


F.No. GEN/ADJ/COMM/516/2024-Adjn
SCN No.-28/2025-26/COMM/N.S/ADJN/MCH



OFFICE OF THE PRINCIPAL COMMISSIONER OF CUSTOMS,
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DIN-20251171MO000001010B

SHOW CAUSE NOTICE

WHEREAS IT APPEARS THAT-

M/s. J Bridge Worldwide (IEC No. AQOPP9820H), having registered address at WZ-28, Chaukhandi Extn., Tilak Nagar, S.O. West Delhi-110018, is engaged in import of *PU-coated Fabrics and other fabrics* from China for home consumption. M/s. J Bridge Worldwide used to import these goods in Mundra SEZ Warehouse Unit M/s. OWS Warehouse Services LLP, Mundra and subsequently filed SEZ to DTA Bills of Entry in the SEZ for their DTA removal.

2. Intelligence developed by the Directorate of Revenue Intelligence (DRI) Ahmedabad indicated that M/s. J Bridge Worldwide (herein after referred to as M/s JBW) indulged in evading payment of Anti-dumping duty and appropriate levy of Customs duty during their import of Fabrics by way of mis-declaration of description and mis-classification of these goods. In terms of Govt. of India, Ministry of Finance, Department of Revenue Notification No. 14/2022-Customs (ADD) dated 20.05.2022 issued from F. No. 190354/115/2022-TRU, PU-coated fabric falling under HS code 59032090, when imported from any Country including China and produced by entities other than by M/s. Anhui Anli Material Technology Limited, attracts Anti-dumping duty @USD 0.46 per Meter.

3. The intelligence further indicated that two (02) such consignments of PU Coated fabrics imported by M/s. J Bridge Worldwide from China through Bill of Entry No. 1014923 dated 19.10.2022 and Bill of Entry No. 1014925 dated 19.10.2022 by mis-declaring the description of goods as Felt Woven Coated Fabric and mis-classifying it under CTI 59119090 are lying at Warehouse Unit M/s. OWS Warehouse Services LLP, APSEZ, Mundra. Acting upon the above intelligence, import consignments in Bill of Entry No. 1014923 dated 19.10.2022 and Bill of Entry No. 1014925 dated 19.10.2022 of M/s. J Bridge Worldwide were examined by the officers of DRI at SEZ Warehouse Unit M/s. OWS Warehouse Services LLP, APSEZ, Mundra under Panchnama dated 14.11.2022 **[RUD-1]**. During examination, different type of goods in rolls were found in the import consignments, as detailed below –

TABLE-1

Bill of Entry No. 1014923 dated 19.10.2022

| Goods Type | Total No. of Rolls | Total Length of Fabric in each Roll (in meters) | Width of Fabric in each Roll (in meters) |
|------------|--------------------|---|--|
| Type -1 | 126 | 40 | 1.5 |
| Type-2 | 465 | 50 | 1.5 |
| Type-3 | 125 | 50 | 1.5 |
| Type-4 | 340 | 50 | 1.5 |

TABLE-2
Bill of Entry No. 1014925 dated 19.10.2022

| Goods Type | Total No. of Rolls | Total Length of Fabric in each Roll (in meters) | Width of Fabric in each Roll (in meters) |
|------------|--------------------|---|--|
| Type -1 | 307 | 50 | 1.5 |
| Type-2 | 407 | 50 | 1.5 |
| Type-3 | 50 | 40 | 1.5 |
| Type-4 | 268 | 50 | 1.5 |
| Type-5 | 210 | 50 | 1.5 |

The above goods i.e. Fabrics were found to have some coating which indicated the possibility of the fabric being PU Coated and therefore, representative samples from all the 04 types of goods in Bill of Entry No. 1014923 dated 19.10.2022 and in all 05 types of goods in Bill of Entry No. 1014925 dated 19.10.2022 were drawn in the presence of the representative of the Warehouse and the Panchas. The goods were thereafter detained pending result of the Testing of the Samples. The samples drawn were further forwarded to CRCL, Vadodara for ascertaining its identity and coating.

3.1 The samples of imported goods drawn as discussed above at para 3 were forwarded to CRCL, Vadodara. Details of the Test results received is tabulated as under –

TABLE-3

| Bill of Entry No. & Dt. | Type of goods | Test Memo No. & Date | Test Report No. & Date | Test Result as per CRCL Report |
|--------------------------|---------------|---|--|--|
| 1014923 dated 19.10.2022 | Type-1 | 26/JB/1014923 dt. 18.11.2022 [RUD-2] | RCL/AH/DRI/3036/01.12.2022 dt. 23.12.2022 [RUD-3] | Dyed woven fabric of visose spun yarns & coated with compounded polyurethane on one side having glossy surface and laminated with two PVC films. |
| | Type-2 | 27/JB/1014923 dt. 18.11.2022 [RUD-4] | RCL/AH/DRI/3037/01.12.2022 dt. 23.12.2022 [RUD-5] | Dyed knitted fabric made of polyester filament yarns, coated with compounded polyurethane on one side having glossy surface. |
| | Type-3 | 28/JB/1014923 dt. 18.11.2022 [RUD-6] | RCL/AH/DRI/3038/01.12.2022 dt. 23.12.2022 [RUD-7] | White knitted fabric, made of polyester filament yarns, coated on one side with compounded polyurethane having printed surface. |
| | Type-4 | 29/JB/1014923 dt. 18.11.2022 [RUD-8] | RCL/AH/DRI/3039/01.12.2022 dt. 23.12.2022 [RUD-9] | White knitted fabric, having raised fibers on one side, of polyester yarns, coated with compounded polyurethane on the other side. |
| 1014925 dated 19.10.2022 | Type-1 | 30/JB/1014925 dt. 18.11.2022 [RUD-10] | RCL/AH/DRI/3040/01.12.2022 dt. 23.12.2022 [RUD-11] | Dyed knitted fabric of polyester filament yarns, coated with compounded polyurethane on the other side. |
| | Type-2 | 31/JB/1014925 dt. 18.11.2022 [RUD-12] | RCL/AH/DRI/3041/01.12.2022 dt. 23.12.2022 [RUD-13] | Dyed non-woven fabric of polyester fibers & coated with compounded polyurethane having shining surface on one side. |
| | Type-3 | 32/JB/1014925 dt. 18.11.2022 [RUD-14] | RCL/AH/DRI/3042/01.12.2022 dt. 23.12.2022 [RUD-15] | Dyed woven fabric of polyester spun yarns & coated with compounded polyurethane on one side having golden glossy surface laminated with PVC film. |
| | Type-4 | 33/JB/1014925 dt. 18.11.2022 [RUD-16] | RCL/AH/DRI/3043/01.12.2022 dt. 21.12.2022 [RUD-17] | Dyed knitted fabric, coated on one side with compounded polyurethane . |

| | | | | |
|--|--------|---|--|--|
| | Type-5 | 34/JB/1014925 dt. 18.11.2022 [RUD-18] | RCL/AH/DRI/ 3044/01.12.2022 dt. 23.12.2022 [RUD-19] | Dyed knitted fabric, having raised fires on one side, of polyester filament yarns, coated with compounded polyurethane on one side. |
|--|--------|---|--|--|

In view of the above test reports, the goods as mentioned in Table-1 & 2 above, collectively in 2298 Nos. of Rolls having Approx. Length of 1,13,140 Meters imported vide Bills of Entry as mentioned above were found to be Fabrics coated with Compounded Polyurethane which were mis-declared and mis-classified by the importer and Anti-dumping duty leviable on it were not paid on it in terms of Govt. of India, Ministry of Finance, Department of Revenue Notification No. 14/2022-Customs (ADD) dated 20.05.2022. The above imported goods were therefore placed under seizure vide Seizure Memo issued F.No. DRI/AZU/CI/ENQ-03(INT-21)/2023 dated 11.01.2023 [RUD-20] under Section 110(1) of the Customs Act, 1962. Subsequently, the above goods were ordered for provisional release by the Competent authority i.e. Customs House, Mundra vide their letter F.No. CUS/APR/INV/32/2023-Gr 3 -O/o Pr. Commr-cus-Mundra dated 15.03.2023.

4. During further investigation, the import consignments in respect of Bill of Entry No. 1015924 dated 07.11.2022 of M/s. JBW were also examined by the officers of DRI at Mundra SEZ Warehouse Unit M/s. OWS Warehouse Services LLP, under Panchnama dated 18.01.2023 [RUD-21]. During examination, different type of goods in rolls were found as detailed below –

TABLE-4

Bill of Entry No. 1015924 dated 07.11.2022

| Goods Type | Total No. of Rolls | Total Length of Fabric in each Roll (in meters) | Width of Fabric in each Roll (in meters) |
|------------|--------------------|---|--|
| Type – 1 | 757 | 40 | 1.5 |
| Type – 2 | 225 | 40 | 1.5 |

During the examination under Panchnama, these goods i.e. Fabrics were found to have some coating which indicated the possibility of the fabric being PU Coated and therefore, representative samples from all the types of goods in Bill of Entry No. 1015924 dated 07.11.2022 were drawn in the presence of the representative of the Warehouse and the Panchas. The goods were thereafter detained pending result of the Testing of the Samples. The samples drawn were further forwarded to CRCL, Vadodara for ascertaining its identity and coating, if any.

4.1 The Test results in respect of these samples of imported received from CRCL, Vadodara is tabulated as under –

TABLE-5

| Bill of Entry No. & Dt. | Type of goods | Test Memo No. & Date | Test Report No. & Date | Test Result as per CRCL Report |
|--------------------------|---------------|---|---|--|
| 1015924 dated 07.11.2022 | Type-1 | 67/JB/1015924 dt. 19.01.2023 [RUD-22] | RCL/AZU/DRI/ 3716/23.01.2023 dt. 23.02.2023 [RUD-23] | Blacking knitted fabric having raised fibers on one side, of polyester filament yarns, coated with compounded polyurethane on the other side. |

| | | | | |
|--|--------|---|---|---|
| | Type-2 | 68/JB/1015924 dt. 19.01.2023 [RUD-24] | RCL/AZU/DRI/ 3717/23.01.2023 dt. 14.03.2023 [RUD-25] | Bluish knitted fabric of polyester filament yarns & coated with compounded polyurethane on the one side having glossy surface. |
|--|--------|---|---|---|

In view of the above test reports, the goods collectively in 982 Nos. of Rolls having Approx. Length of 39,280 Meters imported vide Bills of Entry as mentioned above were found to be Fabrics coated with compounded polyurethane which were mis-declared and mis-classified by the importer and Anti-dumping duty leviable on it were not paid on it in terms of Govt. of India, Ministry of Finance, Department of Revenue Notification No. 14/2022-Customs (ADD) dated 20.05.2022. The above imported goods were therefore placed under seizure vide Seizure Memo issued F.No.DRI/AZU/CI/ENQ-03(INT-21)/2023 dated 05.04.2023 [RUD-26] under Section 110(1) of the Customs Act, 1962. Subsequently, the above goods were ordered for provisional release by the Competent authority i.e. Customs House, Mundra vide their letter F.No. CUS/APR/INV/92/2023-Gr 3 -O/o Pr. Commr-cus-Mundra dated 12.05.2023.

5. In terms of Govt. of India, Ministry of Finance, Department of Revenue Notification No. 14/2022-Customs (ADD) dated 20.05.2022 issued from F.No. 190354/115/2022-TRU, PU-coated fabric falling under HS code 59032090, when imported from any Country including China and produced by entities other than by M/s. Anhui Anli Material Technology Limited, attracts Anti-dumping duty @USD 0.46 per Meters.

5.1. The above notification further also clarifies that *“for the purposes of this notification, rate of exchange applicable for calculation of such anti-dumping duty, shall be the rate which is specified in the notification of the Government of India, Ministry of Finance (Department of Revenue), issued from time to time, in exercise of the powers conferred by section 14 of the Customs Act, 1962 (52 of 1962), and the relevant date for the determination of the rate of exchange shall be the date of presentation of the bill of entry under section 46 of the Customs Act, 1962”*.

6. In terms of Ministry of Commerce & Industry (D.C.) Notification No. S.O. 2666(E) dated 05.08.2016, Officers of Directorate of Revenue Intelligence (DRI) is authorised by the Central Government, to be the enforcement officer(s) in respect of any notified offence or offences committed or likely to be committed in Special Economic Zones.

7. Search conducted during the investigation

7.1 Search at the registered premises of M/s. J Bridge Worldwide situated at WZ-28, Chaukhandi Extn., Tilak Nagar, S.O. West Delhi-110018 was conducted under Panchnama dated 24.11.2022 [RUD-27]. During the search, Shri Yashpal Rajrishi, Proprietor of M/s. J Bridge Worldwide was found at the premises. No documents related to the inquiry/import were found at the premises during the search. On being asked, Shri Yashpal Rajrishi informed that all the documents related to the firm are available with his Chartered Accountant for filling of GST Return.

7.2 Further search at the business premises of M/s Talha Traders situated at 146, E-4 Block, Tajnagari, Phase-II, Agra and business premises of M/s Rainbow Impex situated at 128, E-4 Block, Tajnagari, Phase-II, Agra was carried out under Panchnama dated 30.12.2022 [RUD-28]. During the search documents relevant to inquiry were found and the same were resumed. Further,

mobile phones of Shri Mohd. Tariq, proprietor of M/s Talha Traders and Shri Mohd. Tayyab, proprietor of M/s Rainbow Impex were also resumed for inquiry.

Extraction data from the mobile phone

7.3 Extraction of data from the mobile phones of Shri Mohd. Tariq, proprietor of M/s Talha Traders and Shri Mohd. Tayyab, proprietor of M/s Rainbow Impex resumed during panchnama dated 30.12.2022 were conducted at Cyber Forensic Lab, Directorate of Revenue Intelligence, Mumbai Zonal Unit under panchnama dated 23.01.2023 **[RUD-29]**.

Documents submitted during the investigation

7.4.1 M/s Rainbow Impex submitted Purchase; Sale & Stock details vide email dated 30.12.2022 **[RUD-30(a)]**.

7.4.2 M/s Talha Traders submitted Purchase, Sale & Stock details vide email dated 30.12.2022 **[RUD-30(b)]**.

7.4.3 Shri Yashpal Rajrishi has submitted Bills of Entry, Invoices etc. vide emails dated 03.04.2023 (total 3 emails) **[RUD-30(c)]**.

7.4.4 M/s. Ta. Ra Innovations Pvt. Ltd. has submitted Purchase Invoices, Sale-Purchase Registers vide letter dated 10.12.2024 **[RUD-30(d)]**.

7.4.5 Shri Rajeev Chawla has submitted the documents in respect of Sale Purchase of goods vide email dated 27.09.2024 and also submitted the details of quantity of Textile Coated Fabric in meters vide email dated 04.03.2025 **[RUD-30(e)]**.

7.4.6 Shri Mohd. Tariq, Proprietor of M/s Talha Traders, has submitted the packing lists vide email dated 12.03.2025 in respect of import consignment, wherein quantity of goods was mentioned in meters **[RUD-30(f)]**.

7.4.7 Shri Mohd. Tayyab, Proprietor of M/s Rainbow Impex, has submitted the packing lists vide email dated 12.03.2025 in respect of import consignment, wherein quantity of goods was mentioned in meters **[RUD-30(g)]**.

8. Statements recorded in the case

8.1 Statement of Shri Kapil Kotiya s/o Shri Ratan Lal, Proprietor of M/s Ocean Logistics was recorded u/s. 108 of the Customs Act, 1962 on 27.11.2022 **[RUD-31]**, wherein he inter alia stated that he is the Proprietor of M/s Ocean Logistics, situated at 212, Vishal Tower, District Center, Janakpuri, New Delhi-110058; that M/s Ocean Logistics was established in the year 2017; that M/s Ocean Logistics does not have an IEC and the firm is handling work related to Freight Forwarding and Customs Clearance; that apart from M/s. Ocean Logistics, he is not a partner or director in any other firm/company; that his firm does not have any Customs Brokers License and gives the work related to customs clearance to M/s. Rainbow Shipping Service & Lara Exim Pvt. Ltd.; that he is handling all the day to day work of the firm M/s JMV Enterprises, M/s. Om Enterprises & M/s. J Bridge World Wide; that IEC of these firms is lent to the Domestic firms for importing of the goods they require; that various Domestic Traders (Actual Importer of Goods) import their goods through these IECs using the name of these IEC holding firms and after import they take these imported goods by way of domestic sale from the IEC holding firms; that the modus adopted in the above transaction is that the Domestic firm/Traders orders the

goods from overseas supplier and provide them the credentials of these IEC lending firm as an importer to facilitate the import of the goods; that the import related documents from overseas supplier are received by the domestic firms/traders (Actual owner of the goods) which they forward to the IEC lending firm for customs clearance and after the customs clearance, these imported goods are directly forwarded from the port to the premises of these domestic firm/traders (the actual importer of goods) by showing it as domestic sale by IEC lending firm; that due to the market being very competitive, the domestic firms/traders/actual owner of the goods want to hide the details of overseas suppliers and therefore they use IEC lending firms to import the goods; that he had approached his relatives or friends, who lost jobs during COVID-19 lock down and gave them ideas to open IEC lending firm for some monetary benefit for which they agreed; that no fix amount is paid for the same to the owner of the firm and the same varied from person to person; that the IEC of the firm M/s J Bridge Worldwide was intended to be utilized by domestic traders (actual importer of goods) M/s. Talha Traders and M/s. Rainbow Impex; that these domestic firm/traders were known to him and since they required IEC firm for import, he provided them this firm; that the proprietor of M/s. J Bridge Worldwide is not looking after any work of the firm except to signing documents related to import and banking transaction; that he is charging Rs.15000/- per container to Domestic firm/Traders (actual importer of goods) for lending IEC; that this amount is added to value of goods in the Invoice when the goods are removed for domestic sale; that the Domestic firm/Traders (actual importer of goods) are importing Polyester Woven Fabric, Knitted Fabric, Polyester Bonded Fabric, PVC Coated Fabric, PA Coated Fabric, Textile Coated Fabric etc. through these IEC lending firms; that these domestic traders/firms place the order to overseas supplier and later on send the import documents to him for the purpose of freight forwarding or customs clearance; that he did not know anything about the mis-declaration of goods, as goods are directly ordered by the Domestic Traders (actual importer of goods) and after import the same is directly dispatched to the Domestic Traders (actual importer of goods); that all the domestic traders were his regular clients and are communicating with him only; that domestic traders used to import PU Coated Fabric before levy of Anti-dumping duty on the PU Coated Fabric, however after Anti-dumping duty was levied, they discontinued the import of PU Coated Fabric.

