कार्यालय: प्रधान आयुक्त सीमाशुल्क, मुन्द्रा,

सीमाशुल्क भवन, मुन्द्रा बंदरगाह, कच्छ, गुजरात- 370421

OFFICE OF THE PRINCIPAL COMMISSIONER OF CUSTOMS: CUSTOM HOUSE, MUNDRA PORT, KUTCH, GUJARAT- 370421.

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A. File No.	GEN/ADJ/COMM/634/2025-Adjn-O/o Pr Commr-Cus-mundra
B. Order-in-Original No.	**MUN-CUSTM-000-COM-34-26-27**
C. Passed by	Nitin Saini, Commissioner of Customs, Customs House, AP & SEZ, Mundra.
D. Date of order and Date of issue:	27.10.2026 27.10.2026
E. SCN No. & Date	23/2025-26/COMM/NS/ADJ/MCH Dated 28.10.2025
F. Importer	M/s Shreeji Agri Commodity Pvt. Ltd.

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

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

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

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

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

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

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

4. उक्त अपील के साथ -/ 1000रूपये का शुल्क टिकट लगा होना चाहिए जहाँ शुल्क, व्याज, दंड या शास्ति रूपये पाँच लाख या कम माँगा हो5000/- रुपये का शुल्क टिकट लगा होना चाहिए जहाँ शुल्क, व्याज, शास्ति या दंड पाँच लाख रूपये से अधिक किंतु पचास लाख रूपये से कम माँगा हो 10,000/- रुपये का शुल्क टिकट लगा होना चाहिए जहाँ शुल्क, दंड व्याज या शास्ति पचास लाख रूपये से अधिक माँगा हो। शुल्क का भुगतान खण्ड पीठ बेंचआहरितट्रिब्यूनल के सहायक रजिस्ट्रार के पक्ष में खण्डपीठ स्थित जगह पर स्थित किसी भी राष्ट्रीयकृत बैंक की एक शाखा पर बैंक ड्राफ्ट के माध्यम से भुगतान किया जाएगा।

Appeal should be accompanied by a fee of Rs. 1000/- in cases where duty, interest, fine or penalty demanded is Rs. 5 lakh (Rupees Five lakh) or less, Rs. 5000/- in cases where duty, interest, fine or penalty demanded is more than Rs. 5 lakh (Rupees Five lakh) but less than Rs.50 lakh (Rupees Fifty lakhs) and Rs.10,000/- in cases where duty, interest, fine or penalty demanded is more than Rs. 50 lakhs (Rupees Fifty lakhs). This fee shall be paid through Bank Draft in favour of the Assistant Registrar of the bench of the Tribunal drawn on a branch of any nationalized bank located at the place where the Bench is situated.

5. उक्त अपील पर न्यायालय शुल्क अधिनियम के तहत 5/- रूपये कोर्ट फीस स्टाम्प जबकि इसके साथ संलग्न आदेश की प्रति पर अनुसूची- 1, न्यायालय शुल्क अधिनियम, 1870 के मदसं॰-6 के तहत निर्धारित 0.50 पैसे की एक न्यायालय शुल्क स्टाम्प वहन करना चाहिए।

The appeal should bear Court Fee Stamp of Rs.5/- under Court Fee Act whereas the copy of this order attached with the appeal should bear a Court Fee stamp of Rs.0.50 (Fifty paisa only) as prescribed under Schedule-I, Item 6 of the Court Fees Act, 1870.

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

7. अपील प्रस्तुत करते समय, सीमाशुल्क (अपील) नियम, 1982 और CESTAT (प्रक्रिया) नियम, 1982 सभी मामलों में पालन किया जाना चाहिए।

While submitting the appeal, the Customs (Appeals) Rules, 1982 and the CESTAT (Procedure) Rules 1982 should be adhered to in all respects.

8. इस आदेश के विरुद्ध अपील हेतु जहां शुल्क या शुल्क और जुर्माना विवाद में हो, अथवा दण्ड में, जहां केवल जुर्माना विवाद में हो, न्यायाधिकरण के समक्ष मांग शुल्क का 7.5% भुगतान करना होगा।

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

BRIEF FACTS OF THE CASE

1. Intelligence developed by the Directorate of Revenue Intelligence (DRI), Ahmedabad Zonal Unit indicated that, M/s Shreeji Agri Commodity Private Limited (presently known as M/s Shreeji Global FMCG Limited) [IEC: AAZCS7964F] (hereinafter referred to as "the Importer" or "M/s Shreeji Agri Commodity Private Limited"), having its registered office at Office No. 1205, The Spire, Twelfth Floor, Ayodhya Chowk, 150ft Ring Road, Rajkot, Gujarat – 360007, had imported approximately 7420.676 MTs of Coriander Seeds under various Advance Authorizations issued by the DGFT, Rajkot (RA), and had allegedly diverted the said duty-free imported goods into the open market in contravention of the conditions prescribed under the Advance Authorization Scheme.

1.1 The importer imported the Coriander Seeds under CTH 09092190, from Mundra Port (INMUN1) and Nhava Sheva Port (INNSA1) by paying Nil Rate of duty by utilizing Advance Authorization issued by DGFT and notified by CBEC as per Notification no. 21/2023-Customs, dated 01.04.2023 meant for physical exports only. The Advance Authorization (AA) Scheme, governed by Chapter 4 of the Foreign Trade Policy (FTP) 2023, permits duty-free import of inputs for export production, with the condition that imported goods are physically incorporated into exported products as per Standard Input-Output Norms (SION) or approved norms. The import detail is attached as Annexure-A.

2. Acting upon the aforesaid intelligence, simultaneous searches were conducted by the officers of Directorate of Revenue Intelligence at different premises of the importer. The detail of searches and the results of the same is summarized as under:

2.1 The Head office premises of M/s Shreeji Agri Commodity Private Limited situated at **Office No 1205, The Spire, Twelfth Floor, Ayodhya Chowk, 150ft Ring Road, Rajkot, Gujarat, 360007** was searched under the Panchnama dated 29.04.2025 **(RUD-1)** in presence of independent Panchas and Shri Jitendra Tulsidas Kakkad, Managing Director of M/s Shreeji Agri Commodity Private Limited. During the course of Panchnama proceedings, documents pertain to sale, purchase and advance Authorization related to M/s Shreeji Agri Commodity Private Limited were recovered.

2.2 The **Factory premises** of M/s Shreeji Agri Commodity Private Limited, was searched under Panchnama dated 29.04.2025 (RUD-2), located at

(i) Plot No. 72, Rajkot Ahmedabad Highway, Kuvadva GIDC, Rajkot, Gujarat-360023, and

(ii) Plot No. 8, Shreenathji Industrial Estate Zone-11, Revenue Survey No.-172, Taluko-Wankaner, Kuvadava Wankaner Highway, Kherva, Morbi, Gujarat.

The search at (i) above was conducted in the presence of Shri Nimaycharan Sahoo, an operator of M/s Shreeji Agri Commodity Private Limited, and at (ii) was conducted in presence of Shri Arjun Dattani, the production manager of M/s Shreeji Agri Commodity Private Limited. During the above searches, no imported coriander seeds were found, and all coriander seeds present were reported as domestically procured. At the first factory premise a wheat flour mill equipped with machinery including a round cleaner, wheat crusher, de-stoner, gravity separator, magnet belt, conditioner, four stone chakki, centrifugal, and entoleter, alongside a cleaning and sorting plant with three MTRA separators, a round roller, destoner, gravity separator, sorter machine, compressor and drier were found installed and also bags containing wheat, wheat flour, cumin and fenugreek were observed. At the second factory premises located at the Morbi, it contained a cleaning and sorting plant, three grinding plants, a packaging department, and PP bags with coriander, chickpea, cumin, sesame, and fenugreek. Approximately 332 MTs of finished coriander seeds and 144 MTs of raw coriander seeds were noted, all domestically sourced, as confirmed by Shri Arjun Dattani. Samples of processed coriander seeds were collected, sealed, and signed for further examination, and relevant documents duly numbered were resumed for investigation. Apart from the above no goods and machinery were found in the said premises.

2.3 The shop premises of M/s Shreeji Global FMCG Limited, located at **B-182, Khetivadi Utpan Bazar Samiti, APMC, Marketing Yard, Hadmatiya (Bedi), Rajkot, Gujarat-360003** was searched on 29.04.2025 **(RUD-3)** in the presence of Shri Hitesh Prakashbhai Lakhwani, an accountant**.** During the search it was noticed that no stock of coriander seeds (Dhana) was found in the godown; however, Shri Hitesh Prakashbhai Lakhwani, an accountant, reported a stock of 1,029 bags (40,136 kg) of unprocessed coriander seeds, which were not stored on-site but sent directly to M/s Shreeji Agri Commodity Private Limited's factory in Kherva, Morbi, after purchase from APMC yards via commission agents. During the search, no imported goods were found.

2.4 The shop premises of M/s Shreeji Agri Commodity Pvt. Ltd. (presently known as M/s Shreeji Global FMCG Limited), located at **B-90, New Sardar Patel Marketing Yard (APMC), Gondal Highway, Gondal, Rajkot 360311** was searched on 30.04.2025 **(RUD-4)** in the presence of Shri Raja Jaydeep Alias Lkhan Raja an employee of M/s Shreeji Global FMCG Ltd**.** During the search it was noticed that no stock of coriander seeds (Dhana) was found in the godown.

2.5 During search of above said premises, it was noticed that no imported goods under Advance Authorization was stored at the registered premises, rather the duty-free Coriander seeds were reportedly stored at the various third-party warehouses situated in Rajkot and Gondal.

2.6 Further, to trace the duty-free goods, Search was conducted at the different premises under Running Panchnama dated 30.04.2025 starts at P B Agri Warehouse, Survey No.-143/1, P1, 143/2, P1, RK Industrial Zone No.-12, Plot No. 19 & 20, Wankaner Road, Village- Sanosara (Kuvadva), Dist. Rajkot-360023 and ends at Sanjaykumar Radheshyam Aggarwal & Nejul Bhagvanjibhai Shah Warehouse, CH-1, Survey No. 239/1, Plot No. 13, RK Industrial Zone-6, Vill. Kuchiyadad, Rajkot, Gujrat- 360023 **(RUD-5)** in the presence of Shri Bhavik Banodara, Operations Manager of M/s Shreeji Agri Commodity Private Limited. During the search, it was noticed that duty free Coriander seeds were stored in the various warehouses. The said imported Coriander seeds were packed in the PP bags which bear the name of M/s Shreeji Agri Commodity Private Limited and it was also found that M/s Shreeji Agri Commodity Private Limited have stored some of the duty-free Coriander seeds in the name of other firms. The details of such duty free imported coriander seeds at different premise are as below:-

Panchnama date	**Premises at which Panchnama drawn and goods seized**	**Total quantity of goods found (In MT)**	**Firm's name on whose behalf the diverted goods were stored at the warehouse.**
30.04.2025	P. B Agri Warehouse, Survey No. – 143/1, P1, 143/2, P1 RK Industrial Zone No. 12, Plot No. 19 & 20, Wankaner Road, Village – Sanosara (Kuvadva), Dist. – Rajkot - 360023	455.86	M/s Times Comtred Pvt Ltd (Shreeji Sold the Goods to Times Comtred)
	Alpaben Kamleshbhai Parsana Warehosue , 251/1 & 251/2, Plot No. 1-D, Village – Jiyana, Dist. – Rajkot, - 360023	151.435	Shreeji Agri Commodity Pvt Ltd
	Safe Warehouse Chamber No.1, Survey No. 251, Plot No.1, Sub Plot No. 28, Village – Jiyana, Dist., - Rajkot	328.59	J V Traders (Sister concern of M/s Shreeji Agri Commodity Pvt. Ltd.)
	Sanjaykumar Radheshyam Aggarwal & Nejul Bhagvanjibhai Shah Warehouse, CH-1, Survey No. 239/1, Plot No. 13, RK Industrial Zone -6, Vill Kuchiyadad, Rajkot – 360023	6.075	Shreeji Traders (Sister concern of M/s Shreeji Agri Commodity Pvt. Ltd.)
Total		**941.960**	

2.7 During the search at the above-mentioned warehouses, copy of Inward and Outward registers were resumed which have the details of the Vehicle Number and the respective date of Inward and outward of the Coriander seeds. From the above, it is clear that the duty-free Coriander seeds were transported from Mundra Port to different third-party warehouses without any intimation to the Customs department. Further, the e-way bill was prepared from the Mundra Port to the registered premises of M/s Shreeji Agri Commodity Pvt Ltd, so that the Customs Authority cannot raise any objection about it. One such instance **(RUD-6)** was of transportation of 22 MTs of Coriander seeds from Saurashtra CFS, Mundra Port to PLOT NO-8, SHREENATHJI INDUSTRIALESTATE ZONE- 11, WANKANER, KHERVA, GUJARAT-363621 as mentioned in e-way bill No. 601875154740 dated 18.03.2025 having vehicle number GJ10X6530. During the search at the third-party warehouse, it was found that the goods in the said vehicle having number GJ10X6530 were not transported to registered premises i.e. PLOT NO-8, SHREENATHJI INDUSTRIALESTATE ZONE- 11, WANKANER, KHERVA, GUJARAT-363621 but rather goods were transported to Safe Warehouse Chamber No.1, Survey No. 251, Plot No.1, Sub Plot No. 28, Village – Jiyana, Dist.-Rajkot. Further, it was noticed that the said duty-free goods were sold to different domestic buyers and transported from the third-party warehouses. It was also noticed that 455.86 MTs of duty-free Coriander seeds imported under Advance Authorization were sold by M/s Shreeji Agri Commodity Pvt Ltd to M/s Times Comtrade Pvt Ltd which was found at the third-party warehouse.

3. EXAMINATION OF THE LIVE CONSIGNMENTS OF CORIANDER SEEDS IMPORTED BY M/S SHREEJI AGRI COMMODITY PVT LTD

3.1 The Import and export live consignments of M/s Shreeji Agri Commodity Pvt Ltd related to Advance Authorization were examined. The Import Cargo has been examined under the proper Panchnamas dated 03.05.2025 **(RUD-7)** and Export Cargo has been examined under Panchnamas dated 06.05.2025 **(RUD-8)** and 07.05.2025 **(RUD-9)** by the DRI officers and during the said Panchnamas, the samples were drawn for further testing.

The details of the import and export consignments and their examination are as follows:

Import Consignment

Bill of Entry and date	**Container No.**	**Examination**
8919048 dated 16.03.2025	CIPU5252403	Panchnama dated 03.05.2025 drawn at M/s Ashutosh

	BEAU4361740 CAIU7058367 CAAU6353555 AKKU4045150	Container Services Pvt. Ltd., Mundra

Export Consignment

Shipping Bill and date	**Container No.**	**Examination**
1313141 dated 27.04.2025	REGU5180834	Panchnama dated 07.05.2025 drawn at M/s Adani Exim yard, Mundra
1313145 dated 27.04.2025	TXGU7205119	Panchnama dated 07.05.2025 drawn at M/s Adani Exim yard, Mundra
1313144 dated 27.04.2025	TXGU7204489 REGU5172905	Panchnama dated 06.05.2025 drawn at M/s Adani Exim yard, Mundra

The samples drawn during the Panchnamas in respect of the above referred consignments and panchanama dated 29.04.2025 were forwarded to National Research Centre on Seeds Spices-ICAR (Indian Council of Agricultural Research), Ajmer for testing. The Analysis report No. 25-26/Dir. Cell/339 dated 10.06.2025 **(RUD-10)** issued by Director of National Research Centre on Seeds Spices-ICAR (Indian Council of Agricultural Research), Ajmer was received. In the Test Report, in respect of the sample drawn from the Export consignment under regular Panchnama dated 06.05.2025 and 07.05.2025, the test result indicates that **"... are collected from same origin i.e. major growing states of India which have higher content of gernyl acetate and lower content of y-Terpinen, Citronellal and Geraniol along with low essential oil and moisture content".** And, in respect of sample drawn from Import consignment under regular Panchnama dated 03.05.2025, the test result indicates that **"... possess high amount of essential oil and essential oril compounds i.e. y-Terpinen, Citronellal and Geraniol along with high amount of moisture, thus seems to be grown in temperate or cold region"**. This indicated that, import consignments were foreign origin and the export consignment contained Coriander seeds of Indian

origin rather than exporting the foreign origin goods imported under Advance Authorisation. This establishes the violation of rules prescribed under AA scheme.

4. STATEMENTS OF THE KEY PERSONS:

4.1 During the course of **investigation, statement dated 30.04.2025 (RUD-11) of Shri Pandya Pooja Rajeshbhai, Operation Officer of M/s Shreeji Agri Commodity Pvt Ltd. situated at Office no. 1205, The Spire, Near Ayodhya Circle, 15 Feet Ring Road, Rajkot 360007** was recorded under Section 108 of the Customs Act, 1962 wherein he interalia stated that: -

- She received the container arrival intimation and Proforma Invoice from Shri Hariombhai, then prepares Customs Export Invoice, Packing List, Factory Stuffing details, Container Mass verification documents, Draft BL, Commercial Invoice; sends to CHA M/s Maruti Freight link (Gandhidham); CHA prepares checklist for approval, files shipping bill; CHA applies for Phyto, Certificate of Origin, Fumigation, Health Certificates via portals, sends reference numbers for approval;

- The Performa invoice was prepared on the basis of seller buyer contract. She further stated that sometime she also prepared the same;

- She Produced complete export documents for Shipping Bill 9551393 dated 31.03.2025: 21 MT "Coriander Sterilized Whole Eagle Sortex" (HS 09092190) exported to M/s Bright Gate General Trading LLC (Dubai, UAE) via Mundra Port under Advance Authorization 2411004124 dated 18.10.2024 under her dated signature;

- The above mentioned Sale Contract & Confirmation SSE/338/24-25 dated 18.03.2025 from broker M/s Sesame & Spices Exim (CEO Chirag Shah, Rajkot) which required supply of 21 MT "Coriander Seed Whole Eagle Sortex Good Quality, Gujarat Origin, New Crop 2025" (1400 bags, 1x40 FCL) and she agreed with the said sales contract and further stated that the New Crop 2025 of Origin of Gujarat means goods must be locally originated from 2025 crop year;

- On being perused the Certificate of Origin EIC/2025/018/00862938/00024660 dated 11.04.2025 under CEPA: "WO" criteria, which means product entirely from exporting country (India) without non-originating materials, confirming Indian origin;

- She agreed with the facts that Goods under Shipping Bill 9551393 dated 31.03.2025 were fully Indian origin (state: Gujarat, district: Rajkot in SB columns 22-23), exported under Scheme Code 03 (Advance License, column 18-19).

4.2 During the course of investigation, statement dated **30.04.2025 (RUD-12)** of **Shri Vishal Jayantilal Aghera, Executive (Transport and Operations) of M/s Shreeji Agri Commodity Pvt Ltd. situated at Office no. 1205, The Spire, Near Ayodhya Circle, 15 Feet Ring Road, Rajkot 360007** was recorded under Section 108 of the Customs Act, 1962 wherein he interalia stated that:

- The firm trades in different spices (Coriander, Jeera, Chana, Kalonji, Mustard, Fenugreek, Black Pepper, Ajwain) and wheat; involved in local trade, import, export;

- He looked after transportation of the imported goods from Port to warehouse;

- The imported goods from port of import were not transported to the registered premises of M/s Shreeji Agri Commodity Pvt. Ltd. as due to not adequate space in their warehouses at Kuvadva and Gondal, they transported the said goods to Kuvadva Industrial Area to take the facility of storage of their goods in 3rd party warehouses managed by Star Agri, Steinweg, Shri Shubham Logistics, Aria Collateral Management;

- The goods were transported either to warehouse if required for Sortex or cleaning or to transport directly to their local buyers, if sold;

- The purchase Buyer requirements received through brokers viz. Shri Divyesh Dalal of Radhey Shyam Broker, Junagadh and Shri Divyesh Dasani of Krishna Canvassing, Rajkot and further goods were supplied based on confirmed prices;

- He produced the WhatsApp chat backup made with Shri Divyesh Dalal of Radhey Shyam Broker, Junagadh and Shri Divyesh Dasani of Krishna Canvassing Broker);

- On being perused the one of the WhatsApp chats made with Shri Divyesh Dalal of Radhey Shyam Broker, Junagadh, he agreed that the said message was received from the Shri Divyesh Dalal confirming the sale of Imported Coriander of approx. 18-20 MT to buyer Dev Traders, Kanpur at the rate of Rs. 7950/- per quintal.

- On being perused the one of the WhatsApp chats made with Shri Divyesh Dasani (Firm name Krishna Canvassing, Rajkot), he agreed that M/s Shreeji Agri Commodity Pvt. Ltd have sold the imported Coriander to firm M/s Pankaj Kumar Niraj Kumar Having Address as 01, Kanchan Nagar, Near Station Road, Neemuch, Madhya Pradesh.

