in this Act or, as the case may be, in such other law for the contravention of the provisions thereof relating to the doing of that thing.

(3) If the thing is not done within the time specified in the bond, the Assistant Commissioner of Customs or Deputy Commissioner of Customs shall, without prejudice to any other action that may be taken under this Act or any other law for the time being in force, be entitled to proceed upon the bond in accordance with law.

9. Since, the said importer appears to fail to fulfill the conditions laid down under Notification No. 18/2015-Cus dated 01.04.2015 in as much as they failed to export goods manufactured from the input/ raw materials imported under Advance Authorization No. 0810145531 dated 18.06.2019 and failed to produce EODC issued by DGFT, Ahmedabad nor could produce any extension granted by DGFT, Ahmedabad for fulfillment of Export Obligation. Hence, they appear liable to pay duty of Rs.43,27,554.82/- along with interest in respect of the said imported goods in terms of conditions of the said Notification No.18/2015-Cus dated 01.04.2015 as amended, read with the Conditions of Bond executed by the said importer read with Section 143 of the Customs Act, 1962.

10. It appears that the imported Input/ raw material have not been used for intended purpose for which the exemption from payment of duty was claimed and therefore, the aforesaid imported goods appear to be liable for confiscation under Section 111(o) of the Customs Act, 1962 and thus the said Importer appears to have rendered himself liable for penal action under the provisions of Section 112(a) and Section 117 of the Customs Act, 1962.

11. As per para (viii) of the Customs Notification No. 18/2015 the export obligation as specified in the authorisation (both in value and quantity terms) is required to be discharged within the period specified in the said authorisation or

within such extended period as may be granted by the Regional Authority by exporting resultant products, manufactured in India which are specified in the said authorisation:

Provided that an Advance Intermediate authorisation holder shall discharge export obligation by supplying the resultant products to exporter in terms of paragraph 4.05 (c) (ii) of the Foreign Trade Policy;

Further, as per para (ix) of the Notification ibid, that the importer produces evidence of discharge of export obligation to the satisfaction of the Deputy Commissioner of Customs or Assistant Commissioner of Customs, as the case may be, within a period of sixty days of the expiry of period allowed for fulfilment of export obligation, or within such extended period as the said Deputy Commissioner of Customs or Assistant Commissioner of Customs, as the case may be.

The said importer has also given bond to this effect. It is evident from the deficiency letter F.No.08AI04006647AM25 dated 09.07.2025 issued by the DGFT, Ahmedabad that the importer is liable to pay duty plus interest in respect of excess import items (i) PVC RESIN: **162631.72 Kgs** and (ii) TITANIUM DIOXIDE: **5447.39 Kgs**, which pertains to the Advance Authorization No. 0810145531 dated 18.06.2019. Thus, the fact that they had neither completed their Export obligation nor paid the duty on import as per law & procedure is on record. The DGFT also informed that the importer has not submitted any documents regarding fulfillment of Export obligation. Thus, it appears that the said importer has neither fulfilled their Export obligation nor paid the customs duty along with interest for non-fulfillment of EO. These facts were not disclosed to the department or DGFT, thereby suppressing the facts with a clear intent to evade payment of Customs duty.

Now, therefore M/s. Navratan Speciality Chemicals LLP, B-802, Siddhi Vinayak, S. G. Highway, Ahmedabad-380 051 is hereby called upon to show cause to the Additional Commissioner of Customs, having office at 2nd Floor, Customs House, Navrangpura, Ahmedabad as to why:

- (i) The benefit of Zero Duty for Advance Authorization under Notification No. 18/2015-Cus dated 01.04.2015 on the subject imported **PVC RESIN: 162631.72 Kgs and (ii) TITANIUM DIOXIDE: 5447.39 Kgs** imported vide **Bill of Entry No. 7565660 dated 01.05.2020 and Bill of Entry No.5837115 dated 26.11.2019**, respectively, should not be denied.
- (ii) Customs Duty totally amounting **to Rs.43,27,554.82/- (Rupees Forty Three Lakhs Twenty Seven Thousand Five Hundred Fifty Four and Eighty two paise only)** being the Duty forgone at the time of import under Advance Authorization/License, should not be demanded and recovered from them in terms of Notification No.18/2015-Cus dated 01.04.2015 as amended, read with the Conditions of Bond executed and furnished by them in term of Section 143 of the Customs Act, 1962.
- (iii) Interest at the applicable rate should not be recovered from them on the Customs Duty as mentioned at (ii) above in term of Notification No. 18/2015-Cus dated 01.04.2015 as amended from time to time read with Conditions of the Bond executed in term of Section 143 of the Customs Act, 1962.
- (iv) The excess import of input/ raw materials i.e. PVC RESIN: **162631.72 Kgs** and (ii) TITANIUM DIOXIDE: **5447.39 Kgs**, without payment of duty

should not be held liable for confiscation under Section 111(o) of the Customs Act, 1962 read with conditions of Bond executed, in terms of Section 143 of the Customs Act, 1962 read with Notification No.18/2015-Cus dated 01.04.2015 as amended from time to time.