8.2 Further statement of Shri Kapil Kotiya s/o Shri Ratan Lal, Authorized Agent of Shri Yashpal Rajrishi, Proprietor of M/s J Bridge Worldwide was recorded u/s. 108 of the Customs Act, 1962 on 12.04.2023 [RUD-32], wherein he inter alia stated that Shri Yashpal Rajrishi, Proprietor of M/s. J Bridge Worldwide is his friend, that he knows him since 2007, when they both were working in a company i.e. ATE Logistics; that he does not have partnership with Shri Yashpal Rajrishi in any company or other means; that his firm provides forwarding services to Shri Yashpal Rajrishi's firm M/s J Bridge Worldwide; Shri Yashpal Rajrishi was having multiple health issues and due to medical condition of Shri Yashpal Rajrishi was not able to come for the statement and requested him to give the statement on his behalf; M/s J Bridge Worldwide had imported fabrics only; that he does not know about the coating material in the fabrics imported by M/s J Bridge Worldwide; that J Bridge Worldwide had been importing fabrics from China since 2019; that he was perused with his earlier statement recorded in the case on 27.11.2022 [RUD-31] and after perusing the same he stated that he agrees with all the facts and version recorded in the statement; that he had provided the IEC of M/s Bridge Worldwide to M/s Talha

Traders & M/s Rainbow Impex to import the fabric; that Shri Yashpal Rajrishi also imports the goods through M/s J Bridge Worldwide; that coated fabrics were imported by Shri Yashpal Rajrishi for themselves, however he is not aware of its coating material; Shri Yashpal Rajrishi, proprietor, is looking after all the work of M/s Bridge Worldwide and on their request IEC of M/s J Bridge Worldwide was given to Talha Traders & Rainbow Traders for import of goods; that Shri Yashpal Rajrishi himself maintains the records of M/s J Bridge Worldwide however handling of accounting work and filling of GST & IT Returns was looked after by Chartered Accountant Shri Jitesh Ratan; that Shri Yashpal Rajrishi handles the banking related work of M/s J Bridge Worldwide; that he was not getting any amount from M/s Talha Traders & M/s Rainbow Traders for lending of IEC of M/s J Bridge Worldwide; that Shri Yashpal Rajrishi was getting benefit through profit on the sale of imported goods; that he was perused with the test report received from CRCL, Vadodara in respect of sample drawn under panchnama dated 14.11.2022 & 18.01.2023 and he agreed with the test results on behalf of Shri Yashpal Rajrishi that imported goods are coated with Polyurethane; that the domestic buyer or actual importer forwarded the documents viz. invoices, packing list, Bill of Lading etc. to the address of M/s J Bridge Worldwide through courier or sometimes by hand; that two consignments seized under seizure memo dated 11.01.2023 were provisionally released; goods seized were provisionally released on submission of bank guarantee, submitted by M/s J Bridge Worldwide; that the amount required for preparing bank guarantee was paid through the available balance in bank account of M/s J Bridge Worldwide.

8.3 Statement of Shri Mohd Tayyab S/o Shri Shakeel Ahmad Proprietor of M/s Rainbow Impex was recorded u/s. 108 of Customs Act, 1962 on 10.05.2023 **[RUD-33]**, wherein he inter alia stated that he is the proprietor of M/s Rainbow Impex and established the firm in 2015; that he is trading PU Coated Fabric through his firm; that he has recently started manufacturing of shoes also; that he used to import the goods but at present, he is procuring the same through Domestic Market; that the goods purchased from domestic/local supplier were imported from China; that he has imported PU Coated Textile Palin Fabric through his firm i.e. Rainbow Impex; that PU Coated Fabric is coated with polyurethane; that PU Coated Textile Palin Fabric is used in manufacturing of Ladies & Gents footwear as an alternative of Leather; that he has imported goods i.e. PU Coated Textile Palin Fabric during 2015 to May, 2020; that he has not imported goods after May, 2020 as import during that period was not profitable due to certain market conditions so, he stopped the import of goods and started to procure from domestic market; that he has imported various fabrics from China only; that he has visited China 2-3 times for procurement of fabrics and his last visit in China was in the year 2017; that he has not purchased fabrics directly from Domestic Manufacturer; that he has purchased fabric from Traders only; that he has purchased goods i.e. PU Coated Textile Palin Fabric from RVS Enterprises; that he don't know Shri Yashpal Rajrishi; Shri Kapil deals with him from J Bridge Worldwide; that he does not know the full name of Shri Kapil; that he has purchased Textile Coated Fabric from J Bridge Worldwide; that Textile Coated Fabric was actually PU Coated Fabric; **that supplier from China was using the term "Textile Coated Fabric" for "PU Coated Fabric"**, due to this "Textile Coated Fabric" was mentioned on all further sale documents; that he has ordered the goods in the name of J Bridge Worldwide to supplier i.e. Zhejiang Minfeng Chemistry Manufactory Co. Ltd. China; that he has ordered PU Coated Fabric but Textile Coated Fabric was mentioned on the invoice and other

documents received from Supplier based in China; on being specifically asked about the details of firms based in China from whom he has ordered the Goods PU Coated fabric by declaring the same as Textile Coated Fabric, he stated that he has ordered the goods from Zhejiang Minfeng Chemistry Manufactory Co. Ltd. China; that he has given the order to the supplier in China through whatsapp; that Invoice and packing list are directly received by Shri Kapil as per his direction; that they were getting the goods expensive in direct import and when Shri Kapil used to buy many containers at once, the goods used got cheaper; on being specifically asked about the copy of the orders he has placed directly to suppliers of China he stated that he does not have the same, as orders placed through whatsapp only; that he contacted Mr. James of Zhejiang Minfeng Chemistry Manufactory Co. Ltd. China for sample or to order goods; that he has imported PU Coated Fabric from Zhejiang Minfeng Chemistry Manufactory Co. Ltd. China in May, 2020; that he was aware of Anti-Dumping Duty on import of PU Coated Fabric from China.

8.4 Statement of Shri Mohd Tariq S/o Shri Shakeel Ahmad Proprietor of M/s Talha Traders was recorded u/s. 108 of Customs Act, 1962 on 27.05.2024 **[RUD-34]**, wherein he inter alia stated that he is the proprietor of M/s. Talha Traders; that is has established the firm in the year 2018; that he is trading in PU coated fabric, PVC Coated fabric and Non-Woven Lining Fabric used in manufacturing of ladies shoes and purse; that he was perused the copy of email dated 30.12.2023 forwarded through his email id ihagra30@gmail.com to the email id driazu-ci@gov.in, he confirmed that various documents related to sale and purchase etc. were forwarded through the said email id; the he was perused with the copy of purchased register of his firm M/s Talha Traders for the financial year 2021-22 and 2022-23, he confirmed the purchase of PU Coated fabric from RVS Enterprises Delhi and Textile Coated Fabric from M/s J Bridge Worldwide; that the term 'Textile coated fabric' was mentioned in the invoices, however the said goods are of multiple types, i.e., PVC Coated Fabric, PU Coated Fabric, and Non-Woven Fabric; that he has produced the copy of the invoices issued by M/s J Bridge Worldwide on account of which he had received the goods mentioned as Textile Coated fabric as detailed here-in-under-

TABLE-6

| Sr. No. | Invoice No | Invoice Date | BE No mentioned in the said invoice | BE Date |
|---------|------------|--------------|-------------------------------------|------------|
| 1 | JBW001 | 16.07.2022 | 2010056 | 13.07.2022 |
| 2 | JBW 003 | 23.07.2022 | 2010495 | 20.07.2022 |
| 3 | JBW005 | 05.08.2022 | 2011349 | 03.08.2022 |
| 4 | JBW006 | 06.08.2022 | 2011441 | 04.08.2022 |
| 5 | JBW008 | 09.08.2022 | 2011656 | 07.08.2022 |
| 6 | JBW015 | 20.10.2022 | 2016145 | 18.10.2022 |

He further stated that BE number and date are mentioned in the said invoice so that it can be identified easily that the same is imported for his firm only; that his firm has IEC Code and he had imported PU Coated Fabric through his firm M/s Talha Traders in the year 2019; that he has imported the said material from China only; that PU Coated fabric is having coating of Polyurethane material, PVC Coated Fabric is having coating of Poly Vinyl Chloride and Non-Woven Fabric don't have any type of coating; that he has never visited China; that he took help to procure the import material from his elder brother Mohd Tayyab, who is proprietor of M/s Rainbow Impex and visited China many times; that under the said invoices, **he has received imported PU coated fabric, PVC Coated Fabric and Non-Woven Fabric from M/s J Bridge Worldwide, New**

Delhi by mentioning the same as Textile Coated Fabric; that he doesn't know, how much quantity of the said goods i.e. PU coated fabric, PVC Coated Fabric and Non-Woven Fabric respectively were received; that he requested more time to exactly quantify the respective items i.e. PU coated fabric, PVC Coated Fabric and Non-woven Fabric; that his firm had ordered the goods in the name of J Bridge Worldwide to supplier i.e. Zhejiang Minfeng Chemistry Manufactory Co. Ltd. China; that he had ordered PU coated fabric, PVC Coated Fabric and Non-woven Fabric but Textile Coated Fabric was mentioned on the invoices and other documents received from Supplier based in China; that he used to purchase the goods imported in the name and IEC of M/s J Bridge Worldwide, New Delhi and clearance work of the same was looked after by M/s Ocean Logistics owned by Shri Kapil; that all the payments related to import made for him through J Bridge Worldwide were done from the Bank Account of M/s J Bridge Worldwide; that for the purpose of the payment to China based supplier he used to contact Shri Anoop, accountant of M/s J Bridge Worldwide through his WhatsApp account of mobile number 7291838816; that his elder brother Mohd Taiyyab knows personally the shipper firm Zhejiang Minfeng Chemistry Manufactory Co. Ltd. based in China and used to place the order to the said shipper through WhatsApp on behalf of his firm. However, all orders were placed under his direction; that they ordered the goods over call and directed to send the relevant documents to him, his brother or J Bridge Worldwide directly; that he was perused with Panchnama dated 23.01.2023 drawn at Cyber Forensic Lab, DRI, Zonal Unit, Mumbai and extraction report –Apple iPhone created on 23.01.2023 at 16:18:08 hrs; that he agrees with the content of said panchanama and extraction report and confirmed that the said extraction report is related to his mobile phone i.e. Iphone 13; that he perused with the WhatsApp chat made from his WhatsApp account of mobile number 9627923850 with WhatsApp account of mobile number 7291838816 related to Shri Anoop (saved in his mobile contacts as Sati Anoop), he confirmed that on 13.12.2022 he has received a messages from Shri Anoop to send the detail of the Shipper (*“shipper account details bhejo sir”*), in reply of the same he forwarded a photo having banking account detail of the shipper M/s Zhejiang Minfeng Chemistry Manufactory Co. Ltd. to Shri Anoop through his WhatsApp Account; that the said account detail was forwarded to Shri Anoop to send the remittance from the bank account of J Bridge Worldwide to the bank account of Shipper i.e. Zhejiang Minfeng Chemistry Manufactory Co. Ltd. on account of the import of PU coated fabric by declaring the same as Textile coated fabric; that he perused with the copy of the said bank account detail which was forwarded by him to Shri Anoop, he confirmed that the said account/ banking detail of M/s Zhejiang Minfeng Chemistry Manufactory Co. Ltd. was with him since he used to import the goods directly at the IEC of his firm; that he further confirmed that after he started to place the order through the name and IEC of M/s J Bridge Worldwide; he had to send the same (account details) to the concerned person of Shri Kapil to make the payment from the bank account of M/s J Bridge Worldwide for the goods imported for him; that he agreed that he has used the name and IEC of M/s J Bridge Worldwide to import of various fabric i.e. PU coated fabric, PVC Coated Fabric and Non-Woven Fabric; that he is aware that Anti-Dumping Duty is applicable on import of PU Coated Fabric from China; that total 6 consignments were imported by him in the name and IEC of the M/s J Bridge Worldwide, New Delhi.

8.5 Statement of Shri Rajeev Chawla S/o late Shri Surjan Chawla Proprietor of M/s Chawla Rexine was recorded u/s. 108 of Customs Act, 1962

on 27.09.2024 **[RUD-35]**, wherein he inter alia stated that he had established M/s Chawla Rexine in the year 2005 as a proprietorship firm; that he is doing trading of Rexin, Fabrics and Shoe materials through his firm; that GSTN of his firm is 07AEXPC0049N1Z4 and IEC is 0508067693; that Rexine are coated fabric viz. PVC Coated Fabric, PU Coated Fabric etc.; that his firm had imported PU Coated Fabric, PVC Coated Fabric, Flock Fabric, Glitter Fabric, Bonded Fabric etc. from China & Vietnam; that fabric imported by his firm mainly used in manufacturing of shoes & purses; that he supply fabrics to manufacturer of shoes as well as traders; that he had imported many consignments of PU Coated Fabric from China before imposition of Anti-Dumping duty and after that imported PU Coated Fabric from Vietnam; that he has imported the goods from overseas supplier of China viz. M/s Wenzhou Longwan Foreign Trade Co. Ltd., M/s Jiaxing Maning Import & Export Co. Ltd., M/s Wenzhou Volcano International Trading Co. Ltd. etc.; that he has perused the Sales & Purchase register of his firm M/s Chawla Rexin, he confirmed that the details mentioned of the Sales & Purchase register are correct; that he had met Shri Yashpal Rajrishi, proprietor of M/s J Bridge Worldwide 7 to 8 years back in the fabric market; that he has purchased Textile Coated Fabric from M/s J Bridge Worldwide; that Textile Coated Fabric purchased from M/s J Bridge Worldwide were actually coated with PU (Polyurethane); that Shri Yashpal Rajrishi approached him and had shown the samples of the fabric and inquired about purchase order from him; that he had placed purchase order of goods which were coated with PU (Polyurethane) to Shri Yashpal Rajrishi; that he had received the PU Coated Fabric from Shri Yashpal Rajrishi (M/s J Bridge Worldwide), however, he had received the invoice in which goods were mentioned as Textile Coated Fabric; that he had inquired about the description Textile Coated Fabric in the invoice with Shri Yashpal Rajrishi and he informed that the goods were received in import with the same description and as such were being further sold in the same description; that there was no change in the GST rate in both these goods; that payment for the goods purchased from M/s J Bridge Worldwide was given through banking channel; that he has perused with invoices issued by M/s J Bridge Worldwide for the goods sold to his firm M/s Chawla Rexine as detailed here-in-under-

TABLE-7

| Sr. No. | Invoice No. | Invoice Date | Product Description |
|---------|-------------|--------------|-------------------------------------|
| 1 | JBW002 | 23.07.2022 | Textile Coated Fabric |
| 2 | JBW009 | 11.08.2022 | Mix Lot of Polyester Knitted Fabric |
| 3 | JBW010 | 22.08.2022 | Mix Lot of Polyester Knitted Fabric |
| 4 | JBW011 | 22.08.2022 | Textile Coated Fabric |
| 5 | JBW012 | 29.09.2022 | Textile Coated Fabric |
| 6 | JBW013 | 04.10.2022 | Textile Coated Fabric |
| 7 | JBW014 | 05.10.2022 | Textile Coated Fabric |
| 8 | JBW016 | 31.10.2022 | Textile Coated Fabric |
| 9 | JBW017 | 31.10.2022 | Textile Coated Fabric |

He confirmed that he had purchased Mix Lot of Polyester Knitted Fabric through invoice no. JBW009 & JBW010 and Textile Coated Fabric through invoice no. JBW002, JBW011, JBW012, JBW013, JBW014, JBW016 & JBW017 from M/s J Bridge Worldwide; he further stated that he had not placed any order to overseas suppliers in respect of the goods received by him from M/s J Bridge Worldwide; that as per his knowledge of fabrics the PU Coated Fabrics supplied by M/s J Bridge Worldwide by mentioning that as Textile Coated Fabric were imported goods as no domestically manufactured PU Coated goods are available in the market; that these goods may have be manufactured in China as most of

the PU Coated fabrics available in market are Chinese Origin; that the chances of these goods being of Vietnamese origin (of Vietnam) are negligible as the quality of these goods were fine and were cheaper compared to Vietnam origin goods.