4.3 During the course of investigation, statement dated **01.05.2025 of Shri Jitendra Tulsidas Kakkad, Managing Director of M/s Shreeji Agri Commodity Pvt Ltd. situated at Office no. 1205, The Spire, Near Ayodhya Circle, 150 Feet Ring Road, Rajkot 360007** was recorded under Section 108 of the Customs Act, 1962 wherein he interalia stated that:

- He founded M/s Shreeji Agri Commodity Pvt. Ltd. in Feb 2018, serves as Director alongside brother Vivek Tulsidas Kakkad and wife Dhruti Jitendra Kakkad. The firm is engaged in overseas import, export, local trading, manufacturing, and processing of spices and pulse;

- He is also a Proprietor of M/s Shreeji Enterprise and Director in M/s Shethji Warehousing & Logistics Pvt. Ltd.;

- Their primary business conducted through M/s Shreeji Agri Commodity Pvt. Ltd., employing 29 persons (7 in head office, rest in godowns/factories);

- M/s Shreeji Agri Commodity Pvt. Ltd. was engaged in the import of Coriander, Wheat, Fennel, Cassia, Star Anise, Coconut (Copra), Cloves and export of Cummins, Coriander, Fenugreek, Kalongi, Chana, Grinder powder of various spices, Wheat flour, Besan and Namkeen Products etc.;

- M/s Shreeji Agri Commodity Pvt. Ltd. imported the coriander only Russian Origin and the same was imported directly from Russia sourced both duty-paid and duty-free under Advance Authorization from DGFT, Rajkot. However, sometime supplier of the goods may be from Dubai;

- He was aware about the conditions of the import and export of any commodity under Advance Authorization which is done in line to the provisions of the Customs Notification 21/2023-Cus dated 01.04.2023 meant for physical exports;

- The duty-free coriander imported under Advance Authorization were transported from port of import to their Factory premise i.e. Shreenathji Industrial Estate Zone-11, Plot No. 8, Revenue Survey No. 172, Taluko Wakaner, Kuvadva Wankaner Highway, Kherva, Dist. Morbi, Gujarat under proper e-way bills. He further stated that due to some space crunch they also stored some part of the said duty-free goods in the warehouse.

- He perused and signed Panchnamas dated 29-30.04.2025 which has been drawn at head office, factory premises, and APMC shops in Rajkot/Gondal, and agreed with facts mentioned therein.

- No imported Coriander found at registered premises due to storage constraints; that the said imported Coriander were stored in various warehouses. He further stated that no intimation given to Customs authorities for storing duty-free Coriander outside registered premises;

- He perused the Customs Notification 21/2023-Cus, he acknowledged that the Para XII prohibits transfer/sale of duty-free goods except for job work under GST conditions;

- He agreed that as per the condition of notification 21/2023-Cus, their firm cannot transfer the goods imported under Advance Authorization to any other premises other than mentioned in the said authorization;

- He perused the Panchnama dated 30.04.2025 drawn by the officer of DRI, at the various warehouses, where the imported goods of M/s Shreeji Agri Commodity Pvt. Ltd. were found stored at the name of various 3rd party and further agreed that the said goods were belonged to him and the same was stored at the various premises due to storage crunch at his factory and warehouse. He further claimed the ownership of all the goods stored in the said warehouses;

- He perused the statement of Shri Vishal Aghera, executive of firm M/s Shreeji Agri Commodity Pvt. Ltd and stated that he agreed with facts mentioned in the said statement;

- He perused the statement dated 29.04.2025 Mrs. Pandya Pooja Rajeshbhai, Operation Officer of firm M/s Shreeji Agri Commodity Pvt. Ltd and stated that he agreed with facts mentioned in the said statement;

- He perused the documents produced by Mrs. Pooja Pandya related to Sale & Confirmation Contract no. SSE/338/24-25 dated 18.03.2025 and all export documents related to the said documents, he stated that the said sale contract was received from their Broker firm M/s Sesame & Spices Exim, 3rd Floor, Flat No. 303, Sadguru Jyot Apartment, Pedak Road, 29 Ranchhod Nagar, Rajkot 360003 through its CEO Mr. Chirag Shah. He further stated that through the said Sale contract & confirmation, the quality of the goods was required to be supply is "CORIANDER SEED WHOLE EAGLE SORTEX GOOD QUALITY, GUJARAT ORIGIN, NEW CROP 2025" total "21 MT NET WEIGHT (01x40 FCL) TOTAL 1400 BAGS";

- M/s Shreeji Agri Commodity Pvt. Ltd. had exported the said goods to the supplier as per their requirement. However, as per the Shipping bill 9551393 dated 31.03.2025 related to the sale Contract no. SSE/338/24-25 dated 18.03.2025, the goods were totally Indian origin. This is also incorporated in shipping bill by their CHA. He further stated that it was correct that the said goods

were exported under Scheme Code 03 (as mentioned in the column no. 18 of SB) meant for Scheme Description Advance License;

➢ M/s Shreeji Agri Commodity Pvt. Ltd. has diverted the imported goods in local market and exported locally procured goods for fulfillment of export obligation raised against import under advance authorization. He also stated that as per the documents it is appeared that the same is happened against the provisions of advance authorization and terms and conditions of the Customs Notification number 21/2023-Cus dated 01.04.2023.

4.4 STATEMENT & REPLY OF THIRD-PARTY EXPORTERS WHO EXPORTED THE LOCALLY PROCURED CORIANDER SEEDS BY MENTIONING THE ADVANCE AUTHORIZATION NUMBER OF M/S SHREEJI AGRI COMMODITY PVT. LTD.

4.4.1 Statement dated 09.05.2025 of **Shri Mahesh Dayaldas Chellani, Director of M/s Lancer Spices Pvt. Ltd. situated at 605, 6th Floor, Ozone Building Vikram Sarabhai Campus, Near Genda Circle, Vadodara-390023**, Gujarat was recorded under Section 108 of the Customs Act, 1962 wherein he interalia stated that:

➢ he started and founded the firm i.e. M/s Lancer Spices Pvt. Ltd. in year 2016 and this firm is Directorship firm on the name of him and his son Mr. Vijay Chellani. All the work related to his firm is done under his supervision and he had started and founded the firm i.e. M/s Patel Jivram Madhavji in the year 1954, and the said firm was a proprietorship concern. All the work related to the firm was done under the supervision of him. The firm was engaged in the trading of Agri-commodities i.e. Seed spices Coriander, Cumin, Fennel, Fenugreek, Ajwain, Dill Seed, Chilly, Turmeric, Sesame, Mustered, etc. The said commodities were purchased from various suppliers and were further sold, after due cleaning/processing if required, to wholesale or retail buyers;

➢ M/s Lancer Spices Pvt. Ltd. Trades in Agro commodities and spices (Coriander, Jeera, Fennel Seed, Sesame Seed, Peanut, Chilly, Turmeric, Fenugreek, Mustard, Kabuli Chana), procures through brokers, processes (cleaning, packing), and sells domestically (10% of business) or exports (majority);

➢ They have purchased two consignments of Coriander Sterilized (21 MT each) from M/s Shreeji Agri Commodity Pvt. Ltd. via broker M/s Krishna Canvassing LLP, Rajkot, per invoices T-2/24-25/18 and T-2/24-25/19, both dated 07.02.2025 and exported the said Coriander under Shipping Bills 8165754 dated 14.02.2025 and 8237999 dated 17.02.2025 by mentioning the Advance Authorization, declared as Indian origin, supported by certificate of origin indicating Indian origin;

- When exporting under own name, they receive 1% RoDTEP duty refund and if adding another firm's name and Advance Authorization (e.g., Shreeji's 3411005771 dated 09.12.2024) to shipping bill, gets 2% purchase discount from seller. He further stated that they add seller's name and Advance Authorization to shipping bill only if goods purchased under their invoice;

- He stated that he had reviewed the GST e-invoice number T078/24-25, dated February 7, 2025, which documented the sale and dispatch of 21 metric tons (MT) of coriander from M/s Tirupati Industries in Junagadh to M/s Shreeji Agri Commodity Pvt. Ltd. in Kuvadva, Gujarat. This dispatch was accompanied by e-way bill number 661854652490, generated on February 7, 2025, at 3:25 PM, and transported via vehicle number GJ12BT5442;

- He further stated that he had also reviewed another GST e-invoice, number T-2/24-25/19, dated February 7, 2025, which was issued to his own firm, M/s Lancer Spices Pvt. Ltd., for the purchase of 21 MT of coriander from M/s Shreeji Agri Commodity Pvt. Ltd. This transaction included e-way bill number 651854862674, generated on February 7, 2025, at 7:09 PM, for transporting the goods from Kuvadva to Mundra, again using the same vehicle number GJ12BT5442;

- When specifically questioned about the use of the same vehicle (GJ12BT5442) for transporting the coriander from M/s Tirupati Industries in Junagadh all the way to Mundra, and the subsequent export of that coriander by M/s Lancer Spices Pvt. Ltd., he stated that, based on the e-way bills and e-invoices, it was evident that the coriander loaded in Junagadh was directly transported to Mundra and then exported by his firm. He emphasized and agreed that the coriander purchased from M/s Shreeji Agri Commodity Pvt. Ltd. was entirely of Indian origin and not imported or of foreign origin in any way;

- He stated that his firm had exported this same purchased coriander, as detailed in invoices T-2/24-25/18 and T-2/24-25/19 (both dated February 7, 2025), under shipping bill numbers 8165754 dated February 14, 2025, and 8237999 dated February 17, 2025. In these shipping bills, the goods were explicitly declared as Indian origin, and a certificate of origin was issued confirming that the exported goods were indeed of Indian origin.

4.4.2 Statement dated **26.05.2025 of Shri Ajay Kumarlal Tahiliani, Partner of M/s Asian Food Industries situated at NH No. 08, Opp Reliance Patrol Pump, Dabhan, Nadiad, Kheda-387320, Gujarat** was recorded under Section 108 of the Customs Act, 1962 wherein he interalia stated that:

- M/s Asian Food Industries is a partnership firm which was founded in the year 1999 in which he and his father were partners in the firm;

- M/s Asian Food Industries trades in Agro commodities and spices (Chilly, Turmeric, Fennel Seed, Sesame Seed, Peanut, Coriander, Fenugreek, Tamarind, Mustard, Kabuli Chana), sourcing from traders, Rajkot/Gondal APMC Mandis, and imports; primarily exports (97-98% of business) via Mundra, Nhava Sheva, and ICD Ahmedabad, with domestic sales at 2-3%;

- M/s Asian Food Industries have exported approx. 470 MT of Coriander Sterilized under 22 shipping bills, using Advance Authorization No. 2411002810 dated 04.10.2023 of M/s Shreeji Agri Commodity Pvt. Ltd.;

- They included the Advance Authorization number of M/s Shreeji Agri Commodity Pvt. Ltd in shipping bills as per their request, receiving a 2% discount on purchase price and only when goods were purchased under Shreeji's invoice;

- They Purchased Indian Origin Coriander from M/s Shreeji Agri Commodity Pvt. Ltd. at a lower price with the condition to include their Advance Authorization number in shipping bills;

- He perused Advance Authorization No. 2411002810 dated 04.10.2023 and aware that duty-free imported goods must be used to manufacture exported goods to fulfill export obligations. He further perused Customs Notification 21/2023-Cus (01.04.2023) and was aware that it prohibits transfer/sale of duty-free goods;

- He acknowledged that using Advance Authorization of M/s Shreeji Agri Commodity Pvt Ltd. for exporting Indian origin goods is incorrect, as export obligations should not include Indian origin goods;

- No payment was pending to M/s Shreeji Agri Commodity Pvt. Ltd. And no stock of their goods remains, as they were exported at that time itself.

4.4.3 Statement dated **30.05.2025 of Shri Pavankumar Babulal Patel, Partner of M/s BP Spices situated at 331/1, Dasaj Road, Bhakhar, Unjha Gujarat-384170, Gujarat** was recorded under Section 108 of the Customs Act, 1962 wherein he interalia stated that:

- M/s BP Spices is a partnership firm which was founded in the year 2012 in which he and his father were partners in the firm and all the work related to his firm was under his supervision;

- M/s BP Spices trades in Agro commodities and spices (Turmeric, Fennel Seed, Sesame Seed, Coriander, Fenugreek, Mustard, Cumin Seeds), sourcing from traders, APMC Mandis in Unjha, and imports; primarily engaged in exports via Mundra Port;

➢ M/s BP Spices have purchased 71 MTs of Coriander seeds from M/s Shreeji Agri Commodity Pvt. Ltd. And further exported to overseas buyers. The details of the same is as below:

SB No.	SB Date	Inv No.	Inv Date	CTH Code	Goods Detail	QTY (In MT)	Advance Auth. No.	AA Date	AA issued to
4580703	04-10-2024	BP/EXP-176/24-25	02-10-2024	09092190	CORIANDER SEEDS (STERLIZE)	50	2411002972	13-11-2023	SHREEJI AGRI COMMODITY PRIVATE LIMITED
4477403	30-09-2024	BP/EXP-172/24-25	30-09-2024	09092190	CORIANDER SEEDS (STERILIZE)	21	2411002972	13-11-2023	SHREEJI AGRI COMMODITY PRIVATE LIMITED

➢ As per request of M/s Shreeji Agri Commodity Pvt. Ltd. they have mentioned Advance Authorization number of M/s Shreeji Agri Commodity Private Limited in their shipping bills, as they got 2% discount at the purchase price;

➢ Confirmed goods i.e. Coriander seeds were Indian origin, as per invoices and sales contracts (No. 137/2024-25, 03-09-2024 for BP/EXP-176/24-25; No. 150/2024-25, 18-09-2024 for BP/EXP-172/24-25), both describing goods as “Indian Origin Coriander Seeds HS Code: 09092190.”;

- Goods were not ETO or sterilized; however, shipping bills described them as "Coriander Seeds (Sterilize)" to match the Advance Authorization description, as required to use Shreeji's authorization;

- They purchased the Indian origin Coriander Seeds from M/s Shreeji Agri Commodity Pvt. Ltd. at a lower price with the condition to include their Advance Authorization number in shipping bills;

- He perused Advance Authorization No. 2411002972 dated 13-11-2023 and stated that he was aware that goods imported under it must be used to manufacture exported goods to fulfill export obligations; perused Customs Notification 21/2023-Cus (01.04.2023), aware it prohibits transfer/sale of duty-free goods;

- He acknowledged that using Advance Authorization of M/s Shreeji Agri Commodity Pvt Ltd. for exporting Indian origin goods is incorrect, as export obligations should not include Indian origin goods;

- No payment was pending to M/s Shreeji Agri Commodity Pvt. Ltd. And no stock of their goods remains, as they were exported at that time itself.

4.4.4 Statement dated **07.06.2025 of Shri Rajesh Thawani, Partner of M/s BSR Overseas LLP situated at D-9/7, TTC Industrial Area, MIDC Industrial Area, Turbhe, Navi Mumbai-400705, Gujarat,** was recorded under Section 108 of the Customs Act, 1962 wherein he interalia stated that:

- M/s BSR Overseas LLP, founded in 2017 by Rajesh Thawani, Suresh Kumar Thawani, and Banti Thawani, is a partnership firm (GSTIN: 27AARFB9398K1ZE) under Rajesh Thawani's supervision, with partners residing in Dubai;

- M/s BSR Overseas LLP engages in export of Agro commodities and spices (e.g., coriander, jeera, fennel seed) procured from processed sources in India (MP, Gujarat, Karnataka, Bihar) through brokers; no domestic sales; exports via Mundra (INMUN1) and Nhava Sheva (INNSA1) ports;

- It Lacks ETO/sterilization or cleaning machines and relies on third-party processors;

- M/s BSR Overseas LLP have purchased Coriander seeds from M/s Shreeji Agri Commodity Pvt. Ltd. and further exported to overseas buyers Under Advance Authorization by mentioning the name of M/s Shreeji Agri Commodity Pvt. Ltd.;

- M/s BS Overseas LLP have exported Indian-origin coriander seeds (Double Parrot quality, exclusive to Saurashtra, Gujarat) via Mundra Port under Advance

Authorization of M/s Shreeji Agri Commodity Pvt. Ltd. (No. 2411004124 dated 18.12.2024) to avail 1% sale price discount plus 1% early payment discount (total 2%);

➢ M/s BSR Overseas LLP received a purchase order (No. PO000021392-1 dated 29.03.2025) from M/s GYMA Food Industries LLC, Dubai, requesting 7 MT of Indian-origin Coriander Whole among five items and on being perused the same, he stated that the buyer had specifically requested goods of Indian origin;

➢ A revised proforma invoice/contract (No. BSR/613/24-25 dated 12.03.2025) was issued by M/s BSR Overseas LLP to confirm the purchase order for GYMA Food Industries LLC and on being perused the said contract, he stated that it described the goods as "Coriander Seed Whole Double Parrot Sortex New Crop-2025" with the country of origin as India;

➢ M/s BSR Overseas LLP issued a purchase order (No. BSR/1156/24-25 dated 26.03.2025) to procure "Coriander Seed Whole Double Parrot Sortex, HS Code 09092190" to fulfill the contract with GYMA Food Industries LLC and on being perused the said purchase order, he stated that it was placed through broker M/s Shree Ram Brokers, Gujarat;

➢ A Custom Invoice cum Packing List (No. BSR/023-B/25-26 dated 03.04.2025) was issued for the coriander seeds and on being perused the said invoice, he stated that the goods were described as "Coriander Sterilized Packed in 25 KG PP Bags" with the country of origin as India;

➢ The coriander seeds were exported under Shipping Bill No. 9709139 dated 05.04.2025, described as "Coriander Sterilized" with details as per the invoice, but the country of origin was listed as "Russia" under Advance Authorization No. 2411004124 dated 18.12.2024 of M/s Shreeji Agri Commodity Pvt. Ltd and he stated that the goods were exported under Shreeji's Advance Authorization, and the "Russia" origin was declared as per Shreeji's guidance to avail a 1% discount, despite the goods being Indian-origin;

➢ A Country-of-Origin Certificate (No. EIC/2025/018/0070285A/00025583 dated 12.04.2025) was issued for Invoice No. BSR/023/25-26 dated 03.04.2025 and on being perused the said certificate and application, he stated that the application declared the goods as wholly obtained in India with no imported items used, and the certificate was issued accordingly. He noted that columns 22 and 23 of the shipping bill listed the state of origin as Gujarat and district as Rajkot;

➢ He stated that Double Parrot Quality coriander seeds are the finest green coriander, exclusive to the Saurashtra area of Gujarat, India, and are never imported;

➢ He stated that the buyer's order and BSR's invoice confirmed the goods as Indian-origin Double Parrot quality coriander seeds, not sterilized, but export documents listed them as "Coriander Sterilized" to match the Advance Authorization description of M/s Shreeji Agri Commodity Pvt. Ltd. for an additional 1% discount;

➢ He stated that M/s BSR Overseas LLP purchased only Indian-origin goods and exported them under Shreeji's Advance Authorization (No. 2411004124 dated 18.12.2024) as instructed by Shreeji, who requested the inclusion of their Advance Authorization details for the 1% discount;

➢ He perused the contract (No. BSR/547/24-25 dated 22.02.2025) for exporting 21.150 MT of Coriander Whole Parrot Green Small Size New Crop–2025 to Mandhoo Foods Industries LLC, Sharjah, UAE and he stated that the said contract was executed by their firm for export and for the said export M/s BSR Overseas LLP placed a purchase order (No. BSR/980/24-25 dated 24.02.2025) with M/s Shreeji Agri Commodity Pvt. Ltd. (now M/s Shreeji Global FMCG Limited) for these goods and subsequently M/s Shreeji Global FMCG Limited (formerly known as M/s Shreeji Agri Commodity Pvt. Ltd.) issued the following invoices for the supply and transportation of the goods;

- Invoice No. T-3/24-25/27 dated 20.03.2025 for 10.575 MT, transported via vehicle no. GJ12BZ5953 under E-way Bill No. 661875699591 dated 19.03.2025 (issued at 07:36 PM).

- Invoice No. T-3/24-25/28 dated 20.03.2025 for 10.575 MT, transported via vehicle no. GJ12BZ2104 under E-way Bill No. 671876033621 dated 20.03.2025 (issued at 02:50 PM).

➢ He stated that a total of 21.150 MT was sold to BSR Overseas LLP and transported from Rajkot to Mundra;

➢ He perused the E-way Bill No. 611875698296 dated 19.03.2025 (issued at 07:35 PM) along with Invoice No. GR3698 dated 19.03.2025 and E-way Bill No. 631876006113 dated 20.03.2025 (issued at 02:15 PM) along with Invoice No. GR3717 dated 20.03.2025, he stated that the M/s Gopal Enterprises have sold the 10.575 MT of goods on 19.03.2025 and another 10.575 Mts on 20.03.2025 to M/s Shreeji Agri Commodity Pvt Ltd and the same were transported via vehicle No. GJ12BZ5953 and GJ12BZ2104 to Shreeji's premises in Kherva, Gujarat;

➢ He perused the invoices (GR3698 and GR3717) and corresponding e-way bills from M/s Gopal Enterprise, he stated that they evidence the sale of 21.150 MT of coriander seeds (10.575 MT each) to M/s Shreeji Global FMCG Limited, which were then sold to M/s BSR Overseas LLP (via invoices T-3/24-25/27 and

T-3/24-25/28 dated 20.03.2025) for export under Contract No. BSR/547/24-25 dated 22.02.2025, confirming local procurement by M/s Shreeji Agri Commodity Pvt. Ltd from Gopal Enterprise for export under the Advance Authorization scheme;

- He was unaware of Advance Authorization conditions (Notification No. 21/2023-Customs dated 01.04.2023) prohibiting transfer of authorization/materials and requiring duty-free imported goods for export obligation;

- M/s BSR Overseas LLP have exported Indian-origin coriander seeds under Shreeji's Advance Authorization, declaring "Russia" origin in shipping bills as per Shreeji's guidance to gain 1% discount, with no intent to violate regulations or gain undue benefits.