- (v) Penalty should not be imposed on the Importer under Section 112(a) of the Customs Act, 1962 for the acts of omission & commission mentioned above.
- (vi) Penalty should not be imposed on the Importer under Section 117 of the Customs Act, 1962 for the acts of omission & commission mentioned above.
- (vii) Bond executed by them at the time of import should not be enforced in terms of Section 143(3) of the Customs Act, 1962.

13 M/s. Navratan Speciality Chemicals LLP is further directed to produce at the time of showing cause all the evidences on which they intend to rely upon in support of their defense. They are further directed to indicate in their written explanation as to whether they desire to be heard in person before the case is adjudicated. If no mention is made about this in their written explanation, it would be presumed that they do not desire a personal hearing.

14. If no cause is shown by them, against the action proposed to be taken, within 30 days of the receipt of this Notice or if they do not appear before the adjudicating authority when the case is posted for hearing, the same would be adjudicated on the basis of evidences on record without any further communication to them.

15 This show cause notice is issued without prejudice to any other action that may be taken against them under the Custom Act, 1962 and the Rules framed there under or under any other Law for the time being in force.

16. The documents/relied upon documents were submitted by the Noticee and are available with them, hence the same are not supplied.

17. The Department reserves its right to amend, modify or supplement this Notice at any time on the basis of available/further evidences prior to adjudication of the case.

Digitally signed by
Shravan Ram
Date: 18-12-2025
12:57:05

(Shravan Ram)
Additional Commissioner,
Customs House, Ahmedabad

DIN: 20251271MN000031363C

F. No. GEN/ADJ/ADC/2014/2025-ADJN-O/o PR COMMR-CUS-AHMEDABAD

Date: 18.12.2025

BY REGISTERED A.D./SPEED POST/HAND DELIVERY

To,
M/s. Navratan Speciality Chemicals LLP,
B-802, Siddhi Vinayak,

S. G. Highway,
Ahmedabad-380 051

Copy to: -

1. The Additional Commissioner of Customs, Customs House, Mundra, Kutch, Gujarat-370421 with reference to letter F.No. CUS/APR/BE/AMND/299/2025-Gr-2 dated 13.08.2025.
2. The Additional Commissioner (Systems), Customs Commissionerate, HQ, Ahmedabad to upload the same on Commissionerate's website.
3. The Assistant Commissioner, ICD-Khodiyar

Annexure-A

M/s. Navratna Speciality Chemicals LLP

Sr.No.	Bill of Entry No.	Date	Item Sr. No.	Description of Goods	Total Qty (kgs)	AV (Rs.)	Regularised Qty	AV for Reg Qty	BCD (@10%)	ADD (@61.14 USD/MT) Ex Rate Rs.77.65	SGST(@10%BCD)	Total	IGST (@18%)	Total Duty
1	5837115	26.11.2019	3	Titanium Dioxide	13400	1654632	5448	672719.04	67271.90	0.00	6727.19	746718.13	134409.26	208408.36
2	7565660	01.05.2020	1	PVC Resin	400056	25472829.36	162632	10355293.22	1035529.32	772098.84	103552.93	12266474.31	2207965.38	4119146.47
Total						1102801.23		772098.84	110280.12			2342374.64	4327554.82	

20/11/2025
वन्दना जादा / VANDANA JADAV
इन्स्पेक्टर / INSPECTOR
सीमा खुदाक, आर.सी.डी., खोडियार
CUSTOMS, I.C.D. KHODIYAR.

प्रकाश दी. चौधरी / PRakash D. CHAUDHARI
अधिकारी / SUPERINTENDENT
सीमा खुदाक, आर.सी.डी., खोडियार
CUSTOMS, I.C.D. KHODIYAR.

Relied upon documents to SCN in r/o M/s. Navratan Speciality Chemicals LLP

Sr. No.	Description	RUD	Remarks
1	M/s. Navratan Speciality Chemicals LLP request to the DC, Customs, Mundra letter dated 23.11.2024	I	Available with the Noticee
2	Additional Commissioner, Customs Mundra letter dated 13.08.2025	II	Available with the Noticee
3	Application dated 01.02.2025 for clubbing and closure of Advance Authorization Nos. 0810144701 and 0810145531	III	Available with the Noticee
4	DGFT Deficiency letter dtd 09.07.2025,	IV	Available with the Noticee
5	Bill Of Entry No.7565660 dtd.01.05.2020	V	Available with the Noticee
6	Bill Of Entry No.5837115 dated 26.11.2019	VI	Available with the Noticee

वंदना जादव /VANDANA JADAV
निवीकार /INSPECTOR
स्त्रीमा शुल्क, आई.सी.डी., खोदियार
CUSTOMS, I.C.D. KHODIYAR.

प्रकाश डॉ. चौधरी /PRAKASH D. CHAUDHARI
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