8.6 Statement of Shri Narendra Jain, S/o Late Shri Kundan Lal Jain, Partner of M/s Espirit Overseas & M/s Epic Impex was recorded u/s. 108 of Customs Act, 1962 on 28.11.2024 **[RUD-36]**, wherein he inter alia stated that he and his brother Shri Surendra Jain are partners of M/s Espirit Overseas & M/s Epic Impex; that he submitted the Purchase Invoices & Sale Invoices, Accounting Ledger in respect of goods purchased from of M/s Chawla Rexine for M/s Espirit Ovserseas and M/s Epic Impex; that through both the firms i.e. M/s Espirit Overseas and M/s Epic Impex they do trade of Fabrics mainly in Denim Fabric; that they also trade in Cotton Print Fabric, Moss crepe Chiffon Fabric, Bonded Fabric, PU Coated Fabric, PVC Coated Fabric and other kind of fabrics; that he himself look after the Purchase of goods for both firms and his brother Shri Surendra Jain looks after the Sale of goods for both the firms; that they are purchasing the goods from domestic market only but had imported the goods through their firm M/s Epic Impex, however, last import was made in the year 2018; that they used to import Tafta Lining from China; that he has perused invoices issued by M/s Chawla Rexine as detailed here-in-under-

TABLE-8

| Sr. No. | Invoice No. | Date | Description of Goods | Qty (MTR) | Bill to |
|---------|-------------|------------|------------------------|-----------|----------------------|
| 1 | 22-23/332 | 10.11.2022 | Textile Coated Fabrics | 6350 | M/s Espirit Overseas |
| 2 | 22-23/333 | 10.11.2022 | Textile Coated Fabrics | 6000 | M/s Epic Impex |
| 3 | 22-23/346 | 17.11.2022 | Textile Coated Fabrics | 3700 | M/s Epic Impex |
| 4 | 22-23/348 | 18.11.2022 | Textile Coated Fabrics | 6500 | M/s Espirit Overseas |
| 5 | 22-23/349 | 18.11.2022 | Textile Coated Fabrics | 7500 | M/s Epic Impex |
| 6 | 22-23/356 | 21.11.2022 | Textile Coated Fabrics | 3621 | M/s Espirit Overseas |
| 7 | 22-23/357 | 21.11.2022 | Textile Coated Fabrics | 4766.5 | M/s Epic Impex |
| 8 | 22-23/367 | 23.11.2022 | Textile Coated Fabrics | 2000 | M/s Epic Impex |

On being specifically asked, regarding coating material on the purchased goods, he stated that M/s Chawla Rexine supplied the PU Coated Fabric to M/s Espirit Overseas & M/s Epic Impex but the description in invoices were mentioned as Textile Coated Fabric; that M/s Espirit Overseas & M/s Epic Impex received PU Coated Fabric vide all the above-mentioned invoices from M/s Chawla Rexine but the description of goods was mentioned as Textile Coated Fabric in the invoices issued by them.

8.6 Statement of Shri Anuj Chadha, S/o Shri Jugal Kishore Chadha, Karta of M/s Anuj Chadha HUF was recorded u/s. 108 of Customs Act, 1962 on 28.11.2024 **[RUD-37]**, wherein he inter alia stated that M/s Anuj Chadha HUF is a HUF firm established by him and he is Karta of the firm; that other members of HUF are his wife and his daughter; that he does trade of Rexin (Artificial Leather) through his firm M/s Anuj Chadha HUF; that Rexin that he trades are PU Coated Fabric and PVC Coated Fabric; that he was purchasing the goods from domestic market only, no import had been done by him; that he has perused the invoices issued by M/s Chawla Rexine as detailed here-in-under-

TABLE-9

| Sr. No. | Invoice No. | Date | Description of Goods | Qty (MTR) |
|---------|-------------|------------|------------------------|-----------|
| 1 | 22-23/199 | 22.08.2022 | Textile Coated Fabrics | 11600 |

| | | | | |
|---|-----------|------------|------------------------|----------|
| 2 | 22-23/211 | 29.08.2022 | Textile Coated Fabrics | 11600 |
| 3 | 22-23/222 | 02.09.2022 | Textile Coated Fabrics | 15576.75 |
| 4 | 22-23/266 | 29.09.2022 | Textile Coated Fabrics | 8750 |
| 5 | 22-23/298 | 14.10.2022 | Textile Coated Fabrics | 7394.78 |
| 6 | 22-23/302 | 14.10.2022 | Textile Coated Fabrics | 5000 |
| 7 | 22-23/340 | 12.11.2022 | Textile Coated Fabrics | 7800 |
| 8 | 22-23/371 | 24.11.2022 | Textile Coated Fabrics | 17647.27 |

He further stated that M/s Chawla Rexine had supplied the Textile Coated Fabric vide above mentioned invoices which were coated with Polyurethane (PU); that he had received PU Coated Fabric vide all the above-mentioned invoices from M/s Chawla Rexin, although name of coating material not mentioned in the invoice issued by them.

8.7 Statement of Shri Mohammad Anas, S/o Shri Mohammad Adil, Proprietor of M/s A.M. Traders, was recorded u/s. 108 of Customs Act, 1962 on 11.12.2024 **[RUD-38]**, wherein he inter alia stated that he is the proprietor of M/s A.M. Traders situated at 10, Rewti Devi market, Ram Nagar, Shahganj, Agra, Uttar Pradesh, 282010; that he had established M/s A.M. Traders in April 2017; that GST registration of M/s A.M. Traders is 09BVQPA9660Q1ZK; that he submitted the Stock Item Register for PU Coated Fabric and Textile Coated Fabric, Ledger Account of M/s Talha Traders & M/s Rainbow Impex; that he is trading in artificial leather i.e. Polyurethane (PU) Coated Fabric & Non-Woven Fabric through his firm; he had purchased Polyurethane (PU) Coated Fabric and Textile Coated Fabric from M/s Talha Traders & M/s Rainbow Impex; that Textile Coated Fabric bought by him from M/s. Talha Traders & M/s. Rainbow Impex had the coating of Polyurethane (PU) on one side; that he was purchasing Polyurethane (PU) Coated Fabric from M/s Talha Traders & M/s Rainbow Impex since 2019, however they had changed the name of Polyurethane (PU) Coated Fabric in their invoices issued between August 2022 to November 2022, and had mentioned the same as Textile Coated Fabric; that there is no difference between goods supplied by declaring it as Polyurethane (PU) Coated Fabric and Textile Coated Fabric by M/s Talha Traders & M/s Rainbow Impex as both these fabrics were coated with Polyurethane (PU); that he has perused the relevant pages of Sales Register of M/s Talha Traders and M/s Rainbow Impex wherein sales invoices for sale of Textile Coated Fabric are mentioned in the said Sales Registers as detailed here-in-under-

TABLE-10

| Sr. No. | Invoice Date | Invoice/ Voucher No. | Qty (KGS) | Goods Description | Invoice issued by |
|---------|--------------|----------------------|-----------|-----------------------|-------------------|
| 1 | 30.08.2022 | 69 | 960 | Textile Coated Fabric | M/s Talha Traders |
| 2 | 30.08.2022 | 70 | 480 | Textile Coated Fabric | M/s Talha Traders |
| 3 | 31.08.2022 | 71 | 1000 | Textile Coated Fabric | M/s Talha Traders |
| 4 | 02.09.2022 | 72 | 1118 | Textile Coated Fabric | M/s Talha Traders |
| 5 | 02.09.2022 | 73 | 568 | Textile Coated Fabric | M/s Talha Traders |
| 6 | 03.09.2022 | 74 | 914 | Textile Coated Fabric | M/s Talha Traders |
| 7 | 06.09.2022 | 75 | 980 | Textile Coated Fabric | M/s Talha Traders |
| 8 | 06.09.2022 | 76 | 985 | Textile Coated Fabric | M/s Talha Traders |
| 9 | 06.09.2022 | 77 | 572 | Textile Coated Fabric | M/s Talha Traders |
| 10 | 06.09.2022 | 78 | 568 | Textile Coated Fabric | M/s Talha Traders |
| 11 | 06.09.2022 | 79 | 1068 | Textile Coated Fabric | M/s Talha Traders |
| 12 | 08.09.2022 | 84 | 960 | Textile Coated Fabric | M/s Talha Traders |

| | | | | | |
|----|------------|-----|------|-----------------------|-------------------|
| 13 | 09.09.2022 | 90 | 1260 | Textile Coated Fabric | M/s Talha Traders |
| 14 | 13.09.2022 | 91 | 1060 | Textile Coated Fabric | M/s Talha Traders |
| 15 | 13.09.2022 | 92 | 560 | Textile Coated Fabric | M/s Talha Traders |
| 16 | 14.09.2022 | 93 | 1080 | Textile Coated Fabric | M/s Talha Traders |
| 17 | 14.09.2022 | 94 | 600 | Textile Coated Fabric | M/s Talha Traders |
| 18 | 14.09.2022 | 95 | 560 | Textile Coated Fabric | M/s Talha Traders |
| 19 | 15.09.2022 | 96 | 1080 | Textile Coated Fabric | M/s Talha Traders |
| 20 | 15.09.2022 | 97 | 600 | Textile Coated Fabric | M/s Talha Traders |
| 21 | 15.09.2022 | 98 | 1000 | Textile Coated Fabric | M/s Talha Traders |
| 22 | 16.09.2022 | 99 | 1040 | Textile Coated Fabric | M/s Talha Traders |
| 23 | 17.09.2022 | 100 | 540 | Textile Coated Fabric | M/s Talha Traders |
| 24 | 19.09.2022 | 133 | 1120 | Textile Coated Fabric | M/s Talha Traders |
| 25 | 19.09.2022 | 134 | 600 | Textile Coated Fabric | M/s Talha Traders |
| 26 | 23.09.2022 | 191 | 560 | Textile Coated Fabric | M/s Talha Traders |
| 27 | 24.09.2022 | 200 | 1130 | Textile Coated Fabric | M/s Talha Traders |
| 28 | 26.09.2022 | 231 | 1060 | Textile Coated Fabric | M/s Talha Traders |
| 29 | 26.09.2022 | 232 | 560 | Textile Coated Fabric | M/s Talha Traders |
| 30 | 27.09.2022 | 233 | 1020 | Textile Coated Fabric | M/s Talha Traders |
| 31 | 27.09.2022 | 234 | 540 | Textile Coated Fabric | M/s Talha Traders |
| 32 | 27.09.2022 | 235 | 560 | Textile Coated Fabric | M/s Talha Traders |
| 33 | 04.10.2022 | 290 | 1126 | Textile Coated Fabric | M/s Rainbow Impex |
| 34 | 04.10.2022 | 291 | 560 | Textile Coated Fabric | M/s Rainbow Impex |
| 35 | 04.10.2022 | 292 | 516 | Textile Coated Fabric | M/s Rainbow Impex |
| 36 | 05.10.2022 | 301 | 1165 | Textile Coated Fabric | M/s Rainbow Impex |
| 37 | 06.10.2022 | 336 | 572 | Textile Coated Fabric | M/s Talha Traders |
| 38 | 06.10.2022 | 337 | 1265 | Textile Coated Fabric | M/s Talha Traders |
| 39 | 07.10.2022 | 338 | 526 | Textile Coated Fabric | M/s Talha Traders |
| 40 | 10.10.2022 | 349 | 552 | Textile Coated Fabric | M/s Talha Traders |
| 41 | 10.10.2022 | 350 | 1076 | Textile Coated Fabric | M/s Talha Traders |
| 42 | 11.10.2022 | 351 | 1034 | Textile Coated Fabric | M/s Talha Traders |
| 43 | 11.10.2022 | 352 | 527 | Textile Coated Fabric | M/s Talha Traders |
| 44 | 11.10.2022 | 353 | 541 | Textile Coated Fabric | M/s Talha Traders |
| 45 | 13.10.2022 | 354 | 574 | Textile Coated Fabric | M/s Talha Traders |
| 46 | 14.10.2022 | 368 | 1118 | Textile Coated Fabric | M/s Talha Traders |
| 47 | 15.10.2022 | 378 | 1174 | Textile Coated Fabric | M/s Talha Traders |
| 48 | 15.10.2022 | 379 | 509 | Textile Coated Fabric | M/s Talha Traders |
| 49 | 17.10.2022 | 380 | 1034 | Textile Coated Fabric | M/s Talha Traders |
| 50 | 17.10.2022 | 381 | 564 | Textile Coated Fabric | M/s Talha Traders |
| 51 | 17.10.2022 | 382 | 544 | Textile Coated Fabric | M/s Talha Traders |
| 52 | 18.10.2022 | 383 | 1086 | Textile Coated Fabric | M/s Talha Traders |
| 53 | 02.11.2022 | 384 | 1172 | Textile Coated Fabric | M/s Talha Traders |
| 54 | 02.11.2022 | 385 | 1142 | Textile Coated Fabric | M/s Talha Traders |
| 55 | 02.11.2022 | 386 | 458 | Textile Coated Fabric | M/s Talha Traders |
| 56 | 09.11.2022 | 387 | 1072 | Textile Coated Fabric | M/s Talha Traders |
| 57 | 09.11.2022 | 388 | 1036 | Textile Coated Fabric | M/s Talha Traders |
| 58 | 26.11.2022 | 402 | 2150 | Textile Coated Fabric | M/s Talha Traders |
| 59 | 28.11.2022 | 405 | 2736 | Textile Coated Fabric | M/s Talha Traders |
| 60 | 28.11.2022 | 406 | 2795 | Textile Coated Fabric | M/s Talha Traders |

He further stated that he had received Polyurethane (PU) Coated Fabric from M/s Talha Traders & M/s Rainbow Impex from the invoices mentioned in sales registers, however they had mentioned the same as Textile Coated Fabric in the

invoices; that Polyurethane (PU) Coated Fabric which were supplied to them by mentioning as Textile Coated Fabric in the invoices by M/s Talha Traders & M/s Rainbow Impex were made in China, as claimed by Shri Mohd Tariq proprietor of M/s Talha Traders and Shri Mohd Tayyab proprietor of M/s Rainbow Impex; that the details of supplier, importer etc. we're not provided by Shri Mohd Tariq proprietor of M/s Talha Traders and Shri Mohd Tayyab proprietor of M/s Rainbow Impex in respect of fabrics sold to him which were Polyurethane (PU) Coated Fabric and the same was mentioned in Invoice as Textile Coated Fabric; that M/s Talha Traders & M/s Rainbow Impex mentioned HSN 59119090 while describing the Polyurethane (PU) Coated fabric as Textile Coated Fabric in their invoices; that he had sold all the Polyurethane (PU) Coated Fabric received as Textile Coated Fabric to various manufacturers (end users) and traders; that Polyurethane (PU) Coated Fabric received as Textile Coated Fabric from M/s Talha Traders & M/s Rainbow Impex was intended for further use in manufacturing of shoes.