4.4.5 Statement dated **30.06.2025 of Shri Hiteshbhai Mohanbhai Rayani, Partner of M/s Roy International situated at Near Hari Mamra Factory, Behind Veterinary hospital, Moviya Road, Gondal, Rajkot, Gujarat- 360311** was recorded under Section 108 of the Customs Act, 1962 wherein he interalia stated that:

- M/s Roy International was established by him and his brother Mr. Vijaybhai Rayani in the year 2016 and presently they both are the Partner in the firm and he manages all the work related to the said firm;

- The Firm manufactures and trades spices (coriander, cumin, mustard, fenugreek), purchasing from local APMC Mandis and suppliers, sells locally or exports;

- M/s Roy International has purchased 40 MT of Coriander seeds from M/s Shreeji Agri Commodity Pvt. Ltd and the said goods were further exported to their overseas buyers of Malaysia under Advance Authorization number 2411002973 dated 13.11.2023 of M/s Shreeji Agri Commodity Pvt. Ltd. The details are mentioned as below:

Detail of Purchas of Coriander Seeds from M/s Shreeji Agri Commodity Pvt. Ltd. by M/s Roy International				
Invoice No	**Inv Date**	**Buyer Name**	**product sold**	**Quantity**
T-10/24-25/5	03-10-2024	ROY INTERNATIONAL	CORIANDER STERLIZED	10500

T-10/24-25/7	03-10-2024	ROY INTERNATIONAL	CORIANDER STERLIZED	10200
T-10/24-25/8	03-10-2024	ROY INTERNATIONAL	CORIANDER STERLIZED	9800
T-10/24-25/6	03-10-2024	ROY INTERNATIONAL	CORIANDER STERLIZED	9500
			Total	**40000**

- He perused the Sales Contract #RI242501026 dated 23.09.2024 made between Roy International and Sheng Kimn Hong SDN BHD, Malaysia for sale of 40 Mt of Coriander Whole, he stated that as per the sale contract the origin of the goods exported the said firm was mentioned as **INDIA**;

- He perused the Invoice No. EXPROY/24-25/014 dated 07.10.2024 issued by his firm to export the above said 40 MT Coriander Seeds under SB No. 4655619 dated 07.10.2024, he stated that the Country of origin of goods is mentioned in the said invoice is **INDIA;**

- He perused the COO dated 17.10.2024 issued by Gondal Chambers of Commerce & Industries, Udyog Bhavan, Chordi Gate, Dondal-360311, he stated that the Origin of goods is mentioned in the said COO as **INDIA** and also at the bottom of the said CCO it was declared by their manager under dated signature that all the goods were produced in India and that they comply with the origin requirements for export to Malaysia (importing country);

- The goods exported were actually Russian Origin, but in export documents, they have mentioned the goods as INDIAN origin and he further stated that he did not have any documents or communications which shows that the said goods are Russian origin. He further stated that every document associated with the export transaction confirms that the goods purchased and then exported were of Indian origin.

4.4.6 Statement dated **01.07.2025 of Shri Gaurav Bangeja, Director of M/s Saibaba Agrilink Pvt. Ltd. situated at 1/1 Kalali Mohalla, Chhawni, Near Anaj Mandi Gate, Indore, MP, 4520001** was recorded under Section 108 of the Customs Act, 1962 wherein he interalia stated that:

➢ His father had founded the firm i.e. M/s Saibaba Agrilink Pvt. Ltd. in year 2012. At present he and his father are the director in this firm and all the work related to this firm was done under his supervision;

➢ The firm trades Agro commodities (e.g., chickpeas, cumin, coriander), procuring from traders via brokers and local APMC Mandis;

➢ Their Factory premises equipped with pre-cleaner, gravity de-stoner, Sortex, grader, and magnet machines; processes raw materials (cleaning, packing) for domestic and export markets;

➢ M/s Saibaba Agrilink Pvt. Ltd. primarily focuses on exporting processed goods procured locally. He further stated that the firm lacks an ETO/sterilization plant and uses third-party job workers for such processing when required;

➢ They had purchased approx. 104 Mts of coriander seeds from M/s Shreeji Agri Commodity Pvt. Ltd through broker M/s Krishna Canvassing LLP, Rajkot. The details of the same is as below:

Invoice No.	Invoice Date	Goods Description	Total Qty (in MTs)
T-11/24-25/9	21.11.2024	Coriander Sterilized	21
T-3/24-25/25	18.03.2025	Coriander Sterilized	21
T-4/25-26/4	01.04.2025	Coriander Sterilized	20.490
T-4/25-26/2	01.04.2025	Coriander Sterilized	21
T-4/25-26/1	01.04.2025	Coriander Sterilized	21
		Total	104.49

➢ The said 104.49 MTs were exported under Advance Authorization of M/s Shreeji Agri Commodity Pvt. Ltd. via four shipping bills. The details of the same is as below:

SB. No.	**SB Date**	**Exported Qty (MTs)**
5834732	22.11.2024	21
9655455	03.04.2025	20.49
9655427	03.04.2025	42
9128332	19.03.2025	21

➢ They received a 2% discount on purchased from M/s Shreeji Agri Commodity Pvt. Ltd to further export the same under Advance Authorization Number of M/s Shreeji Agri Commodity Pvt. Ltd.;

➢ He perused the COO having reference no. 51080 dated 30.11.2024 for the 21 MTs of Coriander Seeds exported vide shipping bill no. 5834732 dated

22.11.2024 under Advance Authorization, he stated that the Country of Origin of Goods mentioned in the said COO is INDIA and it is further mentioned in the said document that Certified that the goods specified here in are of Indian Original Manufacture;

- For the export made vide shipping bill no. 5834732 dated 22.11.2024 for 21 Mts of Coriander seeds, M/s Saibaba Agrilink Pvt. Ltd., placed a purchase order with M/s Shreeji Agri Commodity Pvt. Ltd., Rajkot, for the supply of 21 MT of coriander seeds. M/s Shreeji Global FMCG Limited (formerly known as M/s Shreeji Agri Commodity Pvt. Ltd.) issued Invoice No. T-11/24-25/9 dated 21.11.2024 for these 21 MT of coriander sterilized, which were sold to his firm. The goods were transported to Mundra Port via vehicle no. GJ39T8649 under E-way Bill No. 661815233841, issued on 21.11.2024 at 08:54 PM, for the purpose of export under M/s Shreeji's Advance Authorization scheme;

- He peruse the E-way Bill No. 661815230417, issued on 21.11.2024 at 08:45 PM, along with its tracking, by M/s Om International, located at Plot No. 1, Survey No. 280 P17 P2 P1, Pipalva, Jetpur, Gujarat-360360, he state that this e-way bill pertains to the sale of 21 MT of coriander seeds vide Invoice No. GT/213 dated 21.11.2024 to M/s Shreeji Agri Commodity Pvt. Ltd., transported via the same vehicle, GJ39T8649, to M/s Shreeji's premises in Kherva, Gujarat;

- He agreed that the documents, including Invoice No. T-11/24-25/9 dated 21.11.2024 and E-way Bill No. 661815233841 from M/s Shreeji Global FMCG Limited, as well as E-way Bill No. 661815230417 from M/s Om International, confirm the sale of 21 MT of coriander seeds. These documents indicate that the goods were locally procured by M/s Shreeji from M/s Om International and then sold to my firm for export. The tracking of E-way Bill No. 661815230417 shows the goods were transported directly from Jetpur to Mundra Port on 21.11.2024, establishing that they were locally sourced by M/s Shreeji and transferred to my firm for export;

- He confirmed that the coriander seeds purchased from M/s Shreeji Agri Commodity Pvt. Ltd. were of Indian origin, not imported or foreign, and were exported under M/s Shreeji's Advance Authorization number. The transaction was completed with the understanding that the goods were locally procured, and his firm fulfilled the export obligation as per the documentation provided by M/s Shreeji;

- He was unaware of Advance Authorization terms, including Notification No. 21/2023-Customs (01.04.2023), which prohibits transferring authorization or selling duty-free imported materials;

➢ They declared "Russia" as origin in shipping bills as advised by M/s Shreeji Agri Commodity Pvt Ltd to comply with Advance Authorization documentation, without intent to mis-declare.

4.4.7 Statement dated **09.07.2025 of Shri Sundar Chhattaram Kotvani, Proprietor of M/s Rise and Shine Overseas situated at 310, Jasal Complex, Nr. Nanavati Chowk, 150 Feet Ring Road, Rajkot- 360005** was recorded under Section 108 of the Customs Act, 1962 wherein he interalia stated that:

➢ M/s Rise and Shine Overseas was established by him in the year 2020 and he was the proprietor of the said firm;

➢ The firm engages in trading spices like coriander, cumin, chilly and turmeric, purchasing from local APMC Mandis and suppliers, primarily for export with minimal domestic sales;

➢ M/s Rise and Shine Overseas purchased approx. 56 MTs coriander seeds. The details are as under:

Detail of Purchase of Coriander Seeds from M/s Shreeji Agri Commodity Pvt. Ltd. by M/s Rise and Shine Overseas				
Invoice No	**Inv Date**	**Buyer Name**	**product sold**	**Quantity (in kgs)**
KHT-12/23-24/61	12.12.2023	RISE AND SHINE OVERSEAS	CORIANDER STERLIZED	21000
T-2/23-24/33	14.02.2024	RISE AND SHINE OVERSEAS	CORIANDER STERLIZED	14010
T-2/23-24/21	14.02.2024	RISE AND SHINE OVERSEAS	CORIANDER STERLIZED	21000
			Total	**56010**

➢ The said goods were exported under SB No. 7324758 dated 06.02.2024, 7556461 dated 15.02.2024 and 5980043 dated 12.12.2023 by mentioning the Advance Authorization number 2411002592 dated 01.08.2023 of M/s Shreeji Agri Commodity Pvt. Ltd.;

➢ He perused the Sales Contract EXP/SC/009/2023-24 dated 22.01.2024 made between Rise and Shine Overseas and Al Salwa & Brothers Trading Co Ltd,

Riyadh for sale of 21 Mts of Indian Coriander Whole, he stated that as per the sale contract the origin of the goods exported the said firm was mentioned as **INDIA**;

➢ He perused the Invoice No. EXP/013/23-24 dated 23.01.2024 issued by my firm i.e. M/s Rise and Shine Overseas to export the above said 21 MTs Coriander Seeds under SB No. 7324758 dated 06.02.2024, he stated that description of goods mentioned is the **INDIAN CORIANDER WHOLE;**

➢ He perused the COO Reference no. GCCI/2024/016/0124747A/00121052 dated 12.02.2024 issued by THE GANDHIDHAM CHAMBER OF COMMERCE AND INDUSTRY, Chamber Bhavan", Plot No 71, Sector – 8, Post box no-58 Gandhidham Kutch – 370201, he stated that the Origin of goods is mentioned in the said COO as **INDIA** and in the description, **Indian Coriander Whole** Packing is mentioned and also at the bottom of the said CCO it was declared by us that all the good(s) were produced in India and that they comply with the origin requirements for export to SAUDI ARABIA (Importing Country);

➢ He perused the Eway bill no. 621679394366 dated 06.02.2024 for sale of above mentioned 21 MTs goods vide invoice no. T-2/23-24/21 dated 14.02.2024 issued by M/s Shreeji Agri Commodity Private Limited to their firm M/s Rise and Shine Overseas, he stated that the product description mentioned in the said e-way bill is Indian Coriander Whole which were transported from Rajkot to Mundra and further exported by us under Advance License;

➢ He was aware of Advance Authorization provisions, requiring imported goods to be used in manufacturing export products and not cleared domestically without duty payment;

➢ The goods exported are actually Russian Origin, but in export documents, they have mentioned the goods as INDIAN origin and he further stated that he did not have any documents or communications which shows that the said goods are Russian origin. He further stated that every document associated with the export transaction confirms that the goods purchased and then exported were of Indian origin.

4.4.8 Statement dated **17.07.2025 of Shri Miteshkumar Bhagwanbhai Patel, Director of M/s M.R. Agro India Private Limited (formerly known as M/s M.R. Agro Industries) situated at D-259, New Gunj Bazar, Unjha-384170** was recorded under Section 108 of the Customs Act, 1962 wherein he interalia stated that:

➢ M/s M.R. Agro India Private Limited (formerly known as M/s M.R. Agro Industries) is a directorship firm, in which he was the Director. Along with him, there were other 3 directors in the said firm. All the work related the said firm was

looked after by him and his cousin (one of the directors). He further added that all the procurement and other sale purchase, accounts are looked after by him;

➢ M/s M.R. Agro India Private Limited (formerly known as M/s M.R. Agro Industries) was engaged in trading of Agri Commodities i.e. Coriander, Cumin, Fennel Seeds, Mustard Seeds etc. He further added that the said firm purchase the said commodities from APMC Mandis and Local Suppliers as well as import the same from overseas;

➢ They have one sister concern firm namely M/s M R Corporation in which his wife is one of the partners and being husband of partner of the said firm, he looked after all the work of the said firm related to sale purchase and accounts;

➢ The firm lacks ETO or sterilization facilities but uses third-party services, primarily from M/s Microtol Sterilization Pvt. Ltd., Unjha, when needed;

➢ M/s M R Agro Industries have purchased total **273 MTs** of the Coriander Seeds from M/s Shreeji Agri Commodity Pvt. Ltd., Rajkot. He further stated that all the coriander seeds purchased from M/s Shreeji Agri Commodity Pvt. Ltd., Rajkot were further exported to our overseas buyers. The detail of the said export is as under:

SB No.	**SB Date**	**Inv No.**	**Inv Date**	**CTH Code**	**Goods Detail**	**QTY (In MT)**	**Advance Auth. No.**	**AA Date**	**AA issued to**
8276575	13-03-2024	MRA232438 6	13-03-2024	090921 90	CORIANDER STERALISE PKD IN 25 KGS NET PPBAGS	42	2411002973	13-11-2023	SHREEJI AGRI COMMODITY PRIVATE LIMITED
8287807	13-03-2024	MRA232438 7	13-03-2024	090921 90	CORIANDER STERALISE PKD IN 25 KGS NET PPBAGS	105	2411002973	13-11-2023	SHREEJI AGRI COMMODITY PRIVATE LIMITED

9413999	26-04-2024	MRA2425083	25-04-2024	09092190	CORIANDER STERALISE	126	2411002973	13.11.2023	SHREEJI AGRI COMMODITY PRIVATE LIMITED

➢ As per request of M/s Shreeji Agri Commodity Pvt. Ltd. they have mentioned Advance Authorization number of M/s Shreeji Agri Commodity Private Limited in their shipping bills, as they got 2% discount at the purchase price. He further stated that said Coriander Seeds purchased from M/s Shreeji Agri Commodity Pvt. Ltd. was totally Indian Origin;

➢ He perused the invoice No. MRA2324387 dated 13.03.2024 in respect of the export of 105 Mts of Coriander seeds through Kandla Port and relevant COO Reference No. UECCI/2024/016/0238332A/00220351 dated 15.03.2024 and stated that it was related to the export of 105 MTs of Coriander seeds under Advance Authorization Number 2411002973 of M/s Shreeji Agri Commodity Pvt. Ltd. vide shipping bill no. 8287807 dated 13.03.2024. He further stated that that the Country of Origin of goods in the above shown invoice and its relevant COO is mentioned as **INDIA;**

➢ He perused the shipping bill no. 8287807 dated 13.03.2024 and stated that the description mentioned in the said shipping bills are Coriander Sterilize but the said goods exported vide the above said invoice were not ETO or sterilized treated;

➢ The goods were are not sterilize, and the description of the goods mention as Coriander Sterilize in shipping bills, in this regard he stated that they purchased the said goods from M/s Shreeji Agri Commodity Pvt. Ltd, Rajkot under discount of 2% on purchase price with the condition to mention the Advance Authorization detail of M/s Shreeji Agri Commodity Pvt. Ltd. in their shipping bills. While, it is mandatory to put the description of the goods in shipping bills as same as mentioned in the Advance Authorizations. Therefore, to adjust the advance authorization of M/s Shreeji Agri Commodity Pvt. Ltd in their export consignments they have mentioned the goods Coriander Sterilize in shipping bills;

➢ They purchased the Indian origin Coriander Seeds from M/s Shreeji Agri Commodity Pvt. Ltd. at a lower price with the condition to include their Advance Authorization number in shipping bills;

➢ He perused Advance Authorization No. 2411002973 dated 13-11-2023 and stated that he was aware that goods imported under it must be used to

manufacture exported goods to fulfill export obligations; perused Customs Notification 21/2023-Cus (01.04.2023), aware it prohibits transfer/sale of duty-free goods;

- He acknowledged that using Advance Authorization of M/s Shreeji Agri Commodity Pvt Ltd. for exporting Indian origin goods is incorrect, as export obligations should not include Indian origin goods;

- No payments were pending to M/s Shreeji Agri Commodity Pvt. Ltd. And no stock of their goods remains, as they were exported at that time itself.

4.5 STATEMENT & REPLY OF BUYERS WHO PURCHASED THE DUTY-FREE CORIANDER SEEDS IMPORTED BY M/S SHREEJI AGRI COMMODITY PRIVATE LIMITED UNDER ADVANCE AUTHORIZATION;

4.5.1 During the course of investigation, statement dated 05.05.2025 **(RUD-13)** of **Shri Tarun Garg, Proprietor of M/s Vedic International** situated at 8, Industrial Area, Neemuch-458441 (M.P.) was recorded under Section 108 of the Customs Act, 1962 wherein he interalia stated that:

- He founded M/s Vedic International, a proprietorship firm, in 2015, and he supervise all its operations; that his firm trades Agri commodities like coriander, methi, Kabuli chana, flaxseed, alsi, and ajwain, purchasing from APMC and selling to wholesalers after processing;

- he was aware of the firm M/s Shreeji Agri Commodity Pvt. Ltd., Rajkot as they had purchased **158.008 Mts** imported coriander seeds of from M/s Shreeji Agri Commodity Pvt. Ltd, Rajkot since Jan 2025. The details of the said purchase of imported coriander seeds were as under:

Date	**Bill no.**	**Party**	**Weight in MT**
13.02.2025	KHT-2/24-25/95	Shreeji Agri commodity limited (kherva)	20.015
22.04.2025	KHT-4/25-26/218	Shreeji Agri commodity limited (kherva)	20.15
29.01.2025	KHT-1/24-25/209	Shreeji Agri commodity limited (kherva)	19.845
27.02.2025	KHT-2/24-25/210	Shreeji Agri commodity limited (kherva)	20.06
21.03.2025	KHT-3/24-25/181	Shreeji global FMCG Limited (kherva)	18.99
29.03.2025	KHT-3/24-25/261	Shreeji Agri commodity limited (kherva)	19.995
04.04.2025	KHT-4/25-26/33	Shreeji global FMCG limited (kherva)	20.8
18.02.2025	KHT-2/24-25/147	Shreeji Agri commodity limited (kherva)	18.15

		Total	158.005

➢ He produced the copies of the above-said invoices under his dated signature. He further confirmed purchasing only imported coriander from M/s Shreeji Agri Commodity Pvt. Ltd, not domestic or Indian-harvested coriander;

➢ He produced his WhatsApp Chat with Shri Bharat Dasani partner of M/s Krishana Canvassing LLP, vide which total 20 Mt imported coriander are purchased and the sale was confirmed as per the WhatsApp message;

➢ He was not aware whether the above-purchased imported coriander seeds from M/s Shreeji Agri Commodity Pvt Ltd. were duty-free or duty-paid, as the goods were purchased under proper GST invoices. Hence, M/s Vedic International did not avail of any duty benefit.