8.8 Statement of Ms. Mansi Chanda, D/o Shri Har Vijay Singh Bahia, Director of M/s Ta. Ra Innovations Pvt. Ltd., was recorded u/s. 108 of Customs Act, 1962 on 12.12.2024 **[RUD-39]**, wherein she inter alia stated that she is a Director of M/s Ta. Ra Innovations Pvt. Ltd., Khasra No. 46M, 52/2, 53M, Village Sarjapur, Transport Nagar, Agra, Uttar Pradesh, 282008; that she had established M/s Ta. Ra Innovations as Proprietorship concern in 2010 and shifted all the business to the firm M/s Ta. Ra Innovations Pvt. Ltd. after Covid; that GST registration of M/s Ta. Ra. Innovations Pvt. Ltd. is 09AAECT0160B1ZU that apart from her, other director of the company is her daughter Ms. Tarini Chandra; that she looks after all the work related to the company; that total 30 to 40 employees are working in M/s Ta. Ra Innovations Pvt. Ltd. handling various department viz. accounts, designing etc.; that she submitted a copy of Ledger Account and invoices in respect of goods purchased from M/s Talha Traders & M/s Rainbow Impex; that M/s Ta. Ra Innovations Pvt. Ltd. is a manufacturer and exporter of leather Sandals, Shoes, Snow Shoes & Boots; that they procure raw material for manufacturing of shoes from domestic market as well as from overseas market; she had purchased Textile Coated Fabric from M/s Talha Traders & M/s Rainbow Impex, however that fabric were actually Polyurethane (PU) Coated Fabric; that on being specifically asked, she stated and confirmed that Textile Coated Fabric bought by their company from M/s. Talha Traders & M/s. Rainbow Impex were coated with Polyurethane (PU) on one side; that they were purchasing Polyurethane (PU) Coated Fabric from M/s Talha Traders & M/s Rainbow Impex for approximately 5 years; that M/s Talha Traders & M/s Rainbow Impex used to earlier declare the goods description in their invoices as PU Coated Fabric, however they have changed the name of Polyurethane (PU) Coated Fabric in their invoices issued between August 2022 to November 2022, and had mentioned the same as Textile Coated Fabric; that there was no difference between goods supplied by declaring it as Polyurethane (PU) Coated Fabric and Textile Coated Fabric by M/s Talha Traders & M/s Rainbow Impex as both these fabrics were coated with Polyurethane (PU); that she has perused the print out of Invoices of M/s Talha Traders in respect of sale of Textile Coated Fabric to M/s Ta. Ra Innovations Pvt. Ltd. as detailed here-in-under-

TABLE-11

| Sr. No. | Invoice Date | Invoice/ Voucher No. | Qty (KGS) | Goods Description | Invoice issued by |
|---------|--------------|----------------------|-----------|-----------------------|-------------------|
| 1 | 10.11.2022 | 389 | 1133 | Textile Coated Fabric | M/s Talha Traders |

| | | | | | |
|----|------------|-----|------|-----------------------|-------------------|
| 2 | 10.11.2022 | 390 | 1117 | Textile Coated Fabric | M/s Talha Traders |
| 3 | 15.11.2022 | 391 | 2064 | Textile Coated Fabric | M/s Talha Traders |
| 4 | 19.11.2022 | 392 | 2084 | Textile Coated Fabric | M/s Talha Traders |
| 5 | 22.11.2022 | 393 | 372 | Textile Coated Fabric | M/s Talha Traders |
| 6 | 23.11.2022 | 394 | 2134 | Textile Coated Fabric | M/s Talha Traders |
| 7 | 25.11.2022 | 395 | 3026 | Textile Coated Fabric | M/s Talha Traders |
| 8 | 25.11.2022 | 396 | 2638 | Textile Coated Fabric | M/s Talha Traders |
| 9 | 22.11.2022 | 397 | 2356 | Textile Coated Fabric | M/s Talha Traders |
| 10 | 26.11.2022 | 398 | 2783 | Textile Coated Fabric | M/s Talha Traders |
| 11 | 26.11.2022 | 399 | 2653 | Textile Coated Fabric | M/s Talha Traders |
| 12 | 26.11.2022 | 400 | 2924 | Textile Coated Fabric | M/s Talha Traders |
| 13 | 26.11.2022 | 403 | 2395 | Textile Coated Fabric | M/s Talha Traders |
| 14 | 26.11.2022 | 404 | 2838 | Textile Coated Fabric | M/s Talha Traders |
| 15 | 28.11.2022 | 407 | 2395 | Textile Coated Fabric | M/s Talha Traders |
| 16 | 01.12.2022 | 409 | 2287 | Textile Coated Fabric | M/s Talha Traders |
| 17 | 01.12.2022 | 410 | 2350 | Textile Coated Fabric | M/s Talha Traders |

She confirmed that they had received Polyurethane (PU) Coated Fabric from M/s Talha Traders vide above mentioned invoices, however M/s Talha Traders had mentioned the same as Textile Coated Fabric in the invoices; that they had raised this discrepancy with M/s. Talha Traders; that it was informed by M/s Talha Traders that they had received these goods under the same description and due to accounting practice, they too had to mentioned the same description i.e. Textile Coated Fabric while selling those goods; that she has perused the print out of Invoices of M/s Rainbow Impex in respect of sale of Textile Coated Fabric to M/s Ta. Ra Innovations Pvt. Ltd. as detailed here-in-under-

TABLE-12

| Sr. No. | Invoice Date | Invoice/ Voucher No. | Qty (KGS) | Goods Description | Invoice issued by |
|---------|--------------|----------------------|-----------|-----------------------|-------------------|
| 1 | 11.11.2022 | 347 | 2032 | Textile Coated Fabric | M/s Rainbow Impex |
| 2 | 14.11.2022 | 348 | 2264 | Textile Coated Fabric | M/s Rainbow Impex |
| 3 | 15.11.2022 | 351 | 2032 | Textile Coated Fabric | M/s Rainbow Impex |
| 4 | 16.11.2022 | 352 | 2116 | Textile Coated Fabric | M/s Rainbow Impex |
| 5 | 18.11.2022 | 353 | 2078 | Textile Coated Fabric | M/s Rainbow Impex |
| 6 | 22.11.2022 | 354 | 2084 | Textile Coated Fabric | M/s Rainbow Impex |
| 7 | 22.11.2022 | 365 | 2954 | Textile Coated Fabric | M/s Rainbow Impex |
| 8 | 22.11.2022 | 366 | 3172 | Textile Coated Fabric | M/s Rainbow Impex |
| 9 | 22.11.2022 | 367 | 1814 | Textile Coated Fabric | M/s Rainbow Impex |

She confirmed that they had received Polyurethane (PU) Coated Fabric from M/s Rainbow Impex vide above mentioned invoices, however M/s Rainbow Impex had mentioned the same as Textile Coated Fabric in the invoices; that they had raised this discrepancy with M/s. Rainbow Impex; that it was informed by M/s Rainbow Impex that they had received these goods under the same description and due to accounting practice, they too had to mentioned the same description i.e. Textile Coated Fabric while selling those goods; that they had received samples of the PU Coated Fabric from M/s Talha Traders and M/s Rainbow Impex prior to purchase and they had taken the approval of their customers for that sample; that after approval from their customer, they had purchased the PU Coated Fabric from M/s Talha Traders and M/s Rainbow Impex vide above mentioned invoices, however M/s Talha Traders and M/s Rainbow Impex had mentioned the same as Textile Coated Fabric in their invoices; that they had utilized all the Polyurethane (PU) Coated Fabric received as Textile Coated Fabric from M/s Talha Traders and M/s Rainbow Impex for manufacturing of shoes; they had

used all these goods for manufacturing of leather Sandals, Shoes, Snow Shoes & Boots as lining.

9. MODUS ADOPTED IN THE CASE

The investigation conducted in the case has revealed that Shri Yashpal Rajrishi, Proprietor of M/s. J Bridge Worldwide, an IEC Holder and importer of various types of Fabrics including PU Coated Fabrics from China, having registered address at WZ-28, Chaukhandi Extn., Tilak Nagar, S.O. West Delhi-110018, Shri Mohd. Tariq, Proprietor of M/s Talha Traders, Shri Mohd. Tayyab, Proprietor of M/s. Rainbow Impex and Shri Kapil Kotiya, Proprietor of M/s. Ocean Logistics, a firm involved in freight forwarding and customs clearance work, in collusion with each other, devised a modus operandi to import PU Coated Fabrics falling under HS code 59032090 from China by mis-declaring it as Textile Coated Fabric or Felt Woven Coated Fabric and further mis-classifying it under CTI 59119090 in order to evade payment of applicable duties of customs. PU Coated Fabrics when imported from any Country including China and produced by entities other than by M/s. Anhui Anli Material Technology Limited at the relevant period under investigation and correctly classified under HS Code 59032090, attracts Anti-dumping duty @USD 0.46 per Meters in terms of Notification No. 14/2022-Customs (ADD) dated 20.05.2022, Basic duty of 20%, SWS @ 10% and IGST @ 12% of the Assessable Value, whereas goods falling under CTI 59119090 are leviable to Basic duty of 10%, SWS @ 10% and IGST @ 12% of the Assessable Value.

10. CLASSIFICATION OF GOODS:

Chapter 59 of the Indian Customs Tariff deals with Textile Fabrics and Textile Articles of a kind suitable for industrial use.

10.1 The description of goods under HS CODE/ CTH 5911 as per prevailing Customs Tariff reads as under:

| 5911 | | TEXTILE PRODUCTS AND ARTICLES, FOR TECHNICAL USES, SPECIFIED IN NOTE 8 TO THIS CHAPTER | <i>Effective rate of duty</i> |
|-------------|-----|---|-------------------------------|
| 5911 10 00 | - | <i>Textile fabrics, felt and felt-lined woven fabrics, coated, covered or laminated with rubber, leather or other material, of a kind used for card clothing, and similar fabrics of a kind used for other technical purposes, including narrow fabrics made of velvet impregnated with rubber, for covering weaving spindles (weaving beams)</i> | |
| 5911 20 00 | - | <i>Bolting cloth, whether or not made up</i> | |
| | - | <i>Textile fabrics and felts, endless or fitted with linking devices, of a kind used in papermaking or similar machines (for example, for pulp or asbestos-cement) :</i> | |
| 5911 31 | -- | <i>Weighing less than 650 g/m²:</i> | |
| 5911 31 10 | --- | <i>Felt for cotton textile industries, woven</i> | 10% |
| 5911 31 20 | --- | <i>Woven textiles felt, whether or not impregnated or coated, of a kind commonly used in other machines</i> | 10% |
| 5911 31 30 | --- | <i>Cotton fabrics and articles used in machinery and plant</i> | 10% |
| 5911 31 40 | --- | <i>Jute fabrics and articles used in machinery or plant</i> | 10% |
| 5911 31 50 | --- | <i>Textile fabrics of metalized yarn of a kind commonly used in paper making or other machinery</i> | 10% |
| 5911 31 90 | --- | <i>Other</i> | 10% |
| 5911 32 | -- | <i>Weighing 650 g/m² or more:</i> | |
| 5911 32 10 | --- | <i>Felt for cotton textile industries, woven</i> | 10% |
| 5911 32 20 | --- | <i>Woven textiles felt, whether or not impregnated or coated, of a kind commonly used in other machines</i> | 10% |

| | | | |
|------------|-----|--|-----|
| 5911 32 30 | --- | Cotton fabrics and articles used in machinery and plant | 10% |
| 5911 32 40 | --- | Jute fabrics and articles used in machinery or plant | 10% |
| 5911 32 50 | --- | Textile fabrics of metalized yarn of a kind commonly used in paper making or other machinery | 10% |
| 5911 32 90 | --- | Other | 10% |
| 5911 40 00 | - | Filtering or Straining cloth of a kind used in oil presses or the like, including that of human hair | |
| 5911 90 | - | Other | |
| 5911 90 10 | --- | Paper maker's felt, woven | 10% |
| 5911 90 20 | --- | Gaskets, washers, polishing discs and other machinery parts of textile articles | 10% |
| 5911 90 90 | --- | Other | 10% |

10.2 Whereas, the HS CODE/ CTH 5903 as per prevailing Customs Tariff covered goods as under:

| | | | |
|------------|-----|--|------------------------|
| 5903 | | Textile Fabrics, Impregnated, Coated, Covered or Laminated with Plastics, Other Than Those of Heading 5902 | Effective Rate of Duty |
| 5903 10 | - | With Polyvinyl Chloride: | - |
| 5903 10 10 | --- | Imitation leather fabrics of cotton | 20% |
| 5903 10 90 | --- | Other | 20% |
| 5903 20 | - | With Polyurethane: | - |
| 5903 20 10 | --- | Imitation leather fabrics, of cotton | 20% |
| 5903 20 90 | --- | Other | 20% |
| 5903 90 | - | Other: | - |
| 5903 90 10 | --- | Of cotton | 20% |
| 5903 90 20 | --- | Polyethylene laminated jute fabrics | 20% |
| 5903 90 90 | --- | Other | 20% |

11. The Classification of goods in the First Schedule of the Import Tariff is governed by the General Rules for Interpretation Rules. These Rules are intended to be consulted and applied when goods are to be classified under the Import Tariff. Rule 1 of the GIR i.e. General Interpretation Rules provides that classification of the goods 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 provisions at Rule 2 to Rule 5. Rule 6 of the GIR further provides that the classification of goods in the sub-headings of a heading shall be determined according to the term of those sub-headings and any related sub-heading Notes and, mutatis mutandis, to the above rules.

12. M/s. J Bridge Worldwide, had filed SEZ to DTA Bills of Entry at Adani Ports and Special Economic Zone (INAJM6), Mundra for domestic clearance of imported goods as detailed below –

TABLE-13

| Sr. No. | SEZ B/E No. & Date | DTA B/E No. & Date | Declared Item Description | Declared CTI | Declared Qty (KGS) |
|---------|------------------------|------------------------|---------------------------|--------------|--------------------|
| 1 | 1008497 dt. 08.07.2022 | 2010056 dt. 13.07.2022 | Textile Coated Fabric | 59119090 | 24076 |
| 2 | 1008821 dt. 14.07.2022 | 2010342 dt. 18.07.2022 | Textile Coated Fabric | 59119090 | 24978 |
| 3 | 1009021 dt. 19.07.2022 | 2010495 dt. 20.07.2022 | Textile Coated Fabric | 59119090 | 25164 |
| 4 | 1009150 dt. 21.07.2022 | 2010638 dt. 23.07.2022 | Textile Coated Fabric | 59119090 | 25134 |

| | | | | | |
|----|---------------------------|---------------------------|-----------------------------|----------|-------|
| 5 | 1009954 dt. 02.08.2022 | 2011441 dt. 04.08.2022 | Textile Coated Fabric | 59119090 | 25237 |
| 6 | 1009955 dt. 02.08.2022 | 2011349 dt. 03.08.2022 | Textile Coated Fabric | 59119090 | 23244 |
| 7 | 1010103 dt. 04.08.2022 | 2011657 dt. 07.08.2022 | Textile Coated Fabric | 59119090 | 24452 |
| 8 | 1010108 dt. 04.08.2022 | 2011656 dt. 07.08.2022 | Textile Coated Fabric | 59119090 | 25225 |
| 9 | 1010256 dt. 05.08.2022 | 2011928 dt. 10.08.2022 | Textile Coated Fabric | 59119090 | 21870 |
| 10 | 1012588 dt. 16.09.2022 | 2014049 dt. 19.09.2022 | Textile Coated Fabric | 59119090 | 22822 |
| 11 | 1012626 dt. 17.09.2022 | 2014038 dt. 19.09.2022 | Textile Coated Fabric | 59119090 | 24440 |
| 12 | 1012874 dt. 20.09.2022 | 2014393 dt. 22.09.2022 | Textile Coated Fabric | 59119090 | 23395 |
| 13 | 1013948 dt. 06.10.2022 | 2015775 dt. 13.10.2022 | Textile Coated Fabric | 59119090 | 24668 |
| 14 | 1013954 dt. 06.10.2022 | 2015912 dt. 14.10.2022 | Textile Coated Fabric | 59119090 | 24945 |
| 15 | 1014373 dt. 12.10.2022 | 2016145 dt. 18.10.2022 | Textile Coated Fabric | 59119090 | 25270 |
| 16 | 1014374 dt. 12.10.2022 | 2016373 dt. 21.10.2022 | Textile Coated Fabric | 59119090 | 24805 |
| 17 | 1014923 dt. 19.10.2022 | 2016702 dt. 28.10.2022 | Felt Woven Coated Fabric | 59119090 | 25205 |
| 18 | 1014925 dt. 19.10.2022 | 2016512 dt. 25.10.2022 | Felt Woven Coated Fabric | 59119090 | 24742 |
| 19 | 1015924 dt. 07.11.2022 | 2017925 dt. 16.11.2022 | Felt Woven Coated Fabric | 59119090 | 25760 |

12.1 Out of the above 19 import consignments, 01 consignment mentioned at Sr. No. 4 was provisionally assessed by Officers of SEZ and as such the same is not included in the instant investigation.