4.5.2 During the course of investigation, Statement dated **06.05.2025 (RUD-14) of Shri Pankaj Rahi, Proprietor of M/s Pankaj Kumar Neeraj Kumar situated at 1, Kanchan Nagar, Station Road, Neemuch-458441 (M.P.),** was recorded under Section 108 of the Customs Act, 1962 wherein he interalia stated that:

➢ He stated that he started and founded the firm i.e. M/s Pankaj Kumar Neeraj Kumar in year 2012 and this firm is proprietorship firm on his name. He further stated that all the work related to his firm is done under his supervision; that his firm is engaged in the trade of Agri commodity i.e. Ajwain, Kalongi, Methi, Coriender, etc.; that they purchase the said commodities from APMCs Mandi & other suppliers of the same and further sale the same after due cleaning and packing processing to the wholesale buyers;

➢ He was aware of the firm M/s Shreeji Agri Commodity Pvt. Ltd., Rajkot as they had purchased **approx. 420 Mts** imported coriander seeds from M/s Shreeji Agri Commodity Pvt. Ltd through brokers M/s Krishna Canvassing LLP, Rajkot & M/s Dalal Pratik Lalitkumar, Rajkot since march. The details of the said purchase of imported coriander seeds were as under:

Sr. No.	Bill No.	Bill date	Purchased from	Total QTY (in MT)	Total Amount
1	KHT-3/23/24/12	05-Mar-24	M/s Shreeji Agri Commodity Pvt. Ltd	19.95	1403483.00
2	KHT-5/24-25/93	22-May-24	M/s Shreeji Agri Commodity Pvt. Ltd	20.295	1427753.00

3	KHT-5/24-25/141	30-May-24	M/s Shreeji Agri Commodity Pvt. Ltd	20.635	1452237.00
4	KHT-6/24-25/7	02-Jun-24	M/s Shreeji Agri Commodity Pvt. Ltd	20.8	1463850.00
5	KHT-6/24-25/34	11-Jun-24	M/s Shreeji Agri Commodity Pvt. Ltd	19.87	1398399.00
6	KHT-6/24-25/54	18-Jun-24	M/s Shreeji Agri Commodity Pvt. Ltd	19.73	1388545.50
7	KHT-6/24-25/106	27-Jun-24	M/s Shreeji Agri Commodity Pvt. Ltd	17.065	1200990.00
8	KHT-7/24-25/16	03-Jul-24	M/s Shreeji Agri Commodity Pvt. Ltd	21.59	1518857.00
9	KHT-11/24-25/18	08-Nov-24	M/s Shreeji Agri Commodity Pvt. Ltd	20.05	1053034.00
10	KHT-11/24-25/87	19-Nov-24	M/s Shreeji Agri Commodity Pvt. Ltd	13.85	1032919.50
11	KHT-11/24-25/115	22-Nov-24	M/s Shreeji Agri Commodity Pvt. Ltd	21.785	1693355.00
12	KHT-11/24-25/119	22-Nov-24	M/s Shreeji Agri Commodity Pvt. Ltd	17.7	1375826.00
13	KHT-11/24-25/147	26-Nov-24	M/s Shreeji Agri Commodity Pvt. Ltd	20.715	1697220.00
14	KHT-11/24-25/155	27-Nov-24	M/s Shreeji Agri Commodity Pvt. Ltd	20.795	1615772.00
15	KHT-12/24-25/5	02-Dec-24	M/s Shreeji Agri Commodity Pvt. Ltd	17.875	1417228.00
16	KHT-12/24-25/28	06-Dec-24	M/s Shreeji Agri Commodity Pvt. Ltd	17.84	1414453.00

17	KHT-12/24-25/31	06-Dec-24	M/s Shreeji Agri Commodity Pvt. Ltd	19.895	1629401.00
18	KHT-12/24-25/69	13-Dec-24	M/s Shreeji Agri Commodity Pvt. Ltd	17.805	1411678.00
19	KHT-12/24-25/92	14-Dec-24	M/s Shreeji Agri Commodity Pvt. Ltd	20.8	1725360.00
20	KHT-12/24-25/108	18-Dec-24	M/s Shreeji Agri Commodity Pvt. Ltd	12.92	1071714.00
21	KHT-2/24-25/33	04-Feb-25	M/s Shreeji Agri Commodity Pvt. Ltd	20.02	1681680.00
22	KHT-2/24-25/88	11-Feb-25	M/s Shreeji Agri Commodity Pvt. Ltd	21.06	1769040.00
			Total	**423.045**	**31842795**

- He further confirmed purchasing only imported coriander from M/s Shreeji Agri Commodity Pvt. Ltd, not domestic or Indian-harvested coriander. He further stated that they did not talk to any person of M/s. Shreeji Agri Commodity Pvt. Ltd., Rajkot directly for the purchase as their all purchases are done through brokers at Rajkot;

- He was not aware whether the above-purchased imported coriander seeds from M/s Shreeji Agri Commodity Pvt. Ltd were duty-free or duty-paid, as the goods were purchased under proper GST invoices. Hence, M/s Pankaj Kumar Neeraj Kumar did not avail of any duty benefit. He also confirmed that neither the said firm nor any broker had informed them whether the imported coriander seeds were duty-free or otherwise.

4.5.3 During the course of investigation, Statement dated **06.05.2025 (RUD-15) of Shri Jinendra Kumar Pamecha, Proprietor of M/s Sujay Traders situated at Shop No. 3, Mandi Prangan, Neemuch-458441 (M.P.)** was recorded under Section 108 of the Customs Act, 1962 wherein he interalia stated that:

- He started and founded the firm i.e. M/s Sujay Traders in year 1996 and this firm is proprietorship firm on his name. All the work related to my firm is done under his supervision; that the firm is engaged in the trade of Agri

commodity i.e. Ajwain, Kalongi, Methi, Alsi, Coriender, etc.; that they purchase the said commodities from APMCs Mandi & other suppliers of the same and further sale the same after due cleaning process to the wholesale buyers;

➢ He was aware of the firm M/s Shreeji Agri Commodity Pvt. Ltd., Rajkot as they had purchased **approx. 60 Mts** imported coriander seeds from M/s Shreeji Agri Commodity Pvt. Ltd through brokers M/s Krishna Canvassing LLP, Rajkot & M/s Radhey Shyam Brokers, Junagadh (Gujarat). since January 2025. The details of the said purchase of imported coriander seeds were as under:

Date	Bill no.	Seller Party	Buyer firm Name
21-Nov-24	KHT-11/24-25/96	Shreeji Agri Commodity Pvt. Ltd	M/S SUJAY TRADEF
28-Dec-24	KHT-12/24-25/183	Shreeji Agri Commodity Pvt. Ltd	M/S SUJAY TRADEF
02-Mar-25	KHT-3/24-25/10	Shreeji Global FMCG Ltd	Sujay Agro Industrie
			Tot

➢ He further confirmed purchasing only imported coriander from M/s Shreeji Agri Commodity Pvt. Ltd, not domestic or Indian-harvested coriander. He further stated that they did not talk to any person of M/s. Shreeji Agri Commodity Pvt. Ltd., Rajkot directly for the purchase as their all purchases are done through brokers at Rajkot;

➢ He was not aware whether the above-purchased imported coriander seeds from M/s Shreeji Agri Commodity Pvt. Ltd were duty-free or duty-paid, as the goods were purchased under proper GST invoices. Hence, M/s Sujay Traders did not avail of any duty benefit. He also confirmed that neither the said firm nor any broker had informed them whether the imported coriander seeds were duty-free or otherwise.

4.5.4 During the course of investigation, Statement dated **07.05.2025 (RUD-16) of Shri Akshay Airan, Authorized Person of M/s Shiv Bhole Enterprises situated at Scheme No. 9, Near Old Charmshodhan Karkhana, Neemuch – 458441 (MP),** was recorded under Section 108 of the Customs Act, 1962 wherein he interalia stated that:

➢ His father started and founded the firm i.e. M/s Shiv Bhole Enterprises in year 2002 and this firm is a proprietorship firm at the name of his father; that all the work related to firm M/s Shiv Bhole Enterprise is done by him only under supervision of his father; that the firm was engaged in the trade of Agri commodity i.e. Ajwain, Kalongi, Methi, Coriender, Ashwagandha etc.; that they purchase the said commodities from APMCs Mandi & other suppliers all over India of the same

and further sale the same after due cleaning and packing processing, as required, to the wholesale buyers;

➢ He was aware of the firm M/s Shreeji Agri Commodity Pvt. Ltd., Rajkot as they had purchased **approx. 573 Mts** imported coriander seeds from M/s Shreeji Agri Commodity Pvt. Ltd through brokers M/s Krishna Canvassing LLP, Rajkot since March 2024 The details of the said purchase of imported coriander seeds were as under:

Sr. No.	Voucher No.	Date	*Purchased from*	Quantity (MTs)
1	KHT-3/23/24/82	15-Mar-24	Shreeji Agri Commodity Pvt. Ltd.	19.68
2	KHT-4/24-25/1	02-Apr-24	Shreeji Agri Commodity Pvt. Ltd.	9.87
3	KHT-4/24-25/75	30-Apr-24	Shreeji Agri Commodity Pvt. Ltd.	19.79
4	KHT-5/24-25/61	14-May-24	Shreeji Agri Commodity Pvt. Ltd.	15.565
5	KHT-5/24-25/94	22-May-24	Shreeji Agri Commodity Pvt. Ltd.	17.655
6	KHT-5/24-25/105	24-May-24	Shreeji Agri Commodity Pvt. Ltd.	19.57
7	KHT-5/24-25/144	31-May-24	Shreeji Agri Commodity Pvt. Ltd.	18.5
8	KHT-6/24-25/85	25-Jun-24	Shreeji Agri Commodity Pvt. Ltd.	21.725
9	KHT-7/24-25/85	19-Jul-24	Shreeji Agri Commodity Pvt. Ltd.	12.41
10	KHT-7/24-25/114	29-Jul-24	Shreeji Agri Commodity Pvt. Ltd.	8.23
11	KHT-8/24-25/59	16-Aug-24	Shreeji Agri Commodity Pvt. Ltd.	11.995
12	KHT-9/24-25/19	06-Sep-24	Shreeji Agri Commodity Pvt. Ltd.	12.22

13	KHT-9/24-25/27	09-Sep-24	Shreeji Agri Commodity Pvt. Ltd.	11.875
14	KHT-9/24-25/169	30-Sep-24	Shreeji Agri Commodity Pvt. Ltd.	5.76
15	KHT-11/24-25/95	21-Nov-24	Shreeji Agri Commodity Pvt. Ltd.	13.905
16	KHT-11/24-25/101	21-Nov-24	Shreeji Agri Commodity Pvt. Ltd.	17.685
17	KHT-11/24-25/125	22-Nov-24	Shreeji Agri Commodity Pvt. Ltd.	11.94
18	KHT-11/24-25/132	25-Nov-24	Shreeji Agri Commodity Pvt. Ltd.	21.86
19	KHT-11/24-25/156	28-Nov-24	Shreeji Agri Commodity Pvt. Ltd.	17.755
20	KHT-11/24-25/161	28-Nov-24	Shreeji Agri Commodity Pvt. Ltd.	18.81
21	KHT-11/24-25/162	28-Nov-24	Shreeji Agri Commodity Pvt. Ltd.	11.865
22	KHT-11/24-25/167	28-Nov-24	Shreeji Agri Commodity Pvt. Ltd.	17.855
23	KHT-12/24-25/85	14-Dec-24	Shreeji Agri Commodity Pvt. Ltd.	12.91
24	KHT-12/24-25/192	28-Dec-24	Shreeji Agri Commodity Pvt. Ltd.	19.97
25	KHT-1/24-25/8	02-Jan-25	Shreeji Agri Commodity Pvt. Ltd.	19.875
26	KHT-1/24-25/27	03-Jan-25	Shreeji Agri Commodity Pvt. Ltd.	19.91
27	KHT-1/24-25/37	04-Jan-25	Shreeji Agri Commodity Pvt. Ltd.	10.36
28	KHT-2/24-25/22	03-Feb-25	Shreeji Agri Commodity Pvt. Ltd.	20.13

29	KHT-2/24-25/25	03-Feb-25	Shreeji Agri Commodity Pvt. Ltd.	19.97
30	KHT-2/24-25/54	03-Feb-25	Shreeji Agri Commodity Pvt. Ltd.	20.005
31	KHT-2/24-25/111	13-Feb-25	Shreeji Agri Commodity Pvt. Ltd.	19
32	KHT-2/24-25/121	15-Feb-25	Shreeji Agri Commodity Pvt. Ltd.	22.06
33	KHT-2/24-25/130	15-Feb-25	Shreeji Agri Commodity Pvt. Ltd.	20.085
34	KHT-3/24-25/92	11-Mar-25	Shreeji Agri Commodity Pvt. Ltd.	20.005
35	KHT-4/25-26/286	30-Apr-25	Shreeji Agri Commodity Pvt. Ltd.	12.39
			Total	**573.19**

➢ He further confirmed that out of 573, they have only purchased approx. 50 MTs domestic produced/procured/origin Coriander and rest 523 MTs Imported Coriander from M/s Shreeji Agri Commodity Pvt. Ltd. He further stated that they did not talk to any person of M/s. Shreeji Agri Commodity Pvt. Ltd., Rajkot directly for the purchase as their all purchases are done through brokers at Rajkot;

➢ He was not aware whether the above-purchased imported coriander seeds from M/s Shreeji Agri Commodity Pvt. Ltd were duty-free or duty-paid, as the goods were purchased under proper GST invoices. Hence, M/s Shiv Bhole Enterprises did not avail of any duty benefit.

4.5.5 During the course of investigation, Statement dated **03.06.2025 (RUD-17) of Shri Jitendra Mangilal Agrawal, Associate Director of M/s Times Comtrade Pvt. Ltd. situated at 5th Floor, Sheraton House, Opp Ketav Petrol Pump, Polytechnic Road, Ambawadi, Ahmedabad-380015** was recorded under Section 108 of the Customs Act, 1962 wherein he interalia stated that:

➢ M/s Times Comtrade Pvt. Ltd. was started by brothers Shri Jitendra Shah and Shri Dilip Shah in 2005-06; that it trades Agri-commodities, with no factory or storage warehouse and using third-party warehouse for storage;

➢ The firm does not process goods, purchasing and selling them as is, storing purchased goods in third-party warehouses;

- He was aware of the firm M/s Shreeji Agri Commodity Pvt. Ltd., Rajkot as they had purchased **approx. 1055 Mts** imported coriander seeds from M/s Shreeji Agri Commodity Pvt. Ltd through 19 GST invoices since February 2025;

- Out of 1055 MT, M/s Times Comtrade Pvt. Ltd. sold 322.545 MT to M/s Shreeji Enterprises (GSTIN: 24AUKPK6706F1ZP), a sister concern of M/s Shreeji Agri Commodity Pvt. Ltd., owned by Jitendra Kakkad, after receiving payment;

- He further Provided the details of remaining 722.205 MT of imported coriander seeds purchased from M/s Shreeji Global FMCG Ltd., stored across third party warehouses, with bills of entry;

- He confirmed all 1055 MT coriander seeds purchased were imported, received directly from the port to designated warehouses, with warehouse names communicated to M/s Shreeji Agri Commodity Pvt. Ltd. by them for delivery;

- He Perused bills of entry for 722.205 MT, confirming the goods were imported duty-free by M/s Shreeji Agri Commodity Pvt. Ltd. under Advance Authorization;

- He accepted that selling duty-free imported goods under Advance Authorization to M/s Times Comtrade Pvt. Ltd. violates Customs Notification 21/2023-Cus dated 01.04.2023, which prohibits such transfers except for job work under GST conditions.

4.5.6 During the course of investigation, Statement dated 09.06.2025 **(RUD-18)** of **Shri Naisalkumar Rashikbhai Patel, Proprietor of M/s Madhav Agro Industries situated at Munici. No. 1/4/26, 1/4/27, Near Bajaj Thresher, Highway Road, Unjha, Mahesana-384170** was recorded under Section 108 of the Customs Act, 1962 wherein he interalia stated that:

- He stated that he had started and founded the firm i.e. M/s Madhav Agro Industries in the year 2017, and the said firm was a proprietorship concern. All the work related to the firm was done under the supervision of himself and his brother Shri Jaykumar Patel. The firm was engaged in the trading of Agri-commodities, mainly coriander seeds. The said commodities were purchased from various suppliers and were further sold, after due cleaning/processing if required, to wholesale or retail buyers;

- He stated that he was aware of the firm M/s Shreeji Agri Commodity Pvt. Ltd, as they had purchased **10 Mts** imported coriander seeds of whole quality through broker M/s Krishna Canvassing LLP, Rajkot. The details of the said purchase of imported coriander seeds were as under:

Detail of Purchase of Imported Coriander from M/s Shreeji Agri Commodity Pvt. Ltd.				
Invoice No.	**Inv Date**	***Seller Name***	***Product***	**Qty (KGs)**
KHT-6/24-25/65	21-Jun-24	Shreeji Agri Commodity Pvt. Ltd.	Coriander Seeds	10000.00

➢ He produced the copies of the above-said invoices under his dated signature. Apart from the above-mentioned transaction, neither he nor his firm had purchased any further quantity of the said imported or local coriander seeds from M/s Shreeji Agri Commodity Pvt. Ltd;

➢ He was not aware whether the above-purchased imported coriander seeds from M/s Shreeji Agri Commodity Pvt. Ltd were duty-free or duty-paid, as the goods were purchased under proper GST invoices. Hence, M/s Madhav Agro Industries did not avail of any duty benefit. He also confirmed that neither the said firm nor any broker had informed them whether the imported coriander seeds were duty-free or otherwise.

4.5.7 During the course of investigation, statement dated 10.06.2025 **(RUD-19)** of **Shri Bhavikkumar Patel, Proprietor of M/s B.S. Commodity & Export situated at MN No. 7, 13, 22, Krushana Mill Compound, Station Road, Unjha Mahesana-384170** was recorded under Section 108 of the Customs Act, 1962 wherein he interalia stated that:

➢ He had started and founded the firm i.e. M/s B.S. Commodity & Export in the year 2024, and the firm was a proprietorship concern. All the work related to the said firm was done under his supervision. The firm was engaged in the trading of Agri-commodities such as coriander, ajwain, saunf, til, etc. The said commodities were purchased from various local suppliers and APMC Mandis for further sale to wholesalers or related buyers;

➢ He was aware of the firm M/s Shreeji Agri Commodity Pvt. Ltd as they had purchased **9.605 MTs** imported coriander seeds of whole quality from M/s Shreeji Agri Commodity Pvt. Ltd through their brokers M/s Krishna Canvassing LLP, Rajkot. The details of the said purchase of imported coriander seeds were as under:

Detail of Purchase of Imported Coriander from M/s Shreeji Agri Commodity Pvt. Ltd.

Invoice No.	Inv Date	*Seller Name*	*Product*	Qty (KGs)
KHT-5/24-25/92	21-05-2024	Shreeji Agri Commodity Pvt. Ltd.	Coriander Seeds	9605.00

➢ He produced the copies of the above-said invoices under his dated signature; that except for the above-mentioned transactions, neither he nor his firm had purchased any further quantity of imported or local coriander seeds from M/s Shreeji Agri Commodity Pvt Ltd.; that only imported coriander was purchased from M/s Shreeji Agri Commodity Pvt, and no domestic or Indian-harvested coriander was purchased from the said firm;

➢ He was not aware whether the imported coriander seeds purchased from M/s Shreeji Agri Commodity Pvt were duty-free or duty-paid, as the purchases were made under proper GST invoices. Hence, M/s B.S. Commodity & Export did not avail of any duty benefit. He added that neither the selling firm nor the broker had informed them whether the said coriander seeds were duty-free or otherwise, and that the purchase rate was almost similar to the prevailing wholesale market price. He also confirmed that he did not have any remaining stock of the said imported coriander seeds, as the same had already been sold to various local buyers.

4.5.8 During the course of investigation, statement dated **23.06.2025 (RUD-20) of Shri Bhavesh Bharatbhai Trivedi, Partner of M/s Anant Seeds situated at Plot No.1, R S No. 356/2, Junagadh Highway, Agatrai, Junagadh, Gujarat-362222** was recorded under Section 108 of the Customs Act, 1962 wherein he interalia stated that:

➢ He founded M/s Anant Seeds in 2013 with partner Shri Arvindbhai Kirshanbhai Kumbania as a partnership firm; that M/s Anant Traders deals in trading of Agri-commodities like groundnut seeds, coriander seeds, and cumin, purchased from APMCs, mandis, and farmers, cleaned/processed if needed, and sold to wholesale buyers and exporters, including exporting groundnut seeds overseas;

➢ M/s Anant Traders had Purchased approx. **218 MT** of imported coriander from M/s Shreeji Agri Commodity Pvt. Ltd in 2023 through broker M/s Dalal Pratik Lalit Kumar. The details of the said purchase of imported coriander seeds were as under:

Purchase of Imported Coriander Seeds from M/s Shreeji Agri Commodity Private Limited

Invoice No.	Invoice Date	Seller Name	Product	Quantity (Kgs)
KHT-12/23-24/4	01-12-2023	M/s Shreeji Agri Commodity Private Limited	Coriander seeds	10580
KHT-12/23-24/5	01-12-2023	M/s Shreeji Agri Commodity Private Limited	Coriander seeds	10565
KHT-12/23-24/6	01-12-2023	M/s Shreeji Agri Commodity Private Limited	Coriander seeds	10580
KHT-12/23-24/7	01-12-2023	M/s Shreeji Agri Commodity Private Limited	Coriander seeds	10525
KHT-12/23-24/8	01-12-2023	M/s Shreeji Agri Commodity Private Limited	Coriander seeds	11005
KHT-12/23-24/9	01-12-2023	M/s Shreeji Agri Commodity Private Limited	Coriander seeds	11045
KHT-12/23-24/10	01-12-2023	M/s Shreeji Agri Commodity Private Limited	Coriander seeds	10775
KHT-12/23-24/12	02-12-2023	M/s Shreeji Agri Commodity Private Limited	Coriander seeds	10980
KHT-12/23-24/13	02-12-2023	M/s Shreeji Agri Commodity Private Limited	Coriander seeds	10885
KHT-12/23-24/14	02-12-2023	M/s Shreeji Agri Commodity Private Limited	Coriander seeds	10685
KHT-12/23-24/51	08-12-2023	M/s Shreeji Agri Commodity Private Limited	Coriander seeds	22060

KHT-12/23-24/52	08-12-2023	M/s Shreeji Agri Commodity Private Limited	Coriander seeds	23060
KHT-12/23-24/53	08-12-2023	M/s Shreeji Agri Commodity Private Limited	Coriander seeds	22230
KHT-1/23-24/46	19-01-2024	M/s Shreeji Agri Commodity Private Limited	Coriander seeds	10705
KHT-1/23-24/47	19-01-2024	M/s Shreeji Agri Commodity Private Limited	Coriander seeds	10705
KHT-2/23-24/9	03-02-2024	M/s Shreeji Agri Commodity Private Limited	Coriander seeds	11050
KHT-2/23-24/10	03-02-2024	M/s Shreeji Agri Commodity Private Limited	Coriander seeds	11025
		Total		**218460**

- He produced the copies of the above-said invoices under his dated signature; that except for the above-mentioned transactions, neither he nor his firm had purchased any further quantity of imported or local coriander seeds from M/s Shreeji Agri Commodity Pvt Ltd.; that only imported coriander was purchased from M/s Shreeji Agri Commodity Pvt. Ltd, and no domestic or Indian-harvested coriander was purchased from the said firm;

- He was not aware whether the imported coriander seeds purchased from M/s Shreeji Agri Commodity Pvt were duty-free or duty-paid, as the purchases were made under proper GST invoices. Hence, M/s Anant Traders did not avail of any duty benefit. He also confirmed that he did not have any remaining stock of the said imported coriander seeds, as the same had already been sold to various local buyers.