12.2 The present investigation covers the remaining 18 consignments which were imported by M/s. J Bridge Worldwide at APSEZ, Mundra as detailed below –

TABLE-14

| Sr. No. | SEZ B/E No. & Date | SEZ to DTA B/E No. & dt. | Declared description of goods | Declared CTH | Declared Quantity (in Kgs.) | Ass. Value of Goods (Rs.) |
|---------|---------------------------|---------------------------|-------------------------------|--------------|-----------------------------|---------------------------|
| 1 | 1008497 dt. 08.07.2022 | 2010056 dt. 13.07.2022 | Textile Coated Fabric | 59119090 | 24076 | 23,08,407 |
| 2 | 1008821 dt. 14.07.2022 | 2010342 dt. 18.07.2022 | Textile Coated Fabric | 59119090 | 24978 | 23,94,891 |
| 3 | 1009021 dt. 19.07.2022 | 2010495 dt. 20.07.2022 | Textile Coated Fabric | 59119090 | 25164 | 24,12,724 |
| 4 | 1009150 dt. 21.07.2022 | 2010638 dt. 23.07.2022 | Textile Coated Fabric | 59119090 | 25134 | 24,41,517 |
| 5 | 1009954 dt. 02.08.2022 | 2011441 dt. 04.08.2022 | Textile Coated Fabric | 59119090 | 25237 | 24,51,522 |
| 6 | 1009955 dt. 02.08.2022 | 2011349 dt. 03.08.2022 | Textile Coated Fabric | 59119090 | 23244 | 22,57,922 |

| | | | | | | |
|----|---------------------------|---------------------------|-----------------------------|----------|-------|-----------|
| 7 | 1010103 dt. 04.08.2022 | 2011657 dt. 07.08.2022 | Textile Coated Fabric | 59119090 | 24452 | 23,54,728 |
| 8 | 1010108 dt. 04.08.2022 | 2011656 dt. 07.08.2022 | Textile Coated Fabric | 59119090 | 25225 | 24,29,168 |
| 9 | 1010256 dt. 05.08.2022 | 2011928 dt. 10.08.2022 | Textile Coated Fabric | 59119090 | 21870 | 21,06,081 |
| 10 | 1012588 dt. 16.09.2022 | 2014049 dt. 19.09.2022 | Textile Coated Fabric | 59119090 | 22822 | 22,01,867 |
| 11 | 1012626 dt. 17.09.2022 | 2014038 dt. 19.09.2022 | Textile Coated Fabric | 59119090 | 24440 | 23,57,971 |
| 12 | 1012874 dt. 20.09.2022 | 2014393 dt. 22.09.2022 | Textile Coated Fabric | 59119090 | 23395 | 22,57,150 |
| 13 | 1013948 dt. 06.10.2022 | 2015775 dt. 13.10.2022 | Textile Coated Fabric | 59119090 | 24668 | 24,40,652 |
| 14 | 1013954 dt. 06.10.2022 | 2015912 dt. 14.10.2022 | Textile Coated Fabric | 59119090 | 24945 | 24,68,058 |
| 15 | 1014373 dt. 12.10.2022 | 2016145 dt. 18.10.2022 | Textile Coated Fabric | 59119090 | 25270 | 25,00,214 |
| 16 | 1014923 dt. 19.10.2022 | 2016702 dt. 28.10.2022 | Felt Woven Coated Fabric | 59119090 | 25205 | 26,43,374 |
| 17 | 1014925 dt. 19.10.2022 | 2016512 dt. 25.10.2022 | Felt Woven Coated Fabric | 59119090 | 24742 | 25,94,817 |
| 18 | 1015924 dt. 07.11.2022 | 2017925 dt. 16.11.2022 | Felt Woven Coated Fabric | 59119090 | 25760 | 26,98,360 |

12.3 The consignment mentioned at Sr. No.01 to 15 of the Table-14 under Para 12.2 are past consignment which were already cleared by the M/s. J Bridge Worldwide for Home consumption. Further, in respect of 03 consignment mentioned at Sr. No. 16, 17 & 18 of the above Table-14, the “Out of Charge (OOC)” Order were not given by Customs Authorities in respect of goods and these goods were lying at M/s. OWS Warehouse Services LLP, APSEZ, Mundra. These goods were examined and samples thereof were drawn by the officer of DRI under Panchnama. Subsequently, based on the test report of the CRCL, Vadodara which revealed them to be PU Coated Fabric, these goods were put under Seizure.

13. The investigation conducted in the case revealed that the goods imported by M/s J Bridge Worldwide vide 18 Bills of Entry from the Table-14 mentioned at para 12.2 above were “PU Coated Fabric” which merited to be classified under HS CODE/ CTH 59032090, whereas the same were imported by M/s. J Bridge Worldwide by mis-declaring it as Textile Coated Fabric” & “Felt Woven Coated Fabric” and further mis-classifying it under HS CODE/ CTI 59119090. The above act of mis-declaring it as “Textile Coated Fabric” and “Felt Woven Coated Fabric” classifying it under HS CODE/ CTI 59119090 by M/s. J Bridge Worldwide was made with the sole intention to evade payment of applicable Anti-dumping duty leviable on it in terms of Notification No.14/2022-Customs (ADD) dated 20.05.2022.

14. During the course of Investigation, examination of goods imported vide 03 Bills of Entry was conducted under Panchnama dated 14.11.2022, & 18.01.2023. The Test Reports issued by Central Excise & Customs Laboratory, Vadodara in respect of these goods is as detailed below –

TABLE-15

| Bill of Entry No. & Dt. | Type of goods | Test Memo No. & Date | Test Report No. & Date | Test Result as per CRCL Report |
|--------------------------|---------------|---|---|--|
| 1014923 dated 19.10.2022 | Type-1 | 26/JB/1014923 dt. 18.11.2022 [RUD-2] | RCL/AH/DRI/3036/01.12.2022 dt. 23.12.2022 [RUD-3] | Dyed woven fabric of visose spun yarns & coated with compounded polyurethane on one side having glossy surface and laminated with two PVC films. |
| | Type-2 | 27/JB/1014923 dt. 18.11.2022 [RUD-4] | RCL/AH/DRI/3037/01.12.2022 dt. 23.12.2022 [RUD-5] | Dyed knitted fabric made of polyester filament yarns, coated with compounded polyurethane on one side having glossy surface. |
| | Type-3 | 28/JB/1014923 dt. 18.11.2022 [RUD-6] | RCL/AH/DRI/3038/01.12.2022 dt. 23.12.2022 [RUD-7] | White knitted fabric, made of polyester filament yarns, coated on one side with compounded polyurethane having printed surface. |
| | Type-4 | 29/JB/1014923 dt. 18.11.2022 [RUD-8] | RCL/AH/DRI/3039/01.12.2022 dt. 23.12.2022 [RUD-9] | White knitted fabric, having raised fibers on one side, of polyester yarns, coated with compounded polyurethane on the other side. |
| 1014925 dated 19.10.2022 | Type-1 | 30/JB/1014925 dt. 18.11.2022 [RUD-10] | RCL/AH/DRI/3040/01.12.2022 dt. 23.12.2022 [RUD-11] | Dyed knitted fabric of polyester filament yarns, coated with compounded polyurethane on the other side. |
| | Type-2 | 31/JB/1014925 dt. 18.11.2022 [RUD-12] | RCL/AH/DRI/3041/01.12.2022 dt. 23.12.2022 [RUD-13] | Dyed non-woven fabric of polyester fibers & coated with compounded polyurethane having shining surface on one side. |
| | Type-3 | 32/JB/1014925 dt. 18.11.2022 [RUD-14] | RCL/AH/DRI/3042/01.12.2022 dt. 23.12.2022 [RUD-15] | Dyed woven fabric of polyester spun yarns & coated with compounded polyurethane on one side having golden glossy surface laminated with PVC film. |
| | Type-4 | 33/JB/1014925 dt. 18.11.2022 [RUD-16] | RCL/AH/DRI/3043/01.12.2022 dt. 21.12.2022 [RUD-17] | Dyed knitted fabric, coated on one side with compounded polyurethane . |
| | Type-5 | 34/JB/1014925 dt. 18.11.2022 [RUD-18] | RCL/AH/DRI/3044/01.12.2022 dt. 23.12.2022 [RUD-19] | Dyed knitted fabric, having raised fires on one side, of polyester filament yarns, coated with compounded polyurethane on one side. |
| 1015924 dated 07.11.2022 | Type-1 | 67/JB/1015924 dt. 19.01.2023 [RUD-22] | RCL/AZU/DRI/3716/23.01.2023 dt. 23.02.2023 [RUD-23] | Blacking knitted fabric having raised fibers on one side, of polyester filament yarns, coated with compounded polyurethane on the other side. |
| | Type-2 | 68/JB/1015924 dt. 19.01.2023 [RUD-24] | RCL/AZU/DRI/3717/23.01.2023 dt. 14.03.2023 [RUD-25] | Bluish knitted fabric of polyester filament yarns & coated with compounded polyurethane on the one side having glossy surface. |

14.1 During Scrutiny of the documents resumed during search, documents submitted by various firms in respect of Purchase/Import, Sale, E-way bills and GST Returns revealed that M/s J Bridge Worldwide had procured Textile Coated Fabric through import only, and all the imported Textile Coated Fabric were sold to M/s Talha Traders, M/s Rainbow Impex and M/s Chawla Rexine as detailed below:

TABLE-16

| Sr. No. | SEZ to DTA B/E No. & Dt. | Item Description | Qty (KGS) | Goods Sold to | Invoice No. & Date | RUD No. |
|---------|--------------------------|-----------------------|-----------|-------------------|-----------------------|---------|
| 1 | 2010056 dt. 13.07.2022 | Textile Coated Fabric | 24076 | M/s Talha Traders | JBW001 dt. 16.07.2022 | 40(a) |

| | | | | | | |
|----|---------------------------|-----------------------|-------|-------------------|--------------------------|-------|
| 2 | 2010342 dt. 18.07.2022 | Textile Coated Fabric | 24978 | M/s Chawla Rexine | JBW002 dt. 23.07.2022 | 40(b) |
| 3 | 2010495 dt. 20.07.2022 | Textile Coated Fabric | 25164 | M/s Talha Traders | JBW003 dt. 23.07.2022 | 40(c) |
| 4 | 2010638 dt. 23.07.2022 | Textile Coated Fabric | 25134 | M/s Rainbow Impex | JBW004 dt. 26.07.2022 | 40(d) |
| 5 | 2011441 dt. 04.08.2022 | Textile Coated Fabric | 25237 | M/s Talha Traders | JBW006 dt. 06.08.2022 | 40(e) |
| 6 | 2011349 dt. 03.08.2022 | Textile Coated Fabric | 23244 | M/s Talha Traders | JBW005 dt. 05.08.2022 | 40(f) |
| 7 | 2011657 dt. 07.08.2022 | Textile Coated Fabric | 24452 | M/s Rainbow Impex | JBW007 dt. 09.08.2022 | 40(g) |
| 8 | 2011656 dt. 07.08.2022 | Textile Coated Fabric | 25225 | M/s Talha Traders | JBW008 dt. 09.08.2022 | 40(h) |
| 9 | 2011928 dt. 10.08.2022 | Textile Coated Fabric | 21870 | M/s Chawla Rexine | JBW011 dt. 22.08.2022 | 40(i) |
| 10 | 2014049 dt. 19.09.2022 | Textile Coated Fabric | 22822 | M/s Chawla Rexine | JMB013 dt. 04.10.2022 | 40(j) |
| 11 | 2014038 dt. 19.09.2022 | Textile Coated Fabric | 24440 | M/s Chawla Rexine | JBW012 dt. 29.09.2022 | 40(k) |
| 12 | 2014393 dt. 22.09.2022 | Textile Coated Fabric | 23395 | M/s Chawla Rexine | JMB014 dt. 05.10.2022 | 40(l) |
| 13 | 2015775 dt. 13.10.2022 | Textile Coated Fabric | 24668 | M/s Chawla Rexine | JMB016 dt. 31.10.2022 | 40(m) |
| 14 | 2015912 dt. 14.10.2022 | Textile Coated Fabric | 24945 | M/s Chawla Rexine | JMB017 dt. 31.10.2022 | 40(n) |
| 15 | 2016145 dt. 18.10.2022 | Textile Coated Fabric | 25270 | M/s Talha Traders | JBW015 dt. 20.10.2022 | 40(o) |

14.2 As per above table-16, total quantity of Textile Coated Fabric sold to various firms by M/s J Bridge Worldwide are as detailed below –

TABLE-17

| Sr. No. | Name of Buyer | Item Description | Sale Qty |
|--------------|-------------------|-----------------------|--------------------|
| 1 | M/s Chawla Rexine | Textile Coated Fabric | 167118 Kgs. |
| 2 | M/s Talha Traders | Textile Coated Fabric | 148216 Kgs. |
| 3 | M/s Rainbow Impex | Textile Coated Fabric | 49586 Kgs. |
| Total | | | 364920 Kgs. |

14.3 Summons u/s. 108 of the Customs Act, 162 to appear and record statement were issued to Shri Yashpal Rajrishi, Proprietor of M/s. J. Bridge Worldwide. Shri Kapil Kotiya appeared against the summons as the authorized agent of M/s. J. Bridge Worldwide and his statement was recorded on 12.04.2023 [RUD-32], wherein he stated that as the health condition of Shri Yashpal Rajrishi was not conducive for travelling, he has been authorized to appear against the summons to give statement which is binding on the firm also. He admitted that he was importing fabric since 2019, also he had allowed other persons to utilized the name & IEC of his firm. He perused the test report received from CRCL, Vadodara in respect of samples drawn under panchnama dated 14.11.2022 & 18.01.2023 and admitted that imported goods i.e. Felt Woven Coated Fabric are coated with Polyurethane.

14.3.1 Statement of Shri Rajiv Chawla, Proprietor of M/s Chawla Rexine (Buyer of imported goods) was recorded on 27.09.2024 [RUD-35] wherein he inter-alia admitted that Textile Coated Fabric sold by M/s. J Bridge Worldwide

was actually PU Coated Fabric and these purchases were made vide M/s. J Bridge Worldwide Invoice No. JBW002 dated 23.07.2022, JBW011 dated 22.08.2022, JBW012 dated 29.09.2022, JBW013 dated 04.10.2022, JBW014 dated 05.10.2022, JBW016 dated 31.10.2022 & JBW017 dated 31.10.2022. He further stated that Shri Yashpal Rajrishi, Proprietor of M/s. J Bridge Worldwide had approached him and had shown the samples of the PU Coated fabric and inquired about purchase order from him. He further stated that he had placed purchase order of goods which were coated with PU (Polyurethane) to Shri Yashpal Rajrishi and received the PU Coated Fabric from Shri Yashpal Rajrishi (M/s J Bridge Worldwide), but he had received the invoice in which goods were mentioned as Textile Coated Fabric. He stated that he had inquired about the description Textile Coated Fabric in the invoice with Shri Yashpal Rajrishi and Shri Yashpal Rajrishi informed that during the import of these goods the description of the goods was mentioned as Textile Coated Fabric and as such these goods were being further sold with the same description. Shri Rajiv Chawla further also stated that he had sold the same to various firms including M/s Anuj Chadha HUF, M/s Espirit Overseas & M/s Epic Impex.

14.3.2 Shri Anuj Chadha Karta of Anuj Chadha HUF, the further buyer of the imported goods, in his statement dated 28.11.2024 [RUD-37], admitted that Textile Coated Fabric supplied to his firm by M/s Chawla Rexine were coated with Polyurethane (PU).

14.3.3 Similarly, Shri Narendra Jain partner of M/s Espirit Overseas & M/s Epic Impex in his statement dated 28.11.2024 [RUD-36], admitted that they had received PU Coated Fabric from M/s Chawla Rexine whereas the description in the invoices was mentioned as Textile Coated Fabric.

14.4 Statement of Shri Mohd. Tayyab, Proprietor of M/s. Rainbow Impex was recorded on 10.05.2023 [RUD-33], wherein he inter-alia admitted that he had placed order for PU Coated Fabric directly to the overseas supplier M/s Zhejiang Minfeng Chemistry Manufactory Co. Ltd., China in the name of M/s J Bridge Worldwide and given instruction to forward import documents directly to Shri Kapil Kotiya. However, the import documents have the description of goods as Textile Coated Fabric instead of actual goods description i.e. PU Coated Fabric. The Textile Coated Fabric imported under SEZ to DTA Bill of Entry 2010638 dated 23.07.2022 & 2011657 dated 07.08.2022 were directly supplied by M/s J Bridge Worldwide to M/s Rainbow Impex from the SEZ Warehouse under GST Invoice, wherein the respective Bill of Entry number was mentioned to identify the specific imported goods. Considering the above, Shri Mohd. Tayyab is deemed to be the actual and beneficial owner of these goods.

14.4.1 Shri Mohd. Anas, Proprietor of M/s A.M. Traders & further buyer of the goods from M/s. Rainbow Impex, in his statement dated 11.12.2024 [RUD-38], admitted that he had purchased the Polyurethane (PU) Coated Fabric and Textile Coated Fabric from M/s Rainbow Impex. He further admitted that Textile Coated Fabric bought by him from M/s Rainbow Impex had the coating of Polyurethane (PU) on one side. He further stated that the Polyurethane (PU) Coated Fabric received by M/s. A.M. Traders as Textile Coated Fabric from M/s Rainbow Impex was intended for further use in manufacturing of shoes.

14.4.2 Ms. Mansi Chanda, Director of M/s Ta. Ra Innovations Pvt. Ltd. and further buyer of goods from M/s. Rainbow Impex and end user of the goods, in her statement dated 12.12.2024 [RUD-39], admitted that Textile

Coated Fabric bought by her company from M/s. Rainbow Impex were coated with Polyurethane (PU) on one side. They were purchasing the PU Coated Fabric from M/s Rainbow Impex for 5 years but M/s Rainbow Impex had changed the name of Polyurethane (PU) Coated Fabric in their invoices issued between August 2022 to November 2022, and had mentioned the same as Textile Coated Fabric. Further, they had utilized all the Polyurethane (PU) Coated Fabrics received as Textile Coated Fabric from M/s Rainbow Impex for manufacturing of shoes.

14.5 Statement of Shri Mohd. Tariq, Proprietor of M/s Talha Traders and buyer of imported goods from M/s. J Bridge Worldwide, was recorded on 27.05.2024 [RUD-34], wherein he inter-alia admitted that he had ordered the PU Coated Fabric from overseas supplier M/s Zhejiang Minfeng Chemistry Manufactory Co. Ltd., China under the name of M/s J Bridge Worldwide through his brother Shri Mohd. Tayyab, and given instruction to send the import documents to him, his brother or to M/s. J Bridge Worldwide. He further stated that the Textile Coated Fabric imported under SEZ to DTA Bills of Entry 2017925 dated 16.11.2022, 2016145 dated 18.10.2022, 2011656 dated 07.08.2022, 2011441 dated 04.08.2022, 2011349 dated 03.08.2022, 2010495 dated 20.07.2022 and 2010056 dated 13.07.2022 were directly supplied to them by M/s J Bridge Worldwide from the SEZ Warehouse under GST Invoice, wherein the respective Bill of Entry number was mentioned to identify the specific imported goods. Also, Shri Mohd. Tariq has provided the account details of overseas supplier M/s Zhejiang Minfeng Chemistry Manufactory Co. Ltd., China for sending remittance of imported goods. Considering the above facts, Shri Mohd. Tayyab is deemed to be the actual and beneficial owner of these goods.

14.5.1 Shri Mohd. Anas, Proprietor of M/s A.M. Traders and further buyer of goods from M/s. Talha Traders, in his statement dated 11.12.2024 [RUD-38], admitted that he had purchased the Polyurethane (PU) Coated Fabric and Textile Coated Fabric from M/s Talha Traders. He further admitted that Textile Coated Fabric bought by him from M/s Talha Traders had the coating of Polyurethane (PU) on one side. The Polyurethane (PU) Coated Fabric received by M/s A.M. Traders as Textile Coated Fabric from M/s Talha Traders was intended for further use in manufacturing of shoes.

14.5.2 Ms. Mansi Chanda, Director of M/s Ta. Ra Innovations Pvt. Ltd., further buyer of the goods from M/s. Talha Trader and the end user of the goods, in her statement dated 12.12.2024 [RUD-39], admitted that Textile Coated Fabric bought by her company from M/s. Talha Traders were coated with Polyurethane (PU) on one side. They were purchasing the PU Coated Fabric from M/s Talha Traders for 5 years but M/s Talha Traders had changed the name of Polyurethane (PU) Coated Fabric in their invoices issued between August 2022 to November 2022, and had mentioned the same as Textile Coated Fabric. Further, they had utilized all the Polyurethane (PU) Coated Fabric received as Textile Coated Fabric from M/s Talha Traders for manufacturing of shoes.

15. The evidences and facts divulged in the form of above Statements recorded during the course of investigation and Test reports issued by CECL, Vadodara in respect of seized goods clearly establishes that the goods in the case which were declared as Textile Coated Fabric & Felt Woven Coated Fabric and imported by M/s. J Bridge Worldwide vide 18 Bills of Entry as mentioned above under para 12.2 were "PU Coated Fabric", "PVC Coated Fabric" & "Non-Woven Lining Fabric", therefore, these goods appear to be rightly classified under CTI 59032090, 59031090 & 56039490 respectively.

15.1 M/s. J Bridge Worldwide at the time of import declared the quantity of goods/fabric in Kgs. However, on the basis of the submission made during the course of investigation by M/s. Chawla Rexine, M/s. Talha Traders & M/s. Rainbow Impex, the quantity of each type of goods/fabric in meters, are as detailed below:

TABLE-18

| Sr. No. | Name of firm | Correct/Actual Item Description | Quantity (Meters) |
|---------|-------------------|---------------------------------|-------------------|
| 1 | M/s Chawla Rexine | PU Coated Fabric | 208897.5 |
| 2 | M/s Talha Traders | PU Coated Fabric | 154274 |
| | | Non-Woven Lining Fabric | 23208 |
| | | PVC Coated Fabric | 7770 |
| 3 | M/s Rainbow Impex | PU Coated Fabric | 61911 |

16. The above goods imported by M/s. J Bridge Worldwide by declaring it as “Felt Woven Coated Fabric” or “Textile Coated Fabric” and by classifying it under CTI 59119090 were found to be “PU (Polyurethane) coated fabrics” correctly classified under CTI 59032090. These goods when imported under correct CTI i.e. 59032090 are leviable to Basic duty @ 20%, SWS @ 10%, IGST @ 12%, Anti-Dumping Duty @ 0.46 USD per meters in terms of Notification No. 14/2022-Customs (ADD) dated 20.05.2022 and IGST @ 12%. on Anti-Dumping Duty. Further, goods found to be PVC Coated Fabric & Non-Woven Lining Fabric correctly classified under CTI 59031090 & 56039490 respectively, both the CTIs attracts Basic duty @ 20%, SWS @ 10%, IGST @ 12%. By way of mis-declaration and mis-classification, M/s. JBW appears to have evaded payment of Basic Customs duty at appropriate rate and payment of Anti-dumping duty in their import against 18 Bills of Entry.

17. The differential duty evaded in respect of seized goods covered under 03 Bill of Entry as mentioned at Sr. No.16 to 18 of the Table-12 at para 12.2 to this Show Cause Notice is calculated at Rs.75,64,157/-. The duty calculation in this regard is as per **Annexure-X**.

17.1 Further, the differential duty evaded in respect of the remaining past import consignment covered under 15 Bill of Entry mentioned at Sr. No.01 to 15 of the Table-12 at para 12.2 of this Show Cause Notice is calculated at Rs. 2,20,50,018/-. The duty calculation in this regard is as per **Annexure-Y**.

18. In view of the above facts, it appears that M/s. J Bridge Worldwide has indulged themselves in the evasion of Customs Duty by way of misdeclaration and mis-classification of imported goods. It is noticed that total Assessable value of the goods imported under above Bills of Entry is Rs. 4,33,19,422/- and the total evasion of duty in the case is Rs.2,96,14,174/- as calculated under Annexure-X & Annexure-Y of this Show Cause Notice.

VIOLATION OF VARIOUS LEGAL PROVISIONS OF CUSTOMS ACT, 1962 BY M/S. J BRIDGE WORLDWIDE -

19. Under the Self-Assessment regime, it is the responsibility & duty of the importer/exporter to ensure correct declaration & classification of the goods, applicable rate of duty, value, and benefit or exemption notification claimed, if any, in respect of the imported or exported goods while presenting Bill of Entry or Shipping Bill. In the present case, it appears that the M/s. J Bridge Worldwide has willfully indulged themselves in the contravention of the above provisions with a mala fide intention to evade applicable payment of applicable Customs

Duty & Anti-Dumping duty on their imported goods applicable in terms of Notification No. 14/2022-Customs (ADD) dated 20.05.2022. By their above act, they appear to have violated the provisions of Section 17 read with Section 46 of the Customs Act, 1962.

19.1 In terms of sub-section 2 of Section 2 of the Customs Act, 1962, "assessment" means determination of the duty of any goods and the amount of duty, tax, Cess or any other sum so payable, if any, under this Act or under the Customs Tariff Act, 1975 (51 of 1975) or under any other law for the time being in force, with reference to-

- (a) the tariff classification of such goods as determined in accordance with the provisions of the Customs Tariff Act;
- (b) the value of such goods as determined in accordance with the provisions of this Act and the Customs Tariff Act;
- (c) exemption or concession of duty, tax, Cess or any other sum, consequent upon any notification issued therefor under this Act or under the Customs Tariff Act or under any other law for the time being in force;
- (d) the quantity, weight, volume, measurement or other specifics where such duty, tax, Cess or any other sum is leviable on the basis of the quantity, weight, volume, measurement or other specifics of such goods;
- (e) the origin of such goods determined in accordance with the provisions of the Customs Tariff Act or the rules made thereunder, if the amount of duty, tax, Cess or any other sum is affected by the origin of such goods;
- (f) any other specific factor which affects the duty, tax, Cess or any other sum payable on such goods and includes provisional assessment, self-assessment, re-assessment and any assessment in which the duty assessed is nil.

19.2 Further, in terms of Section 17 of the Customs Act, 1962, relating to Assessment of duty, it is mandatory for the importer, save as otherwise provided in Section 85 of the Act, to self-assess the duty, and in case 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 the Act, re-assess the duty leviable on such goods.

19.3 In terms of Section 28(4) of the Customs Act, 1962 - Where any duty has not been levied or has been short-levied or erroneously refunded, or interest payable has not been paid, part-paid or erroneously refunded, by reason of, - (a) collusion; or (b) any willful mis-statement; or (c) suppression of facts, by the importer or the exporter or the agent or employee of the importer or exporter, the proper officer shall, within five years from the relevant date, serve notice on the person chargeable with duty or interest which has not been so levied or which has been so short-levied or short-paid or to whom the refund has erroneously been made, requiring him to show cause why he should not pay the amount specified in the notice.

19.4 Further, Section 28AA(l) stipulates that - the person, who is liable to pay duty in accordance with the provisions of Section 28, shall, in addition to such duty, be liable to pay interest, if any, at the rate fixed under sub-Section (2), whether such payment is made voluntarily or after determination of the duty under that Section.

19.5 In terms of Section 46(4) of the Customs Act, 1962, it is mandatory for the importer to make and subscribe to a declaration as to the truth of the contents of the bill of entry being presented.

19.6 Further, Section 111(m) of the Customs Act, 1962, specifies that, 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, are liable to confiscation.

19.7 As per Section 112 of the Customs Act, 1962 - Any person, -(a) who, in relation to any goods, does or omits to do any act which act or omission would render such goods liable to confiscation under Section 111, or abets the doing or omission of such an act, or (b) who acquires possession of or is in any way concerned in carrying, removing, depositing, harboring, keeping, concealing, selling or purchasing, or in any other manner dealing with any goods which he knows or has reason to believe are liable to confiscation under Section 111, shall be liable, to penalty.

19.8 As per Section 114A of the Customs Act, 1962 - Where the duty has not been levied or has been short-levied or the interest has not been charged or paid or has been part paid or the duty or interest has been erroneously refunded by reason of collusion or any willful mis-statement or suppression of facts, the person who is liable to pay the duty or interest, as the case may be, as determined under sub- Section (8) of Section 28 shall also be liable to pay a penalty equal to the duty or interest so determined.

19.9 Section 114AA of the Customs Act provides penalty for use of false and incorrect material. If a person knowingly or unknowingly 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 purpose of this Act, shall be liable to a penalty not exceeding five times the value of the goods.

20. Role and culpability of the importer/person/firm involved -

20.1 Role and culpability of Shri Yashpal Rajrishi, Proprietor of M/s. J Bridge Worldwide in the case:

20.1.1 The modus of defrauding the Govt. Exchequer involved import of PU Coated Fabric by mis-declaring the same as Textile Coated Fabric & Felt Woven Coated Fabric was adopted by Shri Yashpal Rajrishi, consequent to implementation of Anti-Dumping Duty in terms of Notification No. 14/2022-Customs (ADD) dated 20.05.2022 on PU Coated Fabric. In the above scheme, he sub-let his IEC to various other person to facilitate the imports with the help of Shri Kapil Kotiya by mis-classifying and mis-declaring the goods during their import resulting in evasion of customs duties. In the instant case, the IEC of M/s. J Bridge Worldwide was used for effecting the import of goods ordered by the actual owner of the goods i.e. M/s. Talha Traders & M/s. M/s Rainbow Impex by adopting the above modus through 08 Bills of Entry.

20.1.2 Shri Yashpal Rajrishi in his statement recorded through his authorized agent Shri Kapil Kotiya, under section 108 of the Customs Act, 1962 on 12.04.2023 [RUD-32] admitted that IEC of M/s J Bridge Worldwide was lent to M/s Talha Traders & M/s Rainbow Traders for import of goods. He stated that M/s J Bridge Worldwide had been importing fabrics from China since 2019. He

further stated that M/s J Bridge Worldwide also he imported the coated fabric, he further agreed upon the Test Reports of CRCL, Vadodara, through his authorized agent in which imported goods which were declared as Felt Woven Coated Fabric were tested as PU Coated Fabric imported vide SEZ B/E No. 1014923 dt. 19.10.2022 (DTA B/E No. 2016702 dt. 28.10.2022), SEZ B/E No. 1014925 dt. 19.10.2022 (DTA B/E No. 2016512 dt. 25.10.2022) and SEZ B/E No. 1015924 dt. 07.11.2022 (DTA B/E No. 2017925 dt. 16.11.2022).

20.1.3 Shri Rajeev Chawla, Proprietor of M/s. Chawla Rexine, in his statement recorded under Section 108 of the Customs Act, 1962 on 27.09.2024 [RUD-35], categorically stated that, based on fabric samples of PU Coated fabric shown to him by Shri Yashpal Rajrishi, he placed purchase order for goods coated with PU (Polyurethane) from Shri Yashpal Rajrishi and received the goods. However, the invoices received by him for the said goods described the goods as Textile Coated Fabric. He stated that he has purchased Textile Coated Fabric from M/s J Bridge Worldwide but the same were coated with PU (Polyurethane). He also informed that Shri Yashpal Rajrishi approached him and had shown the samples of the fabric and inquired about purchase order from him and he had placed purchase order of goods which were coated with PU (Polyurethane) to Shri Yashpal Rajrishi. He admitted that he had received the PU Coated Fabric from Shri Yashpal Rajrishi (M/s J Bridge Worldwide), however, he had received the invoice in which goods were mentioned as Textile Coated Fabric. He stated that he had inquired about the description Textile Coated Fabric in the invoice, with Shri Yashpal Rajrishi and he informed that the goods were received in import with the same description and as such were being further sold in the same description.

20.1.4 Shri Kapil Kotiya, Proprietor of M/s Ocean Logistics in his statement recorded under Section 108 of the Customs Act, 1962 on 27.11.2022 [RUD-31] stated that he is the handling work related to Freight Forwarding and Customs Clearance through his firm. He categorically stated that the IEC of the firm M/s J Bridge Worldwide was intended to be utilized by domestic traders (actual importer of goods) M/s. Talha Traders and M/s. Rainbow Impex, which were known to him and since they required IEC firm for import, he had provided them the IEC of M/s J Bridge Worldwide.

20.1.5 The facts in the above Statements recorded during investigation in the case clearly reveals that Shri Yashpal Rajrishi, Proprietor of M/s. J Bridge World had intentionally indulged himself in importing of PU Coated Fabric by mis-declaring and mis-classifying their identity. Shri Yashpal Rajrishi has also not practiced proper due diligence in executing the import work of other entities through his firm, as he has agreed to act and had indulged in effecting imports of goods owned by other domestic traders without checking the credentials and actual details of the goods to be imported. He indulged himself in the entire scheme of fraud in connivance with Shri Kapil Kotiya, Shri Mohd. Tariq & Shri Mohd. Tayyab which resulted in evading the payment of appropriate Customs duty leviable on their imports. The above acts clearly demonstrate the culpable/criminal mindset of Shri Yashpal Rajrishi, Proprietor of M/s. J Bridge Worldwide and undoubtedly establish his mens-rea in the whole act of defrauding the Govt Exchequer by evading the applicable payment of Customs Duties.

20.1.6 By indulging himself in the above acts, Shri Yashpal Rajrishi, Proprietor of M/s J Bridge Worldwide is found to have indulged himself in the

act or omission, in relation of the goods, which would render such goods liable to confiscation under section 111 of the Customs Act, 1962 and by indulging in such acts, he has rendered himself liable for penalty under section 112(a) & (b) of the Customs Act, 1962. It is further also found that, Shri Yashpal Rajrishi had approached M/s. Chawla Rexine for sale of PU Coated Fabric and the same goods were later supplied to M/s. Chawla Rexine under a false description invoice of Textile Coated Fabric. This fact undisputedly prove that he was well aware of the true nature of the goods and the levy of Anti-dumping duty on the mis-declared goods imported through IEC of M/s. J Bridge Worldwide but even though he had intentionally/knowingly causes to be made (to make something happen or exist) declaration, documents which is false or incorrect in any material particular, in the transaction of any business for the purpose of this Act and thereby has also rendered himself liable for penalty u/s. 114AA of the Customs Act, 1962.

20.2 Role and culpability of Shri Mohd. Tariq, Proprietor of M/s. Talha Traders in the case:

20.2.1 Shri Mohd. Tariq, Proprietor of M/s. Talha Traders, in his statement recorded u/s.108 of the Customs Act, 1962 on 27.05.2024 [RUD-34] has admitted that he had purchased goods with the description Textile Coated fabric from M/s. J Bridge Worldwide, however the said goods were PVC Coated Fabric, PU Coated Fabric, and Non-Woven Lining Fabric. He further also admitted that he used to place order for such fabrics directly to the overseas Supplier in China through his brother and the same were imported through the IEC of M/s. J Bridge Worldwide. He stated that clearance work of the imported goods was looked after by M/s Ocean Logistics owned by Shri Kapil. Further, the payments related to import made by him through M/s J Bridge Worldwide were done from the Bank Account of M/s J Bridge Worldwide. He also used to provide the Overseas Suppliers banking account details to Shri Anoop, accountant of M/s. J Bridge Worldwide for the purpose of the transferring the remittances against import made by him to China. He further confirmed that he had used the name and IEC of M/s J Bridge Worldwide to import of various fabric i.e. PU coated fabric, PVC Coated Fabric and Non-Woven Fabric. Further he confirmed that he was aware that Anti-Dumping Duty is applicable on import of PU Coated Fabric from China.

20.2.2 Shri Mohd. Tariq, Proprietor of M/s Talha Traders, was fully aware of the actual description of the goods imported under SEZ to DTA Bills of Entry No. 2017925 dated 16.11.2022, 2016145 dated 18.10.2022, 2011656 dated 07.08.2022, 2011441 dated 04.08.2022, 2011349 dated 03.08.2022, 2010495 dated 20.07.2022 and 2010056 dated 13.07.2022. However, he deliberately misrepresented the identity of the goods before Customs at the time of clearance. Further, he knowingly utilized the name and Importer Exporter Code (IEC) of M/s J Bridge Worldwide to evade the potential consequences of this misrepresentation. To establish ownership of the goods, the corresponding Bill of Entry numbers were mentioned on the domestic sale invoices issued by M/s J Bridge Worldwide.