4.5.9 During the course of investigation, statement dated **25.06.2025 of Shri Vinay Jain, Partner of M/s Kore International situated at A-441, Westbank, Ashram Road, Ahmedabad-380009** was recorded under Section 108 of the Customs Act, 1962 wherein he interalia stated that:

➢ He founded M/s Kore International in 2014 and it's a partnership firm with he and his brothers are the partners and all the work related to his firm is done under his supervision; that his firm was engaged in trading of Agri commodity i.e. Chilly, Cumin, turmeric, Sesame, Coriander, Raisin etc.; that they purchased the said commodity from various states of India as per their requirements and further sale to our wholesale buyers;

➢ M/s Kore International had purchased total **6.125 MT of imported coriander seeds** under invoice no. KHT-6/2024-25/5 dated 01.06.2025 issued by M/s Shreeji Agri Commodity Pvt. Ltd., Rajkot through Bajrang Broker, Rajkot;

➢ He produced the copies of the above-said invoice under his dated signature; that except for the above-mentioned transactions, neither he nor his firm had purchased any further quantity of imported or local coriander seeds from M/s Shreeji Agri Commodity Pvt Ltd.; that only imported coriander was purchased from M/s Shreeji Agri Commodity Pvt. Ltd, and no domestic or Indian-harvested coriander was purchased from the said firm;

➢ He was not aware whether the imported coriander seeds purchased from M/s Shreeji Agri Commodity Pvt were duty-free or duty-paid, as the purchases were made under proper GST invoices. Hence, M/s Anant Traders did not avail of any duty benefit. He added that neither the selling firm nor the broker had informed them whether the said coriander seeds were duty-free or otherwise.

4.5.10 During the course of investigation, statement dated **11.07.2025 (RUD-21) of Shri Upendrabhai Ratilal Ervadiya, Representative of M/s Devdoot Trading Co. situated at Shop No. 7, APMC Halvad, Dhrangadhra Road, Halvad, Morbi, Gujarat-363330** was recorded under Section 108 of the Customs Act, 1962 wherein he interalia stated that: -

➢ His father, Shri Ratilalbhai Jadhavjibhai Patel, founded M/s Devdoot Trading Co. in 2001, a proprietorship firm; that since 2015, due to father's health issues, he manages all operations; that the firm is engaged in trading of cumin, coriander, fennel, and sesame seeds, purchased from APMCs, mandis, and farmers, cleaned/processed if needed, sold to wholesale buyers and exporters, and exported cumin, fennel, and sesame seeds overseas.

➢ M/s Devdoot Trading Co. had purchased **approx. 379 MT** of imported coriander seeds from M/s Shreeji Agri Commodity Pvt. Ltd., Rajkot, in 2024–2025 through broker M/s Krishana Canvassing LLP. The details of the same is as below:

Purchase of Imported Coriander Seeds from M/s Shreeji Agri Commodity Private Limited

Invoice No.	Invoice Date	Seller Name	Product	Quantity (Kgs)
KHT-3/23/24/53	12-03-2024	M/s Shreeji Agri Commodity Private Limited	Coriander seeds	17720
KHT-3/23/24/54	12-03-2024	M/s Shreeji Agri Commodity Private Limited	Coriander seeds	17835
KHT-3/23/24/61	13-03-2024	M/s Shreeji Agri Commodity Private Limited	Coriander seeds	17695
KHT-3/23/24/73	14-03-2024	M/s Shreeji Agri Commodity Private Limited	Coriander seeds	17740
KHT-3/23/24/99	20-03-2024	M/s Shreeji Agri Commodity Private Limited	Coriander seeds	17735
KHT-4/24-25/38	16-04-2024	M/s Shreeji Agri Commodity Private Limited	Coriander seeds	17705
KHT-5/24-25/142	30-05-2024	M/s Shreeji Agri Commodity Private Limited	Coriander seeds	20690
KHT-6/24-25/28	08-06-2024	M/s Shreeji Agri Commodity Private Limited	Coriander seeds	22015
KHT-6/24-25/42	14-06-2024	M/s Shreeji Agri Commodity Private Limited	Coriander seeds	21610
KHT-2/24-25/56	06-02-2025	M/s Shreeji Agri Commodity Private Limited	Coriander seeds	21840
KHT-2/24-25/63	07-02-2025	M/s Shreeji Agri Commodity Private Limited	Coriander seeds	19790
KHT-2/24-25/89	11-02-2025	M/s Shreeji Agri Commodity Private Limited	Coriander seeds	17985
KHT-2/24-25/110	13-02-2025	M/s Shreeji Agri Commodity Private Limited	Coriander seeds	25085
KHT-2/24-25/119	14-02-2025	M/s Shreeji Agri Commodity Private Limited	Coriander seeds	19955
KHT-2/24-25/191	24-02-2025	M/s Shreeji Agri Commodity Private Limited	Coriander seeds	24015
KHT-2/24-25/203	25-02-2025	M/s Shreeji Agri Commodity Private Limited	Coriander seeds	24085
KHT-3/24-25/158	19-03-2025	M/s Shreeji Agri Commodity Private Limited	Coriander seeds	19620

KHT-3/24-25/188	22-03-2025	M/s Shreeji Agri Commodity Private Limited	Coriander seeds	17795
KHT-3/24-25/243	28-03-2025	M/s Shreeji Agri Commodity Private Limited	Coriander seeds	18550
		Total		379465

➢ He produced the copies of the above-said invoice under his dated signature; that except for the above-mentioned transactions, neither he nor his firm had purchased any further quantity of imported or local coriander seeds from M/s Shreeji Agri Commodity Pvt Ltd.; that only imported coriander was purchased from M/s Shreeji Agri Commodity Pvt. Ltd, and no domestic or Indian-harvested coriander was purchased from the said firm.

➢ He perused the specific documents resumed under during the Panchnama dated 30.04.2025 starts at P B Agri Warehouse, Survey No.-143/1, P1, 143/2, P1, RK Industrial Zone No.-12, Plot No. 19 & 20, Wankaner Road, Village-Sanosara (Kuvadva), Dist. Rajkot-360023 and ends at Sanjaykumar Radheshyam Aggarwal & Nejul Bhagvanjibhai Shah Warehouse, CH-1, Survey No. 239/1, Plot No. 13, RK Industrial Zone-6, Vill. Kuchiyadad, Rajkot, Gujarat- 360023 and stated that the said documents showing inward/outward entries at M/s Steinweg-Sharaf (India) Pvt. Ltd.'s safe warehouse, with deposits of 242.280 MT, 87.555 MT, and 66.610 MT on 19-03-2025, 20-03-2025, and 21-03-2025; that page 49 indicating the stock of inward and outward of firm M/s J.V Traders (sister concern of M/s Shreeji) along with coriander seeds deposited and withdrawn on specific dates, along with corresponding vehicle numbers;

➢ He perused the several e-way bills pertaining to the transportation of these imported coriander seeds from Mundra Port to Kherva and stated that the alignment of dates and vehicle numbers between the e-way bills and the warehouse documents confirms that the imported coriander seeds were transported directly from Mundra Port to the safe warehouse;

➢ He perused the 62 of the above mentioned documents which shows the withdrawal of 18.550 Mts of imported Coriander seeds transported via vehicle Number DD01K9046 on 28.03.2025 and the Tax invoice No. KHT-3/24-25/243 dated 28.03.2025 issued by M/s Shreeji Global FMCG Limited (Kherva) for the sale of 18.550 MTs of Coriander and transported via same vehicle number DD01K9046 and stated that thorough review of the above mentioned documents and e-way bills, it is clear that the M/s Shreeji Global FMCG Limited (formerly M/s Shreeji Agri Commodity Private Limited) has stored the imported Coriander seeds in the safe warehouse of M/s Steinweg-Sharaf (India) Pvt. Ltd and subsequently sold a portion of these imported Coriander seeds to them;

➢ He was not aware whether the imported coriander seeds purchased from M/s Shreeji Agri Commodity Pvt were duty-free or duty-paid, as the purchases were made under proper GST invoices. Hence, M/s Devdoot Trading Co. did not avail of any duty benefit. He added that neither the selling firm nor the broker had informed them whether the said coriander seeds were duty-free or otherwise.

4.5.11 During the course of investigation, statement **02.07.2025 (RUD-22) of Shri Pankajkumar D Patel, Proprietor of M/s Gangaram Lalludas Patel situated at B-92, Ganj Bazar, Unjha 384170** was recorded under Section 108 of the Customs Act, 1962 wherein he interalia stated that:

➢ M/s Gangaram Lalludas Patel is engaged in the trading of agricultural commodities, primarily Cumin Seeds, Fennel Seeds, Coriander Seeds, and Fenugreek and they procured these agricultural commodities from various local suppliers and APMC Mandis and sell to their wholesale buyers;

➢ M/s Gangarama Lalludas Patel have purchased approx. **143 MTs** imported Coriander Seeds of whole quality from M/s Shreeji Agri Commodity Pvt. Ltd., Rajkot directly. The detail of the said purchase of imported coriander seeds is under:

Detail of Purchase of Imported Coriander Seeds from M/s Shreeji Agri Commodity Pvt. Ltd., Rajkot				
Invoice No.	**Inv. Date**	***Seller Name***	***Product***	**Qty (KGs)**
KHT-7/23-24/134	27-Jul-23	M/s Shreeji Agri Commodity Pvt. Ltd.	**DHANIA**	**9930**
KHT-8/23-24/2	01-Aug-23	M/s Shreeji Agri Commodity Pvt. Ltd.	**DHANIA**	**10200**
KHT-12/24-25/216	31-Dec-24	M/s Shreeji Agri Commodity Pvt. Ltd.	**DHANIA**	**14645**
KHT-1/24-25/22	03-Jan-25	M/s Shreeji Agri Commodity Pvt. Ltd.	**DHANIA**	**14625**
KHT-1/24-25/137	18-Jan-25	M/s Shreeji Agri Commodity Pvt. Ltd.	**DHANIA**	**9750**
KHT-2/24-25/148	18-Feb-25	M/s Shreeji Agri Commodity Pvt. Ltd.	**DHANIA**	**14625**
KHT-4/24-26/144	15-Apr-25	M/s Shreeji Agri Commodity Pvt. Ltd.	**DHANIA**	**10000**
KHT-4/25-26/217	21-Apr-25	M/s Shreeji Agri Commodity Pvt. Ltd.	**DHANIA**	**15000**

KHT-4/25-26/234	22-Apr-25	M/s Shreeji Agri Commodity Pvt. Ltd.	**DHANIA**	**15000**
KHT-4/25-26/258	24-Apr-25	M/s Shreeji Agri Commodity Pvt. Ltd.	**DHANIA**	**15000**
KHT-4/25-26/261	25-Apr-25	M/s Shreeji Agri Commodity Pvt. Ltd.	**DHANIA**	**15000**
Total				**143775**

➢ He produced the copies of the above-said invoice under his dated signature; that except for the above-mentioned transactions, neither he nor his firm had purchased any further quantity of imported or local coriander seeds from M/s Shreeji Agri Commodity Pvt Ltd.; that only imported coriander was purchased from M/s Shreeji Agri Commodity Pvt. Ltd, and no domestic or Indian-harvested coriander was purchased from the said firm;

➢ He further stated that he personally inspected the sample before placing the order and as he had been working in this industry for the last 35 years, he possessed sound knowledge about the quality of coriander seeds. Thus, based on his experience, he confirmed that the sample he inspected was of imported Coriander Seeds, as the same is not found in India;

➢ He was not aware whether the imported coriander seeds purchased from M/s Shreeji Agri Commodity Pvt were duty-free or duty-paid, as the purchases were made under proper GST invoices. Hence, M/s Gangaram Lalludas Patel did not avail of any duty benefit. He added that the selling firm had not informed them whether the said coriander seeds were duty-free or otherwise.

4.6 STATEMENT OF BROKER FIRM, THROUGH WHICH DUTY-FREE CORIANDER SEEDS IMPORTED BY M/s SHREEJI AGRI COMMODITY PVT LTD UNDER ADVANCE AUTHORIZATION, WERE SOLD INTO LOCAL MARKET;

4.6.1 Statement dated 01.05.2025 **(RUD-23)** of **Shri Divyesh Ramdas Dasani, Partner of M/s Krishna Canvassing LLP** situated at Office No. 704, Time Square-II, Ayodhya Chowk, 150 Feet Ring Road, Rajkot-360007 recorded under Section 108 of Customs Act, 1962, wherein he interalia stated that;

➢ The firms Krishna Canvassing LLP, Krishna Agri Broker LLP, and Krishna Commodity focus solely on brokerage work, while BRD Agri World LLP engages in trading Agri commodities such as Jeera, Coriander, Mustard, Fennel, and Fenugreek. He further stated that in brokerage firms, goods are purchased from

local sellers and sold to buyers on a commission basis, with direct delivery from the seller's factory/godown premises due to the absence of storage facilities;

- Commission for brokerage is determined based on the quality of goods, either as a percentage or a fixed amount. He further stated that the firms do not engage in direct import or export but purchase imported goods for local sale and supply locally procured goods to exporters;

- The origin of goods (imported or locally procured) is identified through physical inspection, based on experience since 2008, or as disclosed by the importer;

- They have sold approx. **1802 MTs** imported Coriander from M/s Shreeji Agri Commodity Pvt. Ltd. to various local buyers through his brokerage firm and he also provided the List of buyers;

- The firms lack details on whether imported goods are duty-free or under Advance Authorization, as importers do not disclose this information;

- The firms were unaware if exporters use Advance Authorization in export documents, as such details were not shared. He further stated that he had no knowledge of the Advance Authorization scheme.

4.6.2 Statement dated 11.06.2025 **(RUD-24)** of **Shri Rajpopat Divyesh Prabhudas, concerned person of M/s Radheshyam Brokers situated at opposite APMC Exit Gate No.2, Dolatpura, Junagadh, Gujarat- 362037** recorded under Section 108 of Customs Act, 1962, wherein he interalia stated that;

- M/s Radheshyam Brokers, a proprietorship firm founded in 1996 by Shri Prabhudas Keshavji Rajpopat, is managed by the respondent due to his father's bed rest. The firm deals in Agri commodities like peanut and coriander for broking or trading;

- In the brokerage firm, goods are purchased from local sellers and sold to buyers on a commission basis, with direct delivery from the seller's factory/godown due to lack of storage premises. The Commission is determined based on the quality of goods, either as a percentage or fixed amount;

- The firm does not import or export goods but purchases imported goods for local sale and supplies locally procured goods to exporters, without dealing directly with overseas suppliers or buyers;

- The origin of goods (imported or locally procured) is identified through physical inspection, based on experience since 1996, or as disclosed by the importer;

- They have sold approx. **296 MTs** of imported Coriander from M/s Shreeji Agri Commodity Pvt. Ltd. to various local buyers through his brokerage firm and he also provided the List of buyers;

- The firm lacks details on whether the coriander was duty-free or paid, as importers do not disclose this. He further stated that he had no knowledge of the Advance Authorization scheme;

- He perused the statement of Shri Vishal Jayantilal Aghera from M/s Shreeji Agri Commodity Pvt. Ltd. dated 30.04.2025 and stated that he agreed with the facts mentioned in the said statement related to him. He further stated that he communicated with Mr. Vishal Aghera for loading/unloading and with Mr. Jitendra Kakkad, Director, for commodity rates.

- He perused the screenshot of the Chat made with Shreeji Agri Commodity Pvt Ltd. and stated that the said message was Sauda/Contract which he sent after the confirmation of the sale of Imported Coriander of approx. 20 MT from M/s Shreeji Agri Commodity Private Limited to buyer Sumit Trading Company, Kanpur on 10.04.2025 at the rate of Rs. 7400/- per quintal;

- He is a partner in four partnership firms: Krishna Canvassing LLP, Krishna Agri Broker LLP, Krishna Commodity, and BRD Agri World LLP, alongside three other partners.

4.6.3 Statement dated 17.06.2025 **(RUD-25)** of **Shri Chandrani Ketanbhai Nandlalbhai, Authorized Representative of M/s Bajrang Broker situated at 303, Mani Complex, Opposite Hotel Imperial Palace, Dr. Yagnik Road, Rajkot-01, Gujarat** recorded under Section 108 of Customs Act, 1962, wherein he interalia stated that;

- M/s Bajrang Broker, a proprietorship firm founded in 2012 by Shri Nilesh Jobanputra, is managed jointly by the respondent and Nilesh Jobanputra since 2016. The firm trades Agri commodities like sesame, coriander, cumin, mustard seeds, and peanuts;

- The brokerage firm purchases goods from local sellers and sells them to buyers on a commission basis, with direct delivery from the seller's factory/godown due to lack of storage premises. The Commission is determined based on the quality of goods, either as a percentage or fixed amount;

➢ The firm did not import or exported goods but sells imported goods to local buyers and supplies locally procured goods to exporters for further export, without dealing with overseas suppliers or buyers. He further added that for imported goods, importers store them in godowns and engage the firm to sell to local buyers on commission. For exports, the firm procures goods from local sellers based on exporters' requirements and sells them on commission for further export;

➢ The origin of goods (imported or locally procured) is identified through physical inspection, based on experience since 2012, or as disclosed by the importer;

➢ They have sold the imported Coriander of M/s Shreeji Agri Commodity Pvt Ltd. The detail of the same is as below:

Details of sale of the Imported Coriander by M/s Shreeji Agri Commodity Private Limited to Local Buyers through brokerage firm M/s Bajrang Broker					
Sauda Date	**Contract No**	**Seller Name**	**Buyer Name**	**Item Name**	**QTY (MTs)**
04.06.2024	139	Shreeji Agri Commodity Pvt. Ltd	Kore International	Russian Coriander seeds	6.125

➢ He produced the copy of the above said invoice along with the relevant Contract under his dated signature;

➢ He perused the Contract No. 139 dated 04.06.2025 and stated that the said Contract was meant for sale of 6.125 MTs Russian Coriander seeds by M/s Shreeji Agri Commodity Private Limited and said Russian Coriander seeds was sold to Kore International Ahmedabad vide invoice no. KHT-6/24-25/5 dated 01.06.2024. HE further added that the said Russian Coriander seeds means the Coriander seeds are imported and of Russian Origin.

➢ They did not have the details that the imported Coriander seeds were duty free or paid as the importer never disclose this type of facts to them.

➢ He was not aware of the imports made under Advance Authorization scheme.

4.6.4- **Statement dated 02.06.2025 (RUD-26) of Shri Chiragkumar Jashvantlal Shah, Proprietor of M/s Sesame & Spices Exim situated at 3rd floor, Flat No. 303, Sadfuru Jyot Appartment, Pedak Road, 29 Ranchhod Nagar, Rajkot, Gujarat, 360003** recorded under Section 108 of Customs Act, 1962, wherein he interalia stated that;

- He founded M/s Sesame & Spices Exim in 2018, a proprietorship firm under his name, engaged in brokerage of Agri-commodities (jeera, maithi, bajra, turmeric, coriander) without direct sale/purchase; all operations under his supervision;

- He owned another proprietorship firm, M/s Shreemad Gokul Agri Trade, in his wife's name (Mrs. Vaishali C. Shah), but managed by him;

- He was aware of the firm M/s Shreeji Agri Commodity Pvt. Ltd., Rajkot as they have sold Coriander Seeds to Overseas Buyers through his firm M/s Sesame & Spices Exim;

- He produced the copy of Sales Contracts for the year 2024-25 and 2025-26 for sale of Coriander Seeds to the Overseas buyers under his dated signature, He further stated that the said sales contracts were issued from his firm to sale of Coriander Seeds to our various overseas clients from M/s Shreeji Agri Commodity Pvt. Ltd., Rajko;

- He perused the two specific contracts:

- SSE/01/25-26 dated 01.04.2025 for "Coriander Seed Eagle 100% Split Sortex, Good Quality, Gujarat Origin, New Crop 2025" sold to Natvar & Co, Dubai.

- SSE/273/24-25 dated 10.02.2025 for "Coriander Seed Whole Eagle Sortex, MP Origin, New Crop 2024, No Live/Dead Weevils & Rodent Excreta" sold to Gazal Al Khadra Trading Co. LLC, Oman.

and, stated that vide both the sales contract, the goods of Indian origin (first for Gujarat produced & second for MP Produce) were sold to their overseas buyers as they have also mentioned in both the sales contract that the goods of Gujarat Origin or MP Origin are asked to sale from M/s Shreeji Agri Commodity Pvt. Ltd.;

- He confirmed that all the goods, exported by Shreeji Agri Commodity Pvt. Ltd to their overseas clients through his broker firm, were Indian origin, they never sold any imported Coriander seeds to their overseas buyers through his broker firm.

4.7 STATEMENT OF SUPPLIERS WHO SOLD THE CORIANDER SEEDS TO M/S SHREEJI AGRI COMMODITY PVT LTD. TO EXPORT UNDER ADVANCE AUTHORIZATION,

4.7.1 Statement dated 23.06.2025 **(RUD-27)** of **Shri Brijesh Mansukhlal Pateliya, Partner of M/s Vraj Exports situated at Survey No. 35/2, Plot No. 4/5/6, Sukhapur, Janagadh-362037,** recorded under Section 108 of Customs Act, 196, wherein he interalia stated that;

- He and his partner Mr. Bhupatbhai N. Makwana had started and founded the firm i.e. M/s Vraj Exports in the year 2021 as a partnership firm. Both partners looked after all the work related to the firm. The firm was engaged in the sale and purchase of Agri commodities i.e. coriander seeds and groundnut. The said commodities were purchased from various local suppliers and farmers, and after due cleaning and processing, the same was sold to wholesale buyers. The firm was not engaged in the export and import of any goods;

- The firm had factory premises in which there was a cleaning plant and Sortex machine. The firm did not purchase any imported coriander from any other firms;

- He was aware about the firm M/s Shreeji Agri Commodity Pvt Ltd. and its sister concern firm M/s Shreeji Agri Commodity Pvt Ltd. The firm M/s Vraj Exports had sold Indian origin coriander seeds to the said firm through broker M/s Krishna Canvassing LLP, Rajkot. The detail of the same was as under:

Voucher No.	**Inv Date**	***Name of buyers***	***Product***	**Quantity**
TAX/036/24-25	07-May-24	**SHREEJI AGRI COMMODITY PVT LTD**	**Coriander Seeds**	**21000 KGS**
TAX/037/24-25	07-May-24	**SHREEJI AGRI COMMODITY PVT LTD**	**Coriander Seeds**	**21000 KGS**
TAX/061/24-25	27-May-24	**SHREEJI AGRI COMMODITY PVT LTD**	**Coriander Seeds**	**21150 KGS**
TAX/122/24-25	24-Jul-24	**SHREEJI AGRI COMMODITY PVT LTD**	**Coriander Seeds**	**7500 KGS**

- He produced the copies of invoices as mentioned above, along with E-way bills thereof under his dated signature. The above said Indian origin coriander seeds were sold by the firm M/s Vraj Export, Junagadh through broker.

4.7.2 During the course of investigation, **Reply dated 01.07.2025 (RUD--28) of Partner of M/s Tirupati Industries, Junagadh** was received wherein he submitted that his firm M/s Tirupati Industries, Junagadh has sold the Indian Origin/domestically harvested Coriander Seeds to firm M/s Shreeji Agri Commodity Pvt Ltd. His firm has sold total **230.521 MTs** of Indian Origin Coriander seeds to M/s Shreeji Agri Commodity Pvt Ltd., respectively under

various invoices issued by the said firm. They also submitted the copies of the relevant invoices and its e-way bills.

5. SEARCHES CONDUCTED AT THE VARIOUS WAREHOUSES FOR THE TRACKING OF CORIANDER SEEDS IMPORTED by M/s SHREEJI AGRI COMMODITY PVT LTD UNDER ADVANCE AUTHORIZATION.

5.1 Search was conducted at the premises of M/s Shree Shubham Logistic M/s Shree Shubam Logistics Raj Warehouse (Survey No. 3/IP2, Plot No. 36 & 38, RK Industrial Zone-8, Wankaner Road, At Ranpur Kuvadva, Rajkot-360023) vide Panchnama dated 13.06.2025 **(RUD-29)** in the presence of supervisor Shri Ghel Ketan Hemantbhai. The search was focused on the duty-free Coriander imported under Advance Authorization by M/s Shreeji Agri Commodity Pvt. Ltd. During the search, it was noticed that imported Coriander Seed of quantity 131.45 MTs and 21.29 MTs was stored in the name of M/s Times Comtrade Pvt Ltd and M/s Shreeji Global FMCG respectively in the said warehouse which bear a label mentioning the name of importer as Shethji Retail Private Limited, Kuvadva, Rajkot and country of Origin as Russia. The said imported duty free Coriander Seeds were detained and handed over to Supervisor under Supratnama as the said goods are liable for confiscation.

5.2 Search was conducted at the premises of M/s PB Agri Warehouse (Survey No. 143/1 P1, 143/2 P1, RK Industrial Zone No. 12, Plot No. 19 & 20, Wankaner Road, Village Sanosara Kuvadva, Dist. Rajkot-360023) vide Panchnama dated 13.06.2025 (**RUD-30)** in the presence of supervisor Shri Balaviya Amit Suresh Bhai. The search was focused on the duty-free Coriander imported under Advance Authorization by M/s Shreeji Agri Commodity Pvt. Ltd. During the search, it was noticed that imported Coriander Seeds of quantity 286.565 MT and 322.505 Mts was stored in the name of M/s Shreeji Enterprise and M/s Times Comtrade Pvt Ltd respectively in the said warehouse. The said imported duty free Coriander Seeds were detained and handed over to Supervisor under Supratnama as the said goods are liable for confiscation.

5.3 Search was conducted at the premises of M/s Safe Warehouse Chamber No. 1 (Survey No. 251, Plot No. 1, Sub Plot No. 28, Village Jiyana, Wankaner Road, Rajkot) vide Panchnama dated 16.06.2025 **(RUD-31)** in the presence of supervisor Shri Chanpura Vishalkumar Mukeshbhai. The search was focused on the duty-free Coriander imported under Advance Authorization by M/s Shreeji Agri Commodity Pvt. Ltd. During the search, it was noticed that imported coriander of quantity 372.525 MTs and 108.755 MTs were stored in the name of M/s J V Traders, sister concern of M/s Shreeji Enterprise and M/s Times Comtrade Pvt Ltd respectively in the said warehouse. The said duty-free Coriander Seeds were

detained and handed over to Supervisor under supratnama as the said goods are liable for confiscation.

6. SEIZURE OF THE GOODS IMPORTED UNDER ADVANCE AUTHORISATION

6.1 Thus, it is evident from the above that M/s Shreeji Agri Commodity Private Limited had imported Coriander Seeds under Advance Authorization and were diverted the imported Coriander Seeds into the domestic market rather than processing the imported Coriander Seeds as required under provision of the said customs notifications and conditions of Advance Authorization. To fulfill the export obligations arises out of the Advance Authorization, the said importer had procured goods from the domestic market. The searches, conducted at the multiple premises of M/s Shreeji Agri Commodity Private Limited revealed that no duty-free goods i.e. Coriander Seeds imported under Advance Authorization were found at the said premises hence it appears the importer imported the goods under Advance Authorization for the purpose of diversion only.

6.2 During the search conducted at the office premises of M/s Shreeji Agri Commodity Pvt. Ltd., it was observed that goods related to the said firm were stored at various warehouses located in the Rajkot and Gondal industrial areas. Subsequently, during the search at these warehouses, it was found that the duty-free Coriander Seeds imported under Advance Authorization by M/s Shreeji Agri Commodity Pvt. Ltd. were stored either in the name of the firm itself or in the names of other entities. The details are as under;

Sr. No.	**Panchnama Date**	**Warehouse Name**	**Address of Warehouse**	**Commodity Name**	**Quantity Detained (in MTs)**	**Name of Goods Holder firms**
1	13.06.2025	PB Agri Warehouse	Survey No.-143/1, P1, 143/2, P1, RK Industrial Zone No.-12, Plot No. 19 & 20, Wankaner Road, Village-Sanosara	Coriander Seeds (Imported)	286.565	M/s Shreeji Enterprise
				Coriander Seeds (Imported)	322.505	M/s Times Comtrade Pvt. Ltd.

			(Kuvadva), Dist.- Rajkot 360023			
2	16.06.2025	Safe Warehouse	Chamber No. 1, Survey No. 251, Plot No. 1, Sub Plot No. 28, Village Jiyana, Wankaner Road, Dist. Rajkot	Coriander Seeds (Imported)	43.935	M/s JV Traders
				Coriander Seeds (Imported)	108.755	M/s Times Comtrade Pvt. Ltd.
3	13.06.2025	Raj Warehouse	Survey No. 3/IP2, Plot No. 36 and 38, RK Industrial Zone -8, Wankaner Road, At Ranpur, Kuvadva, Rajkot, Gujarat – 3600023	Coriander Seeds (Imported)	21.29	M/s Shreeji Global FMCG (formerly known as M/s Shreeji Agri Commodity Pvt. Ltd.)
				Coriander Seeds (Imported)	131.455	M/s Times Comtrade Pvt. Ltd.
4	30.04.2025	Alpaben Kamleshbhai Parsana Warehosue	251/1& 251/2, Plot No.1-D, Village Jiyana, Dist. Rajkot-360023	Coriander Seeds (Imported)	151.435	M/s Shreeji Agri Commodity Pvt. Ltd.
		Safe Warehouse	Chamber No.1, Survey No.	Coriander Seeds (Imported)	328.59	M/s J. V Traders

			251, Plot No.1, Sub Plot No. 28, Village Jiyana Wankaner Road, Dist. Rajkot.			
		Sanjaykuamr Radheshyam Aggarwal & Nejul Bhagvanjibhai Shah Warehouse	CH-1, Survey No. 239/1, Plot No. 13, RK Industrial Zone-6, Vill. Kuchiyadad, Rajkot, Gujarat-360023	Coriander Seeds (Imported)	6.075	M/s Shreeji Enterprise
5	03.05.2025	Gokul Warehouse		Coriander Seeds (Imported)	72.35	M/s Times Comtrade Pvt. Ltd.
6	28.05.2025		Lancheta – 03, Anida, Gondal, Rajkot-360311	Coriander Seeds (Imported)	87.059	M/s Times Comtrade Pvt. Ltd.

6.3 It was observed that M/s Shreeji Enterprises is a sister concern of M/s Shreeji Agri Commodity Pvt. Ltd., while M/s JV Traders is a family concern of the Director of M/s Shreeji Agri Commodity Pvt. Ltd. Further, the concerned person of M/s Times Comtrade Pvt. Ltd. in his statement stated that M/s Shreeji Agri Commodity Pvt. Ltd. had sold duty-free Coriander Seeds, imported under Advance Authorization, to M/s Times Comtrade Pvt. Ltd. through various tax invoices.

6.4 From the inquiry conducted so far, it has been revealed that M/s Shreeji Agri Commodity Private Limited imported duty-free coriander seeds under Advance Authorization issued by DGFT, in terms of Customs Notification No. 21/2023-Cus dated 01.04.2023. The firm has been availing the benefit of duty exemption under this scheme since 2023.

6.5 However, searches conducted at various premises revealed that 1,560.014 MT of duty-free imported coriander was found stored at locations other than locations specified in the Advance Authorization. Furthermore, it was established that M/s Shreeji Agri Commodity Private Limited had either sold or diverted these duty-free goods into the domestic market, in gross violation of the conditions stipulated under Notification No. 21/2023-Cus dated 01.04.2023 and the provisions of the Customs Act, 1962, hence the goods i.e. Coriander Seeds having total quantity **1,560.014 MTs** and total assessable value approx. **Rs. 9.88 Cr**. were placed under seizure under section 110 of the Customs Act, 1962 vide seizure Memo dated 18.06.2025 **(RUD-32)** as the same were liable to confiscation under Section 111 of the customs act, 1962.

7. COMMUNICATION WITH DGFT, RAJKOT:

7.1 A Letter F.No. DRI/AZU/GI-02/ENQ-44(INT-26)/2025 dated 02.05.2025 **(RUD-33)** has been issued by DRI AZU to DGFT, Ahmedabad wherein it was informed that DRI, AZU had initiated an inquiry against M/s Shreeji Agri Commodity Private Limited (IEC: AAZCS7964F) situated at Office No 1205, The Spire, Twelfth Floor, Ayodhya Chowk, 150ft Ring Road, in relation to diversion of the imported Coriander Seed under Advance Authorization Scheme and further requested not to consider any request made by the M/s Shreeji Agri Commodity Pvt. Ltd regarding modification of Advance Authorization or any other request related to the same.

8. FINAL STATEMENT OF SHRI JITENDRA TULSHIDAS KAKKAD, MANAGING DIRECTOR OF M/S SHREEJI AGRI COMMODITY PVT. LTD.

8.1 Statement dated 07.08.2025 **(RUD-34)** of Shri Jitendra Tulshidas Kakkad, Managing Director of M/s Shreeji Agri Commodity Pvt Ltd. situated at Office no. 1205, The Spire, Near Ayodhya Circle, 150 Feet Ring Road, Rajkot 360007, recorded under Section 108 of Customs Act, 1962, wherein he interalia stated that:

- They have changed their company name from Shreeji Agri Commodity Pvt. Ltd to M/s Shreeji Global FMCG Ltd;

- He perused his earlier statement dated 01.05.2025, statement of Mrs. Pandya Pooja Rajeshbhai and Shri Vishal Aghera dated 30.04.2025 both dated 30.04.2025 and further stated that he agreed with all the facts mentioned in the said statements;

- He perused the Panchnamas dated 29.04.2025 covered the Head Office at Office No. 1205, The Spire, Rajkot; factory premises at Plot No. 72, Kuvadva GIDC, Rajkot, and Plot No. 8, Shreenathji Industrial Estate, Morbi; and a purchase shop

at Shop Cum Godown No. B-182, New Sardar Vallabhbhai Patel Marketing Yard, Rajkot. He also perused the Panchnama dated 30.04.2025 covered a purchase shop at Shop No. B-90, New Sardar Patel Marketing Yard, Gondal, Rajkot and further stated that he agreed with all the facts mentioned in the said Panchnamas;

- He perused the Panchnamas dated 30.04.2025 to 28.05.2025, drawn by DRI at various warehouses storing imported goods of the company, agreeing with the facts mentioned therein. The warehouses included PB Agri Warehouse and Sanjaykumar Radheshyam Aggarwal & Nejul Bhagvanjuibhai Shah Warehouse (30.04.2025), Tushar Harsukhbhai Ambaliya Warehouse (05.05.2025), Star Agri Warehouse (Gokul Warehouse) (03.05.2025), Steinweg Sharaf India Pvt. Ltd. (28.05.2025), M/s Safe Warehouse (16.06.2025), Shree Shubam Logistics, Raj Warehouse (13.06.2025), PB Agri Warehouse (13.06.2025), and Star Agri Warehouse (28.05.2025), all located in Rajkot and Gondal areas;

- He perused the seizure Memo dated 18.06.2025 issued to M/s Shreeji Agri Commodity Pvt. Ltd and others and he stated that goods having total quantity of **1560.014 MT** were seized under the said seizure memo were imported goods which were imported under Advance Authorization by his firm M/s Shreeji Agri Commodity Pvt. Ltd;

- He perused the Panchnama dated 03.05.2025 drawn at M/s Ashutosh Container Services Pvt. Ltd, Survey No. 169 Opp Adani Wilmar Ltd, Dhrub, Mundra Kutch 370421, Gujarat related to examination of import consignment of bill of entry no. 8919048 dated 16.03.2025 and he stated that said consignment was imported by his firm under Advance Authorization from Russia;

- He perused the Panchnama dated 06.05.2025 drawn at M/s Adani Exim Yard, Navinal Island, Mundra-Kutch 370421, Gujarat related to examination of Export consignment of shipping bill no. **1313144 dated 27.04.2025** related to Coriander Seeds to be exported under advance authorization vide 2 containers by his firm M/s Shreeji Agri Commodity Pvt. Ltd, and he stated that he agreed with the contents mentioned in the said Panchnama;

- He perused the Panchnama dated 07.05.2025 drawn at M/s Adani Exim Yard, Navinal Island, Mundra-Kutch 370421, Gujarat related to examination of Export consignment of shipping bill no. **1313141 & 1313145 both dated 27.04.2025** related to Coriander Seeds to be exported under advance authorization vide 2 containers by his firm M/s Shreeji Agri Commodity Pvt. Ltd and he stated that he agreed with the contents mentioned in the said Panchnama;

- He perused the test report dated 10.06.2025 related to test/analysis of samples drawn vide Panchnamas dated 03.05.2025, 06.05.2025 & 07.05.2025

received from ICAR-National Research Centre on Seed Spices, Ajmer and he stated that he agreed with the facts that Export consignment of shipping bill no. 1313141 & 1313145 both dated 27.04.2025 related to Coriander Seeds to be exported under advance authorization for 2 containers respectively by his firm M/s Shreeji Agri Commodity Pvt. Ltd are **INDIAN** origin. He further stated that he agreed with the test report and he had no objection with the same;

- The statement dated **05.05.2025** of **Shri Tarun Garg, Proprietor of M/s Vedic International, Neemuch** recorded under Section 108 of the Customs Act, 1962 was shown to him. In token of having perused and understood the same, he put his dated signature on the last page of said statement. He stated that he agreed with the facts that **M/s** M/s Shreeji Agri Commodity Pvt. Ltd **had sold 158.005 MT of imported coriander seeds to M/s Vedic International** as mentioned in the said statement;

- The statement dated **09.06.2025** of **Shri Naisalkumar Rashikbhai Patel, Proprietor of M/s Madhav Agro, Unjha** recorded under Section 108 of the Customs Act, 1962 was shown to him. In token of having perused and understood the same, he put his dated signature on the last page of said statement. He stated that he agreed with the facts that M/s Shreeji Agri Commodity Pvt. Ltd **had sold 10 MT of imported coriander seeds to** said firm as mentioned in the statement;

- The statement dated **10.06.2025 of Shri Bhavikkumar Patel, Prop of M/s B.S. Commodity & Export, Unjha** recorded under Section 108 of the Customs Act, 1962 was shown to him. In token of having perused and understood the same, he put his dated signature on the last page of said statement. He stated that he agreed with the facts that M/s Shreeji Agri Commodity Pvt. Ltd **had sold 9.605 MT of imported coriander seeds to** said firm as mentioned in the statement;

- The statement dated **23.06.2025 of Shri Bhavesh Bharatbhai Trivedi, Partner of M/s Anant Seeds, Junagadh** recorded under Section 108 of the Customs Act, 1962 was shown to him. In token of having perused and understood the same, he put his dated signature on the last page of said statement. He stated that he agreed with the facts that M/s Shreeji Agri Commodity Pvt. Ltd **had sold 218.460 MT of imported coriander seeds to** said firm as mentioned in the statement;

- The statement dated **25.06.2025** of **Shri Vinay Jain, Partner of M/s Kore International**. recorded under Section 108 of the Customs Act, 1962 was shown to him. In token of having perused and understood the same, he put his dated signature on the last page of said statement. He stated that he agreed with the

facts that M/s Shreeji Agri Commodity Pvt. Ltd **had sold 6.025 MT of imported coriander seeds to** said firm as mentioned in the statement;

- The statement dated **11.07.2025 of Shri Upendrabhai Ratilal Ervadiya, Authorized person of M/s Devdoot Trading Co.** recorded under Section 108 of the Customs Act, 1962 was shown to him. In token of having perused and understood the same, he put his dated signature on the last page of said statement. He stated that he agreed with the facts that M/s Shreeji Agri Commodity Pvt. Ltd **had sold 379.465 MT of imported coriander seeds to** said firm as mentioned in the statement;

- The statement dated **06.05.2025 of Shri Jitendra Kumar Pamecha, Proprietor of M/s Sujay Traders, Neemuch** recorded under Section 108 of the Customs Act, 1962 was shown to him. In token of having perused and understood the same, he put his dated signature on the last page of said statement. He stated that he agreed with the facts that M/s Shreeji Agri Commodity Pvt. Ltd **had sold 59.680 MT of imported coriander seeds to** said firm as mentioned in the statement;

- The statement dated **07.05.2025 of Shri Akshay Airan, Authorized Person of M/s Shiv Bhole Enterprises, Neemuch** recorded under Section 108 of the Customs Act, 1962 was shown to him. In token of having perused and understood the same, he put his dated signature on the last page of said statement. He stated that he agreed with the facts that M/s Shreeji Agri Commodity Pvt. Ltd **had sold 573.19 MT of imported coriander seeds to** said firm as mentioned in the statement;

- The statement dated **03.06.2025 of Shri Jitendra Agrawal, Associate Director of M/s Times Comtrade Pvt. Ltd** recorded under Section 108 of the Customs Act, 1962 was shown to him. In token of having perused and understood the same, he put his dated signature on the last page of said statement. He stated that he agreed with the facts that M/s Shreeji Agri Commodity Pvt. Ltd **had sold 1055 MT of imported coriander seeds to** said firm as mentioned in the statement. He further stated that when they got to know about the inquiry initiated by DRI, they had purchased back the said goods having total quantity of 322.545 MT for the purpose of Export. However, due to financial crunch they were not able to purchase the entire quantity. He further added that the said remaining quantity of 722.21 MT along with the purchased back quantity of 322.545 MT were further seized under seizure memo dated 18.06.2025;

- The statement dated **06.05.2025 of Shri Pankaj Rahi, Proprietor of M/s Pankaj Kumar Neeraj Kumar** recorded under Section 108 of the Customs Act, 1962 was shown to him. In token of having perused and understood the same, he

put his dated signature on the last page of said statement. He stated that he agreed with the facts that M/s Shreeji Agri Commodity Pvt. Ltd **had sold 423.045 MT of imported coriander seeds to** said firm as mentioned in the statement;

➢ The statement **dated 23.06.2025 of Shri Brijesh Mansukhlal Pateliya, Authorized Person of M/s Vraj Exports, Junaghad** recorded under Section 108 of the Customs Act, 1962 was shown to him. In token of having perused and understood the same, he put his dated signature on the last page of said statement. He stated that he agreed with the facts that M/s Shreeji Agri Commodity Pvt. Ltd **had** purchased **70.650 Mts of the Indian origin Coriander** and the said purchased Indian coriander seeds were exported under the advance Authorization to fulfil their export obligation;

➢ The statement dated **09.05.2025** of **Shri Mahesh Dayaldas Chellani, Director of M/s Lancer Spices Pvt. Ltd** recorded under Section 108 of the Customs Act, 1962 was shown to him. In token of having perused and understood the same, he put his dated signature on the last page of said statement. He stated that he agreed with the facts that M/s Shreeji Agri Commodity Pvt. Ltd had sold **42 Mts of the Indian origin Coriander** seeds to the said firm as mentioned in the statement for the purpose of export by mentioning their Advance Authorization Number in their shipping bills;