20.2.3 The facts emerging from the above Statements recorded during investigation in the case clearly reveals that M/s. Talha Traders represented through its Proprietor Shri Mohd. Tariq is the major beneficiary of the duty evaded in the case. Shri Mohd. Tariq had indulged themselves in the entire scheme of fraud, in connivance with M/s. J Bridge Worldwide & Shri Kapil Kotiya

with the sole intention of defrauding the Govt Exchequer by way of evading the Anti-dumping duty on import of goods. After imposition of Anti-dumping duty vide Notification No. 14/2022-Customs (ADD) dated 20.05.2022, he had, in connivance with Shri Kapil Kotiya hatched the modus to hire M/s J Bridge Worldwide an IEC holding firms to facilitate his import of PU Coated Fabrics by mis-declaring the same as "Textile Coated Fabric". The placing of Order of goods to the overseas suppliers were directly made by him and their outward remittances were also borne by him, whereas, their counterpart Shri Kapil Kotiya was entrusted with the role of customs clearing the goods. The above acts demonstrate their culpable/criminal mindset and undoubtedly prove their mens-rea in the whole act of defrauding the Govt Exchequer by evading the applicable payment of Anti-dumping Duty imposed vide Notification No. 14/2022-Customs (ADD) dated 20.05.2022.

20.2.4 The above facts further also clearly reveal that M/s. Talha Traders represented through Shri Mohd. Tariq, Proprietor received import documents from overseas supplier as a Beneficial owner of the goods and Shri Mohd. Tariq has further forwarded these documents to Shri Kapil Kotiya to facilitate import of the goods using the IEC of M/s J Bridge Worldwide. From the investigation, it reveals that M/s Talha Traders is the beneficial owner for the corresponding goods mentioned in table in para 24 of this Show Cause Notice. Hence, M/s Talha Traders is liable to pay the differential Customs Duty (BCD+SWS+IGST+ADD+IGST on ADD) for the goods imported by them (as a beneficial owner). In the investigation it was found that M/s. Talha Traders acted in collusion with different persons for suppressing the facts and mis-declaring the goods to evade the Customs duty. Accordingly, it appears that they are liable for penalty under section 114A of the Customs Act, 1962. By indulging himself in the above acts, Shri Mohd. Tariq, Proprietor of M/s. Talha Traders, is found to have indulged himself in the act or omission, in relation of the goods, which would render such goods liable to confiscation under section 111 of the Customs Act, 1962. Further by indulging in the above act, he has rendered himself liable for penalty under section 112(a) & (b) of the Customs Act, 1962. Further, Shri Mohd. Tariq, Proprietor of M/s. Talha Traders was well aware about the levy of Anti-dumping duty on the mis-declared goods imported through IEC of M/s. J Bridge Worldwide but even though, he had intentionally/knowingly causes to be made (to make something happen or exist) declaration, documents which is false or incorrect in any material particular, in the transaction of any business for the purpose of this Act and thereby has also rendered himself liable for penalty u/s. 114AA of the Customs Act, 1962.

20.3 Role and culpability of Shri Mohd. Tayyab, Proprietor of M/s. Rainbow Impex in the case:

20.3.1 Shri Mohd Tayyab Proprietor of M/s Rainbow Impex in his statement recorded u/s.108 of the Customs Act, 1962 on 10.05.2023 [RUD-33], admitted that he had purchased Textile Coated Fabric from M/s J Bridge Worldwide, however that Textile Coated Fabric was actually PU Coated Fabric. He stated that he doesn't know Shri Yashpal Rajrishi but Shri Kapil used to deal with him on behalf of M/s.J Bridge Worldwide. He further stated that since the supplier from China had used the term "Textile Coated Fabric" for "PU Coated Fabric", all further sales of the goods were made declaring "Textile Coated Fabric" in the sale documents. He admitted that he has ordered the PU Coated Fabric from overseas supplier i.e. Zhejiang Minfeng Chemistry Manufactory Co. Ltd. China which was imported in the name of M/s J Bridge Worldwide. However,

Textile Coated Fabric was mentioned on the invoice and other documents received from Supplier based in China. He had ordered the goods to Zhejiang Minfeng Chemistry Manufactory Co. Ltd. China through whatsapp. He further stated that Invoice and packing list are directly received by Shri Kapil as per his direction. He also confirmed that he was aware of Anti-Dumping Duty on import of PU Coated Fabric from China.

20.3.2 Shri Mohd. Tayyab, Proprietor of M/s Rainbow Impex, was fully aware of the actual description of the goods imported under SEZ to DTA Bills of Entry No. 2010638 dated 23.07.2022 and No. 2011657 dated 07.08.2022. However, he deliberately misrepresented the identity of the goods before Customs at the time of clearance. Further, he knowingly utilized the name and Importer Exporter Code (IEC) of M/s J Bridge Worldwide to evade the potential consequences of this misrepresentation. To establish ownership of the goods, the corresponding Bill of Entry numbers were mentioned on the domestic sale invoices issued by M/s J Bridge Worldwide.

20.3.3 The facts emerging from the above Statements recorded during investigation in the case clearly reveals that M/s. Rainbow Impex represented through its Proprietor Shri Mohd. Tayyab is the beneficial owner of the goods and major beneficiary of the duty evaded in the case. Shri Mohd. Tayyab had indulged himself in the entire scheme of fraud in connivance with Shri Kapil Kotiya with the sole intention of defrauding the Govt Exchequer by way of evading the Anti-dumping duty on import of goods. After imposition of Anti-dumping duty vide Notification No. 14/2022-Customs (ADD) dated 20.05.2022, he had, in connivance with Shri Kapil Kotiya hatched the modus to hire M/s J Bridge Worldwide an IEC holding firms to facilitate their import of PU Coated Fabrics by mis-declaring the same as "Textile Coated Fabric". The placing of Order of goods were directly made by him. The above acts demonstrate their culpable/criminal mindset and undoubtedly prove their mens-rea in the whole act of defrauding the Govt Exchequer by evading the applicable payment of Anti-dumping Duty imposed vide Notification No. 14/2022-Customs (ADD) dated 20.05.2022.

20.3.4 The above facts further also clearly reveal that M/s. Rainbow Impex represented through Shri Mohd. Tayyab, Proprietor received import documents from overseas supplier as a Beneficial owner of the goods and Shri Mohd. Tayyab has further forwarded these documents to Shri Kapil Kotiya to facilitate import of the goods using the IEC of M/s J Bridge Worldwide. From the investigation, it reveals that M/s Rainbow Impex is the beneficial owner for the corresponding goods mentioned in table in para 24 of this Show Cause Notice. Hence, M/s Rainbow Impex is liable to pay the differential Customs Duty (BCD+SWS+IGST+ADD+IGST on ADD) for the goods imported by them (as a beneficial owner). In the investigation it was found that M/s. Rainbow Impex acted in collusion with different persons for suppressing the facts and mis-declaring the goods to evade the Customs duty. Accordingly, it appears that they are liable for penalty under section 114A of the Customs Act, 1962. By indulging himself in the above acts, Shri Mohd. Tayyab, Proprietor of M/s. Rainbow Impex, is found to have indulged himself in the act or omission, in relation of the goods, which would render such goods liable to confiscation under section 111 of the Customs Act, 1962. Further by indulging in the above act, he has rendered himself liable for penalty under section 112(a) & (b) of the Customs Act, 1962. Further, Shri Mohd. Tayyab, Proprietor of M/s. Rainbow Impex was well aware about the levy of Anti-dumping duty on the mis-declared goods imported through

IEC of M/s. J Bridge Worldwide but even though, he had intentionally/knowingly causes to be made (to make something happen or exist) declaration, documents which is false or incorrect in any material particular, in the transaction of any business for the purpose of this Act and thereby has also rendered himself liable for penalty u/s. 114AA of the Customs Act, 1962.

20.4 Role and culpability of Shri Kapil Kotiya in the case:

20.4.1 Shri Kapil Kotiya, Proprietor of M/s Ocean Logistics in his statement recorded under Section 108 of the Customs Act, 1962 on 27.11.2022 [RUD-31] admitted that he is handling all the day to day work of the firm M/s. J Bridge World Wide and IEC of this firm is lent to the Domestic firms for importing of the goods they require. The IEC of the firm M/s J Bridge Worldwide was intended to be utilized by domestic traders (actual importer of goods) M/s. Talha Traders & M/s. Rainbow Impex, these domestic firm/traders were known to him and since they required IEC firm for import, he provided them this firm. He stated that the proprietor of M/s. J Bridge Worldwide was not looking after any work of the firm except to signing documents related to import and banking transaction. He was charging Rs.15000/- per container to Domestic firm/Traders (actual importer of goods) for lending IEC; that this amount is added to value of goods in the Invoice when the goods are removed for domestic sale; that the Domestic firm/Traders (actual importer of goods). He further stated that these domestic traders/firms place the order to overseas supplier and later send the import documents to him for the purpose of freight forwarding or customs clearance. These domestic traders used to import PU Coated Fabric before imposing of Anti-dumping duty on the PU Coated Fabric, however after imposing Anti-dumping duty, they discontinued import of PU Coated Fabric.

20.4.2 Shri Kapil Kotiya, as authorized agent of M/s J Bridge Worldwide also recorded his statement u/s. 108 of the Customs Act, 1962 on 12.04.2023 [RUD-32] and admitted that on request of Shri Yashpal Rajrishi IEC of M/s J Bridge Worldwide was given to Talha Traders & Rainbow Traders for import of goods by him.

20.4.3 Shri Mohd Tayyab Proprietor of M/s Rainbow Impex in his statement recorded u/s.108 of the Customs Act, 1962 on 10.05.2023 [RUD-33], admitted that he had purchased Textile Coated Fabric from M/s J Bridge Worldwide, however that Textile Coated Fabric was actually PU Coated Fabric. He stated that he doesn't know Shri Yashpal Rajrishi and Shri Kapil deals with him from M/s J Bridge Worldwide. He further stated that he had ordered the goods to Zhejiang Minfeng Chemistry Manufactory Co. Ltd. China and Invoice & packing list are directly received by Shri Kapil as per his direction.

20.4.4 Shri Mohd. Tariq Proprietor of M/s Talha Traders in his statement recorded u/s.108 of the Customs Act, 1962 on 27.05.2024 [RUD-34], that he used to purchase the goods imported at the name and IEC of M/s J Bridge Worldwide, New Delhi and clearance work of the same was looked after by M/s Ocean Logistics owned by Shri Kapil. He further confirmed that he started to place the order through the name and IEC of M/s J Bridge Worldwide; that he had to send the same (account details) to the concern person of Shri Kapil to make the payment for the goods imported for him, from the bank account of M/s J Bridge Worldwide.

20.4.5 The above facts emerging from the Statements recorded during investigation in the case clearly reveal that Shri Kapil Kotiya in connivance with

Shri Yashpal Rajrishi, Shri Mohd. Tariq & Shri Mohd. Tayyab indulge himself in evasion of Anti-dumping duty in the import of PU Coated Fabrics and payment of appropriate Customs duty in the import of Non-woven Fabrics & PVC Coated Fabric, thereby defrauding the Government Exchequer. Shri Kapil was well versed with the procedure for importing the goods as well as its customs clearance work undertaken by Customs Broker as he had formerly dealt with freight forwarding work and used to indulge in customs clearance of imported goods by taking assistance of Customs Brokers. Shri Kapil Kotiya facilitated Shri Mohd. Tariq & Mohd. Tayyab in evasion of the applicable Anti-dumping duty in the import of PU Coated Fabrics imposed vide Notification No. 14/2022-Customs (ADD) dated 20.05.2022, wherein he provided the credential of M/s J Bridge Worldwide to Shri Mohd. Tariq & Mohd. Tayyab on lending basis for importing PU Coated Fabrics by way of mis-declaring the same as Fabrics other than PU Coated Fabrics. The above acts of Kapil Kotiya prove his mens-rea in the whole act of defrauding the Govt Exchequer by evading the applicable payment of Anti-dumping Duty imposed vide Notification No. 14/2022-Customs (ADD) dated 20.05.2022. By indulging himself in the above acts, Shri Kapil Kotiya is found to have indulged himself in the act or omission, in relation of the goods, which would render such goods liable to confiscation under section 111 of the Customs Act, 1962 and by indulging in such acts, he has rendered himself liable for penalty under section 112(a) & (b) of the Customs Act, 1962. Further, Shri Kapil Kotiya was well aware about the levy of Anti-dumping duty on the mis-declared goods imported through IEC of M/s. J Bridge Worldwide but intentionally/knowingly causes to be made (to make something happen or exist) declaration, documents which is false or incorrect in any material particular, in the transaction of any business for the purpose of this Act and thereby has also rendered himself liable for penalty u/s. 114AA of the Customs Act, 1962.

21. From the evidences as elaborated in foregoing paras as well as confirmatory statements on record it appears that M/s. J Bridge Worldwide have willfully mis-stated & suppressed the correct description & classification of PU Coated Fabric during their import before the Customs authorities at APSEZ Mundra with an intent to evade the Anti-Dumping Duty in terms of Notification No. 14/2022-Customs (ADD) dated 20.05.2022 and payment of other Customs Duty at the time of its domestic clearance.

22. Further, it also appears from the foregoing paras that M/s. J Bridge Worldwide have intentionally and willfully mis-stated, suppressed facts, in contravention to the provisions u/s. 46(4) & (4A) of the Customs Act, 1962 and thereby have evaded duty to the tune of Rs.3,27,30,463/- as discussed supra. By indulging in these acts during the transaction of their business, M/s. J Bridge Worldwide have rendered themselves to be liable for penalty under Section 114A of the Customs Act, 1962.

23. Confiscation of the goods -

It is evident from the facts divulged during investigation that M/s. J Bridge Worldwide has indulged themselves in mis-declaration and mis-classification of the goods covered under Bills of Entry filed during their imports before APSEZ, Mundra as mentioned below –

TABLE-19

| Sr. No. | SEZ B/E No. & Date | SEZ to DTA B/E No. & dt. | Declared description of goods | Declared CTH | Declared Quantity (in Kgs.) | Ass. Value of Goods (Rs.) |
|---------|--------------------|--------------------------|-------------------------------|--------------|-----------------------------|---------------------------|
|---------|--------------------|--------------------------|-------------------------------|--------------|-----------------------------|---------------------------|

| | | | | | | |
|----|---------------------------|---------------------------|-----------------------------|----------|-------|-----------|
| 1 | 1008497 dt. 08.07.2022 | 2010056 dt. 13.07.2022 | Textile Coated Fabric | 59119090 | 24076 | 23,08,407 |
| 2 | 1008821 dt. 14.07.2022 | 2010342 dt. 18.07.2022 | Textile Coated Fabric | 59119090 | 24978 | 23,94,891 |
| 3 | 1009021 dt. 19.07.2022 | 2010495 dt. 20.07.2022 | Textile Coated Fabric | 59119090 | 25164 | 24,12,724 |
| 4 | 1009150 dt. 21.07.2022 | 2010638 dt. 23.07.2022 | Textile Coated Fabric | 59119090 | 25134 | 24,41,517 |
| 5 | 1009954 dt. 02.08.2022 | 2011441 dt. 04.08.2022 | Textile Coated Fabric | 59119090 | 25237 | 24,51,522 |
| 6 | 1009955 dt. 02.08.2022 | 2011349 dt. 03.08.2022 | Textile Coated Fabric | 59119090 | 23244 | 22,57,922 |
| 7 | 1010103 dt. 04.08.2022 | 2011657 dt. 07.08.2022 | Textile Coated Fabric | 59119090 | 24452 | 23,54,728 |
| 8 | 1010108 dt. 04.08.2022 | 2011656 dt. 07.08.2022 | Textile Coated Fabric | 59119090 | 25225 | 24,29,168 |
| 9 | 1010256 dt. 05.08.2022 | 2011928 dt. 10.08.2022 | Textile Coated Fabric | 59119090 | 21870 | 21,06,081 |
| 10 | 1012588 dt. 16.09.2022 | 2014049 dt. 19.09.2022 | Textile Coated Fabric | 59119090 | 22822 | 22,01,867 |
| 11 | 1012626 dt. 17.09.2022 | 2014038 dt. 19.09.2022 | Textile Coated Fabric | 59119090 | 24440 | 23,57,971 |
| 12 | 1012874 dt. 20.09.2022 | 2014393 dt. 22.09.2022 | Textile Coated Fabric | 59119090 | 23395 | 22,57,150 |
| 13 | 1013948 dt. 06.10.2022 | 2015775 dt. 13.10.2022 | Textile Coated Fabric | 59119090 | 24668 | 24,40,652 |
| 14 | 1013954 dt. 06.10.2022 | 2015912 dt. 14.10.2022 | Textile Coated Fabric | 59119090 | 24945 | 24,68,058 |
| 15 | 1014373 dt. 12.10.2022 | 2016145 dt. 18.10.2022 | Textile Coated Fabric | 59119090 | 25270 | 25,00,214 |
| 16 | 1014923 dt. 19.10.2022 | 2016702 dt. 28.10.2022 | Felt Woven Coated Fabric | 59119090 | 25205 | 26,43,374 |
| 17 | 1014925 dt. 19.10.2022 | 2016512 dt. 25.10.2022 | Felt Woven Coated Fabric | 59119090 | 24742 | 25,94,817 |
| 18 | 1015924 dt. 07.11.2022 | 2017925 dt. 16.11.2022 | Felt Woven Coated Fabric | 59119090 | 25760 | 26,98,360 |

The investigation conducted in the case has revealed that the goods imported vide above Bills of Entry were PU Coated Fabric, whereas they were mis-declared by M/s. J Bridge Worldwide as Textile Coated Fabric or Felt Woven Coated Fabric or Glitter Fabric. It was also revealed that these goods were also mis-classified and were classified under CTI 59119090, whereas these goods, by virtue of being either PU Coated Fabric merited to be rightly classified under CTI 59032090. By indulging in the above act of mis-declaration and mis-classification, the goods imported vide above Bills of Entry by M/s. J Bridge Worldwide appears to be liable for confiscation under Section 111(m) of the Customs Act, 1962.