➢ He reviewed and signed GST e-invoice no. T078/24-25 dated 07.02.2025, documenting the sale of 21 MT of coriander from M/s Tirupati Industries, Junagadh, to M/s Shreeji Agri Commodity Pvt. Ltd., Kuvadva, Gujarat, transported under e-way bill no. 661854652490 (07.02.2025, 03:25 PM) via vehicle no. GJ12BT5442. He also reviewed and signed GST e-invoice no. T-2/24-25/19 dated 07.02.2025, issued for the sale of 21 MT of coriander from M/s Shreeji Agri Commodity Pvt. Ltd. to M/s Lancer Spices Pvt. Ltd., transported from Kuvadva to Mundra under e-way bill no. 651854862674 (07.02.2025, 07:09 PM) using the same vehicle;

➢ He confirmed that the coriander, loaded from Junagadh and transported to Mundra via vehicle no. GJ12BT5442, was exported by M/s Lancer Spices Pvt. Ltd. under shipping bill nos. 8165754 (14.02.2025) and 8237999 (17.02.2025), as per invoices T-2/24-25/18 and T-2/24-25/19 (07.02.2025). He stated and agreed that the coriander sold to M/s Lancer Spices Pvt. Ltd. was entirely of Indian origin, neither imported nor foreign;

➢ The statement dated **26.05.2025** of **Shri Ajay Kumarlal Tahiliani, Partner of M/s Asian Food Industries** recorded under Section 108 of the Customs Act, 1962 was shown to him. In token of having perused and understood the same, he put his dated signature on the last page of said statement. He stated that he

agreed with the facts that M/s Shreeji Agri Commodity Pvt. Ltd had sold **470** Mts of the Indian origin Coriander seeds to the said firm as mentioned in the statement for the purpose of export by mentioning their Advance Authorization Number in their shipping bills;

➢ The statement dated **30.05.2025** of **Shri Pavankumar Babulal Patel, Partner of M/s B P Spices** recorded under Section 108 of the Customs Act, 1962 was shown to him. In token of having perused and understood the same, he put his dated signature on the last page of said statement. He stated that he agreed with the facts that M/s Shreeji Agri Commodity Pvt. Ltd had sold **71** Mts of the Indian origin Coriander seeds to the said firm as mentioned in the statement for the purpose of export by mentioning their Advance Authorization Number in their shipping bills;

➢ The statement dated **07.06.2025** of **Shri Rajesh Thawani, Partner of M/s BSR Overseas LLP** recorded under Section 108 of the Customs Act, 1962 was shown to him. In token of having perused and understood the same, he put his dated signature on the last page of said statement. He stated that he agreed with the facts that M/s Shreeji Agri Commodity Pvt. Ltd had sold **798.73** Mts of the Indian origin Coriander seeds to the said firm as mentioned in the statement for the purpose of export by mentioning their Advance Authorization Number in their shipping bills;

➢ He reviewed and signed documents related to the sale of 21.150 MT of coriander seeds to M/s BSR Overseas LLP for export under Contract No. BSR/547/24-25 (22.02.2025). These include Invoice No. T-3/24-25/27 dated 20.03.2025 for 10.575 MT, transported via vehicle no. GJ12BZ5953 under E-way Bill No. 661875699591 (19.03.2025, 07:36 PM), and Invoice No. T-3/24-25/28 dated 20.03.2025 for 10.575 MT, transported via vehicle no. GJ12BZ2104 under E-way Bill No. 671876033621 (20.03.2025, 02:50 PM), both issued by M/s Shreeji Agri Commodity Pvt. Ltd. for transport from Rajkot to Mundra;

➢ He also reviewed and signed documents evidencing the purchase of 21.150 MT of coriander seeds from M/s Gopal Enterprise, Jiyana, Gujarat. These include Invoice No. GR3698 dated 19.03.2025 for 10.575 MT, transported to M/s Shreeji Agri Commodity Pvt. Ltd.'s Kherva premises via vehicle no. GJ12BZ5953 under E-way Bill No. 611875698296 (19.03.2025, 07:35 PM), and Invoice No. GR3717 dated 20.03.2025 for 10.575 MT, transported via vehicle no. GJ12BZ2104 under E-way Bill No. 631876006113 (20.03.2025, 02:15 PM);

➢ He confirmed that the documents demonstrate that M/s Shreeji Global FMCG Ltd. locally procured 21.150 MT of coriander seeds (10.575 MT each on 19.03.2025 and 20.03.2025) from M/s Gopal Enterprise, as evidenced by the

invoices and e-way bills. These goods were subsequently sold to M/s BSR Overseas LLP for export under the Advance Authorization scheme, as shown by Invoice Nos. T-3/24-25/27 and T-3/24-25/28 dated 20.03.2025, establishing that the coriander was sourced locally and transferred for export purposes;

- The statement dated **01.07.2025** of **Shri Gaurav Bangeja, Director of M/s Saibaba Agrilink Pvt. Ltd** recorded under Section 108 of the Customs Act, 1962 was shown to him. In token of having perused and understood the same, he put his dated signature on the last page of said statement. He stated that he agreed with the facts that M/s Shreeji Agri Commodity Pvt. Ltd had sold **104.49** Mts of the Indian origin Coriander seeds to the said firm as mentioned in the statement for the purpose of export by mentioning their Advance Authorization Number in their shipping bills;

- He reviewed and signed documents related to the export of 21 MT of coriander seeds under Advance Authorization, including a Certificate of Origin (COO) with reference no. 51080 dated 30.11.2024 and Invoice No. T-11/24-25/9 dated 21.11.2024, issued by M/s Shreeji Agri Commodity Pvt. Ltd. to M/s Saibaba Agrilink Pvt. Ltd. These goods were transported via vehicle no. GJ39T8649 under E-way Bill No. 661815233841 (21.11.2024, 08:54 PM) and exported under Shipping Bill No. 5834732 dated 22.11.2024;

- He also reviewed and signed E-way Bill No. 661815230417 (21.11.2024, 08:45 PM) along with Invoice No. GT/213 dated 21.11.2024, issued by M/s Om International, Jetpur, Gujarat, for the sale of 21 MT of coriander seeds to M/s Shreeji Agri Commodity Pvt. Ltd., transported via vehicle no. GJ39T8649 to their Kherva premises. The tracking of this e-way bill confirms the goods were directly transported from Jetpur to Mundra;

- He stated that the documents, including Invoice No. T-11/24-25/9 and E-way Bill No. 661815230417, show that 21 MT of coriander seeds were locally procured by M/s Shreeji Global FMCG Ltd. from M/s Om International on 21.11.2024 and subsequently sold to M/s Saibaba Agrilink Pvt. Ltd. for export under the Advance Authorization scheme. The goods were transported on the same date using the same vehicle, establishing that they were sourced locally and transferred to M/s Saibaba Agrilink Pvt. Ltd. for export under the Advance Authorization scheme;

- The statement dated **09.07.2025** of **Shri Sundar Chhattaram Kotvani, Proprietor of M/s Rise and Shine Overseas** recorded under Section 108 of the Customs Act, 1962 was shown to him. In token of having perused and understood the same, he put his dated signature on the last page of said statement. He stated that he agreed with the facts that M/s Shreeji Agri Commodity Pvt. Ltd had sold

56.01 Mts of the Indian origin Coriander seeds to the said firm as mentioned in the statement for the purpose of export by mentioning their Advance Authorization Number in their shipping bills;

➢ He confirmed sales to third-party exporters (e.g., BSR Overseas LLP, Asian Food Industries) for export under Advance Authorization, but lacked details on quantities of Indian vs. imported coriander seeds. The List of the 3rd Party Exporters are as below:

Exporter Name	**IEC**
BSR OVERSEAS LLP	AARFB9398K
ASIAN FOOD INDUSTRIES	3499001942
M R AGRO INDUSTRIES	805015728
SAIBABA AGRILINK PRIVATE LIMITED	5612002505
B P SPICES	817503331
RISE AND SHINE OVERSEAS	ASQPK3499M
LANCER SPICES PRIVATE LIMITED	3415000273
ROY INTERNATIONAL	2413002715

➢ The statement dated **11.06.2025** of **Shri Divyesh Prabhudas Rajpopat, Concerned Person of M/s Radheshyam Brokers** recorded under Section 108 of the Customs Act, 1962 was shown to him. In token of having perused and understood the same, he put his dated signature on the last page of said statement. He stated that he agreed with the facts that M/s Shreeji Agri Commodity Pvt. Ltd had sold **296** Mts of the Coriander seeds imported under Advance Authorization to various buyers through broker M/s Radheshyam Brokers;

➢ He perused the screenshot at **page no. 10 of WhatsApp group namely SHREEJI RAJKOT-RADHESHYAM** provided by Shri Divyesh Prabhudas Rajpopat during recording of his statement and he stated that he agreed with the facts that the said message was Sauda which was sent by Shri Divyesh Prabhudas Rajpopat after the confirmation of the sale of imported coriander of approx. 20 MT from them to M/s Sumit Trading Company, Kanpur on 10.04.2025;

➢ The statement dated 16.06.2025 of **Shri Pratik Lalikumar Adhiya, Proprietor of M/s Dalal Pratik Lalit Kumar and representative of M/s DSN Agri Brokers** recorded under Section 108 of the Customs Act, 1962 was shown to him. In token of having perused and understood the same, he put his dated signature on the last page of said statement. He stated that he agreed with the facts that M/s Shreeji Agri Commodity Pvt. Ltd had sold **403** Mts of the Coriander seeds imported under Advance Authorization to various buyers through broker M/s Dalal Pratik Lalit Kumar;

➢ The statement dated 01.05.2025 **of Shri Divyesh Ramdas Dasani, Partner of M/s Krishna Canvassing LLP, Rajkot** recorded under Section 108 of the Customs Act, 1962 was shown to him. In token of having perused and understood the same, he put his dated signature on the last page of said statement. He stated that he agreed with the facts that M/s Shreeji Agri Commodity Pvt. Ltd had sold **1802** Mts of the Coriander seeds imported under Advance Authorization to various buyers through broker M/s Krishna Canvassing LLP;

➢ The **statement dated 02.06.2025 of Shri Chiragkumar Jashvantlal Shah, Proprietor of broker firm M/s Sesame & Spices Exim, Rajkot** recorded under Section 108 of the Customs Act, 1962 was shown to him. In token of having perused and understood the same, he put his dated signature on the last page of said statement. He stated that he agreed with the mentioned in the said statement related to sale of Coriander seeds through the said broker firm for export;

➢ He perused the sales contracts SSE/01/25-26 dated 01.04.2025 for coriander seeds (Gujarat origin, Eagle 100% Split Sortex, New Crop 2025) sold to Natvar & Co, Dubai, and SSE/273/24-25 dated 10.02.2025 for coriander seeds (MP origin, Whole Eagle Sortex, New Crop 2024) sold to Gazal Al Khadra Trading Co. LLC, Oman and he stated that the Indian origin goods (first for Gujarat produced & second for MP Produce) were sold and already exported vide the said 2 sales contract by M/s Shreeji Agri Commodity Pvt. Ltd. He further added that he agreed with the facts that all the goods, exported by Shreeji Agri Commodity Pvt. Ltd to overseas clients through broker firm M/s Sesame & Spices Exim, were **Indian origin**;

➢ He acknowledged that during DRI searches, imported coriander seeds were found stored at warehouses not listed in the Advance Authorization, admitting that no intimation was provided to any department for such storage, in violation of Customs Notification 21/2023-Cus dated 01.04.2023, which regulates imports under Advance Authorization. He reviewed and signed this notification, specifically noting Para XII, which prohibits the transfer or sale of duty-free imported goods except for job work under GST conditions, and confirmed that no third-party manufacturer was listed in the Advance Authorization. He admitted to being unaware of the condition prohibiting storage at unauthorized premises, leading to the storage of duty-free imported coriander at such locations;

➢ He agreed that his firm diverted duty-free imported coriander seeds to the local market, violating the Customs Act, 1962, and Notification 21/2023-Cus, but clarified those imports constitute only 10% of their total coriander turnover, denying that the entire quantity was sold locally. He acknowledged a duty liability, stating that the firm has already paid ₹75 lakh towards customs duty and is in

the process of paying the remaining duty despite financial constraints, assuring future compliance.

9. ANALYSIS AND SCRUTINY OF DOCUMENTS AND STATEMENT OF THE CONCERNED PERSONS RELATED IMPORTER M/S SHREEJI AGRI COMMODITY PVT. LTD

9.1 The firm M/s Shreeji Agri Commodity Pvt. Ltd. imported approx. of 7420.676 **MTs** of Coriander Seeds from Russia under different **Advance Authorization licenses issued by DGFT, Rajkot** as mentioned in the relevant Bills of Entry. The DRI examined live import and export consignments under Panchnamas and drew samples and the said samples were tested at ICAR-National Research Centre on Seed Spices, Ajmer (Report No. 25-26/Dir. Cell/339 dated 10.06.2025). The test report in respect of samples drawn for import Bill of Entry 8919048 dated 16.03.2025 (5 containers from Russia) under regular Panchnama dated 03.05.2025 at M/s Ashutosh Container Services Pvt. Ltd., Mundra, confirmed that goods as temperate/cold region origin (non-Indian). And, in respect samples drawn with respect to exports vide Shipping Bills 1313141, 1313145 (27.04.2025, 2 containers each), and 1313144 (27.04.2025, 2 containers) drawn under regular Panchnamas dated 07.05.2025 and 06.05.2025 at M/s Adani Exim Yard, Mundra, the test reports confirmed goods as Indian origin. This discrepancy establishes substitution: **imported non-Indian goods were diverted domestically, while Indian-origin goods were exported under Advance Authorization**, violating physical export requirements and notification conditions. No evidence of processing or utilization for export was found at registered premises, as corroborated by Panchnamas dated 29-30.04.2025, showing absence of imported stock.

9.2 The Coriander seeds imported under Advance Authorization (AA) were stored at unregistered third-party warehouses (e.g., PB Agri, Star Agri, Steinweg, Shree Shubam Logistics) without intimation to the Customs authorities. And, said premises were not mentioned in the various **Advance Authorization licenses issued by DGFT, Rajkot.** The Panchnamas (30.04.2025–28.05.2025) confirmed the storage of imported Coriander seeds. Further, the inward and outward registers resumed during the search at the said 3rd party warehouses corroborated that the goods i.e. imported Coriander seeds were directly transported from Port to said 3rd Party Warehouses. Further, M/s Shreeji Agri Commodity Pvt Ltd sold the imported coriander seeds stored at the various 3rd Party warehouses to the domestic buyers without any processing. For instance, inward entries at safe warehouse operated by M/s Steinweg- Sharaf (India) Pvt. Ltd on 19-21.03.2025 totaling 396.445 MT (242.280 MT on 19.03, 87.555 MT on 20.03, 66.610 MT on 21.03) directly match with Bill of Entry details from Mundra Port, with no processing. The same is corroborated by the vehicle no. mentioned in the e-way

bills issued from Mundra to Kherva and in the inward register maintained in the safe warehouse. Further, on analyzing the outward entries of the safe warehouse, it was noticed that a withdrawal of 18.550 Mts of goods on 28.03.2025 which was transported via vehicle DD01K9046, align precisely with sales invoice KHT-3/24-25/243 dated 28.03.2025 to M/s Devdoot Trading Co. and corresponding e-way bill, proving transfer/sale of the duty-free goods to domestic market from unauthorized locations.

9.3 Further from the analysis of inward and outward registers of various 3rd Party warehouses resumed during the Panchnamas, it was found that M/s Shreeji Agri Commodity Pvt. Ltd issued e-way bill from Mundra Port to Kherva/Rajkot and instead of transporting goods to its registered premises, the goods were transported to the said 3rd party warehouses and the said goods were found to be deposited in the name of M/s. Times Comtrade Private Limited as the vehicle number and details in e-way bill matches with the details mentioned in the inward registers of the warehouses which shows that the imported has sold the duty free goods to M/s Times Comtrade Pvt. Ltd. The list of some of the e-way bills are as below:

Sl. No.	**E-way Bill No.**	**Date**	**Vehicle No.**	**Warehouse Name**
1	611868939300	05-03-2025	GJ11VV7590	Shree Shubham Logistics warehouse
2	651868947941	05-03-2025	GJ33T9118	Shree Shubham Logistics warehouse
3	661868947171	05-03-2025	GJ18AZ0503	Shree Shubham Logistics warehouse
4	671868953030	06-03-2025	GJ12BT8710	Shree Shubham Logistics warehouse
5	681869561161	06-03-2025	GJ37T6768	Shree Shubham Logistics warehouse
6	611870150225	07-03-2025	GJ12BX7011	Shree Shubham Logistics warehouse
7	671870154506	07-03-2025	GJ10TX6530	Shree Shubham Logistics warehouse
8	681870149448	07-03-2025	GJ12BZ8901	Shree Shubham Logistics warehouse
9	691870155349	07-03-2025	GJ10TX8076	Shree Shubham Logistics warehouse
10	641870165116	07-03-2025	GJ12BA9721	P B Agri Warehouse
11	631877574875	22-03-2025	GJ11VV2011	P B Agri Warehouse

9.4 Perusal of inward–outward registers resumed during the **search proceedings conducted on 30.04.2025** at the warehouses of **P.B. Agri, Safe Warehouse, Alpaben Parsana Warehouse and Sanjaykumar Aggarwal Warehouse**, coupled with corresponding e-way bills resumed under the same **Panchnamas**, revealed that consignments of imported coriander seeds transported from **Saurashtra CFS, Mundra Port** were not delivered to the registered premises of M/s Shreeji Agri Commodity Pvt. Ltd. as declared in e-way bills. Instead, the goods were diverted and delivered to third-party storage facilities. One such specific instance is recorded in the **inward–outward register resumed from Safe Warehouse under Panchnama dated 30.04.2025** where **E-way Bill No. 601875154740 dated 18.03.2025** covering 22 MT of coriander seeds, though declared as destined for Plot No. 8, Shreenathji Industrial Estate, Kherva, actually entered in the warehouse register as received at Safe Warehouse, Village Jiyana. This fact was further corroborated in the **statement of Shri Vishal Aghera, Executive of Shreeji, recorded on 30.04.2025 under Section 108 of the Customs Act (RUD-35)**, wherein he admitted that due to lack of space at Shreeji's registered factory premises, imported consignments were diverted to private warehouses. **These documentary evidences, supported by the warehouse registers and corroborative admission in statement clearly establish the diversion of duty-free imported goods to unauthorized premises**.

9.5 Perusal of sales invoices issued by M/s Shreeji Agri Commodity Pvt. Ltd. to M/s Times Comtrade Pvt. Ltd. covering 455.86 MT of coriander seeds (invoice details resumed under Panchnama) confirmed the sale of imported duty-free coriander seeds in the domestic market. The corresponding inward entries in warehouse registers of P.B. Agri Warehouse further corroborate that these imported consignments were not utilized in manufacture of export goods but were sold to domestic buyers in contravention of Advance Authorization conditions.

9.6 The WhatsApp chats retrieved from the mobile phone of Shri Vishal Jayantilal Aghera, Executive of M/s Shreeji Agri Commodity Pvt. Ltd., confirmed negotiations and sale of imported coriander seeds to M/s Dev Traders, Kanpur and to M/s Pankaj Kumar Neeraj Kumar, Neemuch. The chats specifically mentioned "imported coriander" and confirmed the prices. These digital evidences are admissible as Relied Upon Documents (RUDs) under Section 138C of the Customs Act, 1962. Shri Vishal Jayantilal Aghera, in his statement dated 30.04.2025, admitted that imported goods received from the port were never delivered to the registered premises of M/s Shreeji Agri Commodity Pvt. Ltd. due to lack of storage space and were instead diverted to third-party warehouses. He also admitted that imported coriander seeds were directly sold to domestic buyers on the basis of confirmations received from brokers.

9.7 Shri Jitendra Tulsidas Kakkad, Managing Director of M/s Shreeji Agri Commodity Pvt. Ltd., admitted in his statement dated 01.05.2025 that imported duty-free coriander seeds were stored at third-party warehouses without any intimation to the Customs authorities and that Indian-origin coriander seeds were exported under the Advance Authorization scheme. He accepted full ownership of all the seized goods. He further acknowledged that Notification No. 21/2023-Customs prohibits such transfer or sale of duty-free imported goods, yet he deliberately diverted the imported coriander seeds in violation of the conditions of the scheme. This admission provides conclusive evidence of mens rea.

9.8 The statement dated 02.06.2025 of **Shri Chiragkumar Jashvantlal Shah**, Proprietor of broker firm **M/s Sesame & Spices Exim, Rajkot**, recorded under Section 108 of the Customs Act, 1962, corroborates the fact that the order given through his firm to M/s Shreeji Agri Commodity Pvt. Ltd. to export of the coriander seeds were of **Indian origin coriander seeds**. He categorically affirmed that the sales contracts SSE/01/25-26 dated 01.04.2025 for coriander seeds of Gujarat origin and SSE/273/24-25 dated 10.02.2025 for coriander seeds of Madhya Pradesh origin pertained exclusively to domestic produce, which had already been exported to overseas buyers namely **M/s Natvar & Co., Dubai** and **M/s Gazal Al Khadra Trading Co. LLC, Oman**. His admission that all the goods exported through his broker firm for M/s Shreeji Agri Commodity Pvt. Ltd. were of Indian origin directly negates any claim of export of duty-free imported coriander seeds and establishes that Indian origin goods were shown as exports under the Advance Authorization scheme while the imported duty-free coriander seeds were diverted for unauthorized sale in the domestic market.