24. The investigation conducted in the case has revealed that the Acutal Owner/ Beneficial Owner of the goods imported by M/s. J Bridge Worldwide, covered under 18 Bills of Entry which were filed at Adani Ports and Special Economic Zone (INAJM6), Mundra are as detailed below –

TABLE-20

| Sr. No. | SEZ B/E No. & Date | SEZ to DTA B/E No. & dt. | Declared description of goods | Declared CTH | Declared Quantity (in Kgs.) | Actual Owner/Beneficial Owner of the goods |
|---------|--------------------|--------------------------|-------------------------------|--------------|-----------------------------|--|
|---------|--------------------|--------------------------|-------------------------------|--------------|-----------------------------|--|

| | | | | | | |
|----|---------------------------|---------------------------|-----------------------------|----------|-------|----------------------------|
| 1 | 1008497 dt. 08.07.2022 | 2010056 dt. 13.07.2022 | Textile Coated Fabric | 59119090 | 24076 | M/s.Talha Traders |
| 2 | 1008821 dt. 14.07.2022 | 2010342 dt. 18.07.2022 | Textile Coated Fabric | 59119090 | 24978 | M/s. J Bridge Worldwide |
| 3 | 1009021 dt. 19.07.2022 | 2010495 dt. 20.07.2022 | Textile Coated Fabric | 59119090 | 25164 | M/s.Talha Traders |
| 4 | 1009150 dt. 21.07.2022 | 2010638 dt. 23.07.2022 | Textile Coated Fabric | 59119090 | 25134 | M/s. Rainbow Impex |
| 5 | 1009954 dt. 02.08.2022 | 2011441 dt. 04.08.2022 | Textile Coated Fabric | 59119090 | 25237 | M/s.Talha Traders |
| 6 | 1009955 dt. 02.08.2022 | 2011349 dt. 03.08.2022 | Textile Coated Fabric | 59119090 | 23244 | M/s.Talha Traders |
| 7 | 1010103 dt. 04.08.2022 | 2011657 dt. 07.08.2022 | Textile Coated Fabric | 59119090 | 24452 | M/s. Rainbow Impex |
| 8 | 1010108 dt. 04.08.2022 | 2011656 dt. 07.08.2022 | Textile Coated Fabric | 59119090 | 25225 | M/s.Talha Traders |
| 9 | 1010256 dt. 05.08.2022 | 2011928 dt. 10.08.2022 | Textile Coated Fabric | 59119090 | 21870 | M/s. J Bridge Worldwide |
| 10 | 1012588 dt. 16.09.2022 | 2014049 dt. 19.09.2022 | Textile Coated Fabric | 59119090 | 22822 | M/s. J Bridge Worldwide |
| 11 | 1012626 dt. 17.09.2022 | 2014038 dt. 19.09.2022 | Textile Coated Fabric | 59119090 | 24440 | M/s. J Bridge Worldwide |
| 12 | 1012874 dt. 20.09.2022 | 2014393 dt. 22.09.2022 | Textile Coated Fabric | 59119090 | 23395 | M/s. J Bridge Worldwide |
| 13 | 1013948 dt. 06.10.2022 | 2015775 dt. 13.10.2022 | Textile Coated Fabric | 59119090 | 24668 | M/s. J Bridge Worldwide |
| 14 | 1013954 dt. 06.10.2022 | 2015912 dt. 14.10.2022 | Textile Coated Fabric | 59119090 | 24945 | M/s. J Bridge Worldwide |
| 15 | 1014373 dt. 12.10.2022 | 2016145 dt. 18.10.2022 | Textile Coated Fabric | 59119090 | 25270 | M/s.Talha Traders |
| 16 | 1014923 dt. 19.10.2022 | 2016702 dt. 28.10.2022 | Felt Woven Coated Fabric | 59119090 | 25205 | M/s. J Bridge Worldwide |
| 17 | 1014925 dt. 19.10.2022 | 2016512 dt. 25.10.2022 | Felt Woven Coated Fabric | 59119090 | 24742 | M/s. J Bridge Worldwide |
| 18 | 1015924 dt. 07.11.2022 | 2017925 dt. 16.11.2022 | Felt Woven Coated Fabric | 59119090 | 25760 | M/s. J Bridge Worldwide |

PAYMENT OF ANTI-DUMPING DUTY AND INTEREST: -

25. During investigation, M/s. Rainbow Impex & M/s Talha Traders had voluntarily deposited amounts as detailed below against the differential duty liability in respect of goods imported under the name and IEC of M/s J Bridge Worldwide. The said amounts were deposited into the Govt. account vide GAR-7/TR-6 Challans as detailed below:

TABLE-21

| Sr. No. | DD No. & Date | Challan Number & Date | Amount | Duty Deposited By | RUD No. |
|---------|--------------------------|---|-------------|-------------------|---------------|
| 1 | 347486 dt. 09.06.2023 | TR6/GAR 7 Challan No. CI/ENQ-03/2023/JB/RAINBOW-ADD/1 dt.12.06.2023 | 12,00,000/- | M/s Rainbow Impex | RUD-41 |
| 2 | 500951 dt. 15.06.2024 | JB/Talha/1 dt.15.06.2024 | 20,00,000/- | M/s Talha Traders | RUD-42 |
| | TOTAL DUTY PAID | | 32,00,000/- | | |

26. Vide CBIC Notification No.25/2022-Customs (N.T.) dated 31.03.2022, the Board has delegated all the powers of the officers of Customs to the officers of DRI with jurisdiction exercisable to the whole of India. Further, CBIC Notification No.26/2022-Customs (N.T.) dated 31.03.2022, the Board has assigned the Officers of DRI to be proper officer to perform various functions as specified in the Customs Act, 1962 including Section 28 read with Section 17, subject of Section 110AA of the Customs Act, 1962. The above provisions of the Act mandates that after inquiry/investigation of the offence, the relevant documents of the case along-with a report in writing is required to be transferred to the proper officer having jurisdiction, in respect of the assessment of such duty in the case or to an officer to whom proper officer is subordinate (i.e. the Jurisdictional Customs formation).

27. The investigation in the instant case was initiated on 14.11.2022 and therefore the mandated time limit for service of Show Cause Notice in the case u/s. 28BB of the Customs Act, 1962 was 13.11.2024. However, since the investigation could not be completed within that time, extension of one year for issuance of SCN in terms of Proviso to Section 28BB (1) of the Customs Act, 1962 was granted.

SHOW CAUSE-

28. Now, therefore, in respect of goods imported by M/s J Bridge Worldwide which were seized and released provisionally on submission of Bond and Bank Guarantee as mentioned in Annexure-X at para 17 to this SCN, **M/s. J Bridge Worldwide (IEC- AQOPP9820H)**, situated at WZ-28, Chaukhandi Extn., Tilak Nagar, S.O. West Delhi-110018 is hereby called upon to Show Cause to the Pr. Commissioner of Customs, Custom House Mundra having his office at 5B, Port User Building, Mundra Port, Mundra, Kutch, Gujarat-370421 within 30 (Thirty) days from receipt of this notice, as to why:

(i) Goods as mentioned in Annexure-X at Para 17 to this SCN imported vide Bills of Entry having total assessable value of Rs. 79,36,552/- (Rupees Seventy-Nine Lakh Thirty-Six Thousand Five Hundred and Fifty-Two only) should not be held liable to confiscation as per the provisions of Section 111 (m) of the Customs Act, 1962.

(ii) The declared Classification i.e. 59119090 and description of good "Felt Woven Coated Fabric" in SEZ Bill of Entry No. 1014923 dt. 19.10.2022 (SEZ to DTA Bill of Entry No. 2016702 dt. 28.10.2022), SEZ Bill of Entry No. 1014925 dt. 19.10.2022 (SEZ to DTA Bill of Entry No. 2016512 dt. 25.10.2022) and SEZ Bill of Entry No. 1015924 dt. 07.11.2022 (SEZ to DTA Bill of Entry No. 2017925 dt. 16.11.2022) should not be rejected.

(iii) The goods imported vide above Bills of Entry should not be re-classified under HS CODE/CTI 59032090 and its description should not be considered as Polyurethane (PU) Coated Fabric as mentioned in Annexure-X at Para 17 to this SCN.

(iv) The goods Imported vide above Bills of Entry as mentioned in para (iii) above should not be reassessed after considering the differential Customs Duty (BCD+SWS+IGST+ADD+IGST on ADD) of Rs. 75,64,157/- (Rupees Seventy-Five Lakh Sixty-Four Thousand One Hundred and Fifty-Seven only) in respect of Bills of Entry as mentioned in Annexure-X at Para 17 to this SCN. The Bills of entry should not accordingly be reassessed under section 17 of Customs Act, 1962.

(v) The differential Customs Duty of Rs. 75,64,157/- (Rupees Seventy-Five Lakh Sixty-Four Thousand One Hundred and Fifty-Seven only) in respect of Bills of Entry as mentioned in Annexure-X at Para 17 to this SCN should not be recovered by enforcing the Bond and Bank Guarantee submitted by the Importer for securing the provisional release of goods.

29. Now, therefore, in respect of past consignment of M/s J Bridge Worldwide wherein the goods were cleared as mentioned in Annexure-Y at para 17.1 to this SCN, **M/s. J Bridge Worldwide (IEC- AQOPP9820H)**, situated at WZ-28, Chaukhandi Extn., Tilak Nagar, S.O. West Delhi-110018, **M/s. Talha Traders**, Plot No. 146, E-4 Block, Tajnagari, Phase-II, Agra, U.P., **M/s. Rainbow Impex**, Plot No. 128, E-4 Block, Tajnagari, Agra, U.P. are hereby called upon to Show Cause to the Pr. Commissioner of Customs, Custom House Mundra having his office at 5B, Port User Building, Mundra Port, Mundra, Kutch, Gujarat-370421 within 30 (Thirty) days from receipt of this notice, as to why:

(i) The declared Classification under HSN/CTH 59119090 against the description of goods “Textile Coated Fabric” as mentioned in Annexure-Y at Para 17.1 to this SCN should not be rejected.

(ii) The goods imported vide above Bills of Entry should not be re-classified under respective HS CODE/ CTH 59032090, 59031090 & 56039490 and its description should not be considered as “Polyurethane (PU) Coated Fabric, PVC Coated Fabric & Non-Woven Fabric” as mentioned in Annexure Y at Para 17.1.

(iii) The differential Customs Duty (BCD+SWS+IGST+ADD+IGST on ADD) of Rs. 2,20,50,018/- (Rupees Two Crore Five Lakh and Eighteen only) in respect of above Bills of Entry as also mentioned in Annexure-Y at Para 17.1 to this notice should not be demanded under the provision of Section 28(4) of the Customs Act, 1962 along with applicable interest under Section 28(AA) of the Customs Act, 1962 and the same should not be recovered from the **Actual Owner/ Beneficial Owner** of the imported goods as mentioned in the Table-20 at Para 24 of this SCN.

(iv) Goods imported vide above Bills of Entry as mentioned in Annexure-Y at Para 17.1 of this notice, having assessable value of Rs. 3,53,82,870/- (Rupees Three Crore Fifty-Three Lakh Eighty-Two Thousand Eight Hundred and Seventy only) should not be held liable to confiscation as per the provisions of Section 111 (m) of the Customs Act, 1962. Since the same are not physically available for confiscation, fine in lieu of confiscation should not be imposed on them under Section 125 of the Customs Act, 1962.

(v) The differential Duty liability of Rs. 2,20,50,018/- (Rupees Two Crore Twenty Lakh Fifty Thousand and Eighteen only) should not be adjusted from the Voluntary Payment of Rs. 32,00,000/- (Rupees Thirty-Two Lakh only) deposited by them.

30. Now, therefore, the following persons/companies/firms/concerns as appearing in column 2 of the following table in view of the discussed roles in above paras of Show Cause Notice, are hereby individually and separately called upon to Show Cause in writing to the Pr. Commissioner of Customs, Custom House Mundra having his office at 5B, Port User Building, Mundra Port, Mundra, Kutch, Gujarat-370421 within 30 (Thirty) days from receipt of this notice, as to why penalty should not be imposed on each of them individually under below mentioned penal provisions, separately of the Customs Act, 1962 (as appearing

at column 3 to 6 of the table, in respect of goods as mentioned at column 7 of the table):

TABLE-22

| Sr. No. | Name of Firm/Person | Penal Provisions under Customs Act, 1962 | | | | Penalty in respect of goods |
|---------|--|--|--------|------|-------|--|
| (1) | (2) | (3) | (4) | (5) | (6) | (7) |
| 1 | Shri Yashpal Rajrishi, Proprietor of M/s. J Bridge Worldwide | 112(a) | 112(b) | | 114AA | For all the goods as mentioned in Annexure-X at Para 17 & Annexure-Y at Para 17.1 |
| 2 | M/s. J Bridge Worldwide | | | 114A | | |
| 3 | Shri Mohd. Tariq, Proprietor of M/s Talha Traders | 112(a) | 112(b) | | 114AA | For the Goods in Which M/s. Talha Traders is Actual/Beneficial Owner, as mentioned in Annexure-Y at Para 17.1. |
| 4 | M/s. Talha Traders | | | 114A | | |
| 5 | Shri Mohd. Tayyab, Proprietor of M/s. Rainbow Impex | 112(a) | 112(b) | | 114AA | For the Goods in Which M/s. Rainbow Impex is Actual/Beneficial Owner, as mentioned in Annexure-Y at Para 17.1. |
| 6 | M/s. Rainbow Impex | | | 114A | | |
| 7 | Shri Kapil Kotiya | 112(a) | 112(b) | | 114AA | For the Goods in Which M/s. Talha Traders & M/s. Rainbow Impex are Actual/Beneficial Owner, as mentioned in Annexure-Y at Para 17.1. |

- 31.** This show cause notice is issued without prejudice to any other action that may be issued or taken against the noticee or any other persons concerned in respect of the subject imported goods or any other imported gods under the Customs Act, 1962 and/ or any other law for the time being in force. This office reserves the right to make any additions, deletions, amendments to this notice at any later date by giving due notice.
- 32.** The above noticee(s) are further required to state specifically in their written reply as to whether they wish to be heard in person before the case is adjudicated. If no specific mention is made about this in their written submissions, it shall be presumed that they do not wish to be heard in person. They should produce at the time of showing cause, all the evidences upon which they intend to rely in support of their defence.
- 33.** If no reply is received within 30 (Thirty) days of receipt of this notice or if the Noticee do not appear before the adjudicating authority when the case is posted for personal hearing, the case will be decided ex-parte on merit, on the basis of the material available on record without further reference to them.
- 34.** The documents relied upon for the purpose of this notice are attached to this notice.

(Nitin Saini)
 Commissioner,
 Custom House Mundra

Enclosures- Annexure-X, Annexure-Y, Annexure-R & RUD's**Noticee:**

1. M/s J Bridge Worldwide, at WZ-28, Chaukhandi Extn., Tilak Nagar, S.O. West Delhi-110018.
2. Shri Yashpal Rajrishi, Proprietor of M/s J Bridge Worldwide, at WZ-28, Chaukhandi Extn., Tilak Nagar, S.O. West Delhi-110018.
3. Shri Mohd. Tariq, Proprietor of M/s. Talha Traders situated Plot No. 146, E-4 Block, Tajnagari, Phase-II, Agra, U.P.
4. Shri Mohd. Tayyab, Proprietor of M/s Rainbow Impex, Plot No. 128, E-4 Block, Tajnagari, Agra, U.P.
5. Shri Kapil Kotiya, S/o Shri Ratan Lal, Proprietor of M/s Ocean Logistics, 212, Vishal Tower, District Center, Janakpuri, New Delhi -110058.

Copy to:

1. The Additional Director General, DRI, Zonal Unit, Ahmedabad, 15 Magnet Corporate Park, Off S.G. Highway, Near Sola Flyover, Thaltej, Ahmedabd-380054. (Email: driazu@nic.in)
2. The Additional Director General, Central Economic Intelligence Bureau, 6th Floor, B Wing, Janpath Bhawan, New Delhi-110001 for kind information please.
3. The Superintendent (EDI), Custom House Mundra, for uploading on the website- <http://gujaratcustoms.gov.in/>