10. ANALYSIS AND SCRUTINY OF EXPORT DOCUMENTS OF M/S. SHREEJI AGRI COMMODITY PVT. LTD

It is evident from the documents that M/s. Shreeji Agri Commodity Pvt. Ltd. has diverted the imported coriander seeds at local/domestic market and they had acquired Indian Origin coriander from local/domestic market and exported either directly or through 3rd party exporters, towards fulfilment of export obligation arising out of the duty free import under various advance licenses. The export of Indian Origin coriander seeds by M/s. Shreeji Agri Commodity Pvt. Ltd. established on the basis of the test report of the samples drawn from the goods presented for export. The Test Report clearly states that the goods presented for export is Indian Origin goods. Further, M/s. Shreeji Agri Commodity has also exported Indian Brand coriander seeds as mentioned at the description of the goods at Shipping Bills. Accordingly, it is evident that M/s. Shreeji Agri Commodity Pvt. Ltd. had directly exported 3361.945 MTs of Coriander Seeds valued at Rs. 26,52,92,736/- in various shipping bills, as per annexure 'B' towards fulfilment of export obligation of various Advance Licenses. Such

conduct amounts to gross violation of the conditions prescribed under Notification No. 21/2023-Cus dated 01.04.2023, clearly establishing deliberate misuse of the scheme to derive unlawful commercial benefits.

ANALYSIS OF SCRUTINY OF DOCUMENT PRODUCED BY THE THIRD PARTY EXPORTERS, WHO HAD EXPORTED THE CORIANDER SEEDS UNDER ADVANCE AUTHORIZATIONS OF M/S SHREEJI AGRI COMMODITY PVT. LTD.

11.1 On scrutiny of the export documents produced by M/s Lancer Spices Pvt. Ltd., particularly invoices T-2/24-25/18 and T-2/24-25/19 dated 07.02.2025, it was noticed that coriander seeds purchased from Shreeji were exported under Shipping Bills 8165754 dated 14.02.2025 and 8237999 dated 17.02.2025. The attached contracts and Certificates of Origin categorically mention "Indian Origin Coriander." However, the shipping bills also carried the Advance Authorization No. 3411005771 of Shreeji. These documents establish clear misuse of Shreeji's Advance Authorization for export of Indian origin goods. Shri Mahesh Dayaldas Chellani, Director of M/s Lancer Spices Pvt. Ltd., admitted in his voluntary statement dated 09.05.2025 that the coriander exported under the above shipping bills was entirely of Indian origin, procured through Shreeji, and not imported material. He explained that inclusion of Shreeji's Advance Authorization number was done on Shreeji's request against a 2% price concession. This statement squarely confirms the misuse of authorization.

11.2 The examination of purchase and export documents produced by M/s Asian Food Industries, including invoices and shipping bills covering substantial quantities of coriander seeds, revealed that although the goods were of **Indian origin** as evidenced by the sales contracts and Certificates of Origin resumed under Panchnama dated 30.04.2025, the said exports were nevertheless filed under **Advance Authorization No. 2411002810 issued to M/s Shreeji Agri Commodity Pvt. Ltd.** as confirmed in the statement of Shri Ajay Kumarlal Tahiliani, Partner of M/s Asian Food Industries, recorded on 26.05.2025 under Section 108 of the Customs Act, 1962. Shri Ajay Kumarlal Tahiliani categorically admitted that his firm purchased Indian origin coriander seeds from Shreeji at **discounted rates on the specific condition that the shipping bills must reflect Shreeji's Advance Authorization number.** This admission demonstrates that Shreeji, fully aware of the ineligibility of Indian origin goods under the scheme, **knowingly induced third-party exporters to misuse its Advance Authorizations** in order to show fulfillment of export obligations, while retaining and diverting duty-free imported stock in the domestic market.

11.3 The scrutiny of invoices BP/EXP-176/24-25 dated 02.10.2024 and BP/EXP-172/24-25 dated 30.09.2024 issued by M/s BP Spices showed export of

71 MT of coriander seeds under Shipping Bills 4580703 and 4477403. The sales contracts attached with these consignments described the goods as "**Indian Origin Coriander Seeds,** HS Code 09092190." However, in the shipping bills the same goods were declared as "**Coriander Sterilize**" only to match the conditions of Advance Authorization No. 2411002972 issued to M/s Shreeji Agri Commodity Pvt. Ltd. These documents, resumed during investigation, clearly prove mis-declaration of origin and description. In his statement dated 30.05.2025, Shri Pavankumar Babulal Patel, Partner of M/s BP Spices, admitted that the goods were never sterilized and that they were entirely of Indian origin. He further stated that the description was changed only because M/s Shreeji Agri Commodity Pvt. Ltd. required their authorization number to be used, and in return M/s Shreeji Agri Commodity Pvt. Ltd. supplied the goods at discounted rates.

11.4 The scrutiny of contracts and export invoices of M/s BSR Overseas LLP, such as Contract No. BSR/613/24-25 dated 12.03.2025 and Invoice No. BSR/023-B/25-26 dated 03.04.2025, established that the goods supplied by M/s Shreeji Agri Commodity Pvt. Ltd. were "Coriander Whole Double Parrot, New Crop-2025" of Indian origin. However, the export Shipping Bill No. 9709139 dated 05.04.2025 linked the consignment to M/s Shreeji Agri Commodity Pvt. Ltd.'s Advance Authorization No. 2411004124 and declared origin as "Russia." This documentary contradiction, supported by COO certificates showing "India," is a clear proving substitution. Shri Rajesh Thawani, partner of M/s BSR Overseas LLP, in his statement dated 07.06.2025 admitted that the goods were Indian origin and declaration of "Russia" was made under instruction of M/s Shreeji Agri Commodity Pvt. Ltd. to avail discount. He also admitted that Double Parrot quality coriander is exclusive to Gujarat and never imported, further proving that the exports were not of imported material.

11.5 The documents of M/s Roy International, including Invoice Nos. T-10/24-25/5 to 8 dated 03.10.2024 and Sales Contract No. RI242501026 dated 23.09.2024, show that 40 MT of coriander seeds were purchased from M/s Shreeji Agri Commodity Pvt. Ltd. and exported to Malaysia under Shipping Bill No. 4655619 dated 07.10.2024 by using Advance Authorization No. 2411002973 of M/s Shreeji Agri Commodity Pvt. Ltd.. The Certificate of Origin issued by Gondal Chamber of Commerce certified the goods as of Indian origin, yet in the shipping bill the same goods were wrongly declared as of Russian origin only to match description of the Advance authorization. In his statement dated 30.06.2025, Shri Hiteshbhai Mohanbhai Rayani, Partner of M/s Roy International, admitted that all documents confirmed Indian origin. He also failed to produce any evidence in support of Russian origin. This makes it clear that Advance Authorization of M/s Shreeji Agri Commodity Pvt. Ltd. was used deliberately for exports of Indian origin goods.

11.6 The scrutiny of invoices T-11/24-25/9 dated 21.11.2024, T-3/24-25/25 dated 18.03.2025, and T-4/25-26/1 to 4 dated 01.04.2025 issued by M/s Shreeji Agri Commodity Pvt. Ltd. to M/s Saibaba Agrilink Pvt. Ltd. revealed purchase of about 104 MT coriander seeds which were subsequently exported under Shipping Bills 5834732, 9655455, 9655427, and 9128332. The COO for said Shipping bills certified the goods as of Indian origin, whereas shipping bills under M/s Shreeji Agri Commodity Pvt. Ltd.'s authorization declared Russian origin. Shri Gaurav Bangeja, Director of M/s Saibaba Agrilink Pvt. Ltd., admitted in his statement dated 01.07.2025 that the goods were Indian origin, procured from local supplier and transported directly to Mundra Port. He confirmed that Russian origin was declared in shipping bills only to fulfillment of the export obligation of advance authorization of M/s Shreeji Agri Commodity Pvt. Ltd.

11.7 M/s Rise and Shine Overseas exported about 56 MT of coriander seeds which were purchased from M/s Shreeji Agri Commodity Pvt. Ltd. under Invoice No. KHT-12/23-24/61 dated 12.12.2023 and Invoice Nos. T-2/23-24/21 and 33 both dated 14.02.2024. The export consignments covered under Shipping Bill Nos. 7324758, 7556461 and 5980043 were supported by contracts and Certificates of Origin, all of which clearly certified the goods as of **Indian origin**. However, despite this, the exports were shown under **Advance Authorization No. 2411002592 of** M/s Shreeji Agri Commodity Pvt. Ltd.**.** In his statement dated 09.07.2025, **Shri Sundar Kotvani, Proprietor of M/s Rise and Shine Overseas,** admitted that every document related to the export transaction described the goods as of Indian origin. He further confirmed that he did not possess any document or communication to show that the goods were of Russian origin. He categorically stated that all the goods purchased from M/s Shreeji Agri Commodity Pvt. Ltd. and later exported by his firm were of Indian origin, which proves that the use of advance authorization against export of Indian origin goods in the shipping bills was only at the instance of M/s Shreeji Agri Commodity Pvt. Ltd. for misuse of its Advance Authorization.

11.8 M/s M.R. Agro India Pvt. Ltd. exported a total of 273 MT of coriander seeds under Shipping Bill Nos. 8276575, 8287807 and 9413999, wherein the exports were shown under **Advance Authorization No. 2411002973 of M/s Shreeji Agri Commodity Pvt. Ltd.** The supporting documents, namely Invoices MRA2324386/87 and the Certificates of Origin, clearly certified the goods as of **Indian origin.** Despite this, in the shipping bills the same goods were declared as **"Coriander Sterilize"** only to match the description prescribed in Shreeji's authorization. In his statement dated 17.07.2025, **Shri Miteshkumar Patel, Director of M/s M.R. Agro India Pvt. Ltd.,** admitted that the goods exported by his firm were entirely of Indian origin and not sterilized. He further stated that M/s Shreeji Agri Commodity Pvt. Ltd. supplied these goods at a discounted rate

of 2% on the condition that their Advance Authorization number would be reflected in the shipping bills.

12. ANALYSIS AND SCRUTITY OF DOCUMENTS PRODUCED BY DOMESTIC SUPPLIER OF CORRIANDER SEEDS TO M/S. SHREEJI AGRI COMMODITY PVT. LTD.

On scrutiny of the the stock ledger of M/s. Shreeji Agri Commodity Private Limited it is evident that M/s. Shreeji Agri Commodity Pvt. Ltd. has acquired coriander seeds locally from various local/domestic suppliers viz. M/s. Vraj Exports , M/s. Tirupati Industires, etc. and the same was confirmed by these firms during their statements recorded under section 108 of Customs Act, 1962 and further Shreeji Agri Commodity Private Limited have sold the same to the various third party exportesrs at discounted rate to be exported on behalf of M/s. Shreeji Agri Commodity Pvt. Ltd. for the purpose of fulfilling export obligation under advance authorization which is gross violation of norms of the Advance Authorisation Scheme.

13. ANALYSIS OF SCRUTINY OF DOCUMENT PRODUCED BY BUYERS OF IMPORTED CORIANDER SEEDS IMPORTED UNDER ADVANCE AUTHORIZATIONS AND FURTHER SOLD BY M/S SHREEJI AGRI COMMODITY PVT. LTD.

13.1 The scrutiny of GST invoices KHT-1/24-25/209 dated 29.01.2025, KHT-2/24-25/95 dated 13.02.2025, KHT-3/24-25/181 dated 21.03.2025 and others issued by M/s Shreeji Agri Commodity Pvt. Ltd. to M/s **Vedic International** established the sale of 158 MT of coriander seeds in the domestic market. These invoices, along with WhatsApp chat transcripts produced by Shri Tarun Garg, Proprietor of M/s Vedic International, provide clear evidence of diversion of imported duty-free goods. In his statement dated 05.05.2025, Shri Tarun Garg admitted that the goods purchased from M/s Shreeji Agri Commodity Pvt. Ltd. were imported and not of Indian origin. He further stated that although he did not verify whether the consignments were duty-paid or duty-free, he confirmed that all the goods supplied by M/s Shreeji Agri Commodity Pvt. Ltd. to his firm were imported coriander seeds.

13.2 **T**he scrutiny of invoices issued by M/s Shreeji Agri Commodity Pvt. Ltd. to **M/s Pankaj Kumar Neeraj Kumar** established that a total of 420 MT of imported coriander seeds were sold in the domestic market. These invoices clearly indicate that the supplies made by M/s Shreeji Agri Commodity Pvt. Ltd. to M/s Pankaj Kumar Neeraj Kumar were of imported coriander seeds. In his statement dated 06.05.2025, Shri Pankaj Rahi, Proprietor of M/s Pankaj Kumar Neeraj Kumar, admitted that his firm had purchased only imported coriander seeds from

M/s Shreeji Agri Commodity Pvt. Ltd. through brokers. He further confirmed that the coriander seeds supplied under these invoices were not of Indian origin. The invoices issued by M/s Shreeji Agri Commodity Pvt. Ltd. and the statement of Shri Pankaj Rahi together provide clear evidence of diversion of imported coriander seeds into the domestic market in violation of the conditions of import under Advance Authorization.

13.3 The investigation revealed that **M/s Sujay Traders**, a proprietorship firm engaged in trading Agri-commodities, purchased a total of 59.680 MT of imported coriander seeds from M/s Shreeji Agri Commodity Pvt. Ltd. between November 2024 and March 2025, through brokers M/s Krishna Canvassing LLP, Rajkot and M/s Radhey Shyam Brokers, Junagadh. It was specifically confirmed that all purchases from M/s Shreeji Agri Commodity Pvt. Ltd. were of imported coriander seeds only, and not of domestic origin which confirmed and established that Shreeji Agri Commodity Pvt. Ltd. sold imported coriander into the domestic market.

13.4 During enquiry, it was established that **M/s Shiv Bhole Enterprises**, a proprietorship concern dealing in agricultural commodities, purchased about 573.19 MT of coriander seeds from M/s Shreeji Agri Commodity Pvt. Ltd. between March 2024 and April 2025 through broker M/s Krishna Canvassing LLP, Rajkot. Out of this, about 523 MT were confirmed to be imported coriander seeds only, and not of domestic origin, thereby evidencing that duty-free imported goods were released into the domestic channel by Shreeji Agri Commodity Pvt. Ltd.

13.5 Scrutiny of records and statements showed that **M/s Times Comtrade Pvt. Ltd.,** a trading company without processing facility, purchased about 1055 MT of imported coriander seeds from M/s Shreeji Agri Commodity Pvt. Ltd. from February 2025 onwards. The goods were confirmed to be imported duty-free consignments obtained under Advance Authorization, which were resold to them by M/s Shreeji Agri Commodity Pvt. Ltd. in contravention of scheme conditions, thus clearly demonstrating diversion of imported goods into the local market.

13.6 Examination of the transactions brought out that **M/s Madhav Agro Industries**, a trading concern, purchased 10 MT of imported coriander seeds from M/s Shreeji Agri Commodity Pvt. Ltd. in June 2024 through broker M/s Krishna Canvassing LLP, Rajkot. The transaction involved imported coriander seeds only, which indicates that Shreeji engaged in direct domestic sale of imported consignments.

13.7 The statement of the proprietor confirmed that **M/s B.S. Commodity & Export,** engaged in trading agricultural commodities, purchased 9.605 MT of imported coriander seeds from M/s Shreeji Agri Commodity Pvt. Ltd. in May 2024

through broker M/s Krishna Canvassing LLP, Rajkot. The purchase was of imported coriander only, reaffirming the fact that imported consignments were disposed of by way of sale in the domestic market by M/s Shreeji Agri Commodity Pvt. Ltd.

13.8 Verification of evidences established that **M/s Anant Seeds**, a partnership firm, purchased 218.460 MT of imported coriander seeds from M/s Shreeji Agri Commodity Pvt. Ltd. during December 2023 to February 2024 through broker M/s Dalal Pratik Lalit Kumar. These purchases related exclusively to imported coriander, which substantiates the fact that M/s Shreeji Agri Commodity Pvt. Ltd. offloaded duty-free imported goods into the domestic trade.

13.9 It was also confirmed that **M/s Kore International**, a trading firm, purchased 6.125 MT of imported coriander seeds from M/s Shreeji Agri Commodity Pvt. Ltd. on 01.06.2025 through broker M/s Bajrang Broker, Rajkot. The confirmation that only imported coriander was purchased highlights yet another instance of diversion of imported consignments into domestic sales by M/s Shreeji Agri Commodity Pvt. Ltd.

13.10 Further, evidence on record indicated that **M/s Devdoot Trading Co.,** a trading firm, purchased 379.465 MT of imported coriander seeds from M/s Shreeji Agri Commodity Pvt. Ltd. during 2024–25 through broker M/s Krishna Canvassing LLP, Rajkot. Correlation with warehouse records established that these were imported consignments moved directly from port to third-party warehouses and subsequently sold in the local market, confirming large-scale diversion of imported coriander by M/s Shreeji Agri Commodity Pvt. Ltd.

13.11 The enquiry also established that **M/s Gangaram Lalludas Patel,** a trading concern, purchased about 143 MT of imported coriander seeds from M/s Shreeji Agri Commodity Pvt. Ltd. between July 2023 and April 2025. The purchases were confirmed as imported origin only, thereby reinforcing the consistent pattern of M/s Shreeji Agri Commodity Pvt. Ltd. releasing imported consignments into the domestic market.

13.12 The cumulative examination of documentary evidence and recorded statements brings out a clear and consistent modus operandi adopted by M/s Shreeji Agri Commodity Pvt. Ltd. The firm systematically diverted imported duty-free coriander seeds into the domestic market in contravention of the exemption conditions and, at the same time, exported locally procured Indian origin coriander seeds under the cover of Advance Authorizations. The evidence further indicates that discounts were extended to exporters to facilitate such exports, thereby creating a façade of compliance while misusing the scheme.

13.13 The findings are amply supported by Panchnamas, GST invoices, e-way bills, warehouse registers, sales contracts, Certificates of Origin, laboratory test reports, WhatsApp chat transcripts, and the voluntary statements of key functionaries of the firm. Taken together, this body of evidence conclusively establishes that M/s Shreeji Agri Commodity Pvt. Ltd. deliberately violated the provisions of Notification No. 21/2023-Cus by misusing the Advance Authorization scheme. The pattern of substitution of goods, diversion of duty-free imports, and concealment of the true origin of exported consignments demonstrates a calculated intent to defraud revenue and to unlawfully benefit from export promotion incentives.

14 QUANTIFICATION OF IMPORTED GOODS AND DIVERSION THEREOF AND VOLUNTARILY PAYMENT OF DUTY:-

14.1 After scrutiny of records, it was observed that M/s Shreeji Agri Commodity Pvt. Ltd., Rajkot had imported duty free goods under advance authorization through Mundra Port (INMUN1) and Nhava Sheva Port (INNSA1). The details of the import clearances made are mentioned as under:-

CUSTOM HOUSE CODE	BE NUMBER	BEDATE	ITEMDESCRIPTION	QUANTITY	ITEM WISE ASSVALUE	LICENCE NUMBER	LICENCE DATE
INMUN1	2056562	08-02-2024	CORIANDER SEEDS SPLIT.	110	4529118.24	2411003223	30-01-2024
INMUN1	2240663	21-02-2024	CORIANDER SEEDS	87.964	4365975.87	2411002810	04-10-2023
INMUN1						2411002899	30-10-2023
INMUN1						2411002901	30-10-2023
INMUN1	2258650	23-02-2024	CORIANDER SEEDS	109.62	5461050	2411003250	06-02-2024
INMUN1	2258717	23-02-2024	CORIANDER SEEDS	109.98	5478984	2411002899	30-10-2023
INMUN1						2411003250	06-02-2024
INMUN1	3461100	13-05-2024	SPLIT CORIANDER SEEDS	122.9	5084371.12	2411003223	30-01-2024

INMUN1	3803095	03-06-2024	SPLIT CORIANDER SEEDS	66	2730418.99	2411003223	30-01-2024
INMUN1	6555505	07-11-2024	CORIANDER SEEDS	110.28	6944206.87	2411003972	28-10-2024
INMUN1	6555888	07-11-2024	CORIANDER SEEDS	109.54	6897609.9	2411003972	28-10-2024
INMUN1	6555985	07-11-2024	CORIANDER SEEDS.	109.93	6261114.91	2411003972	28-10-2024
INMUN1	6556273	07-11-2024	CORIANDER SEEDS	108.9	6679562.37	2411003972	28-10-2024
INMUN1	6563652	24-06-2023	CORIANDER SEEDS	109.225	5704495.99	2411002444	12-06-2023
INMUN1	6627182	28-06-2023	CORIANDER SEEDS	106.85	5107888.09	2411002444	12-06-2023
INMUN1	6677371	01-07-2023	CORIANDER SEEDS	106.25	5441718.28	2411002444	12-06-2023
INMUN1	7114834	07-12-2024	CORIANDER SEEDS	88.72	5609579.34	2411003918	07-10-2024
INMUN1	7460125	21-08-2023	CORIANDER SEEDS	107.25	5641693.47	2411002592	01-08-2023
INMUN1	7659766	03-09-2023	CORIANDER SEEDS	109.7	5798323.75	2411002592	01-08-2023
INMUN1	7745135	09-09-2023	CORIANDER SEEDS	110	5640386.43	2411002592	01-08-2023
INMUN1	7745156	09-09-2023	CORIANDER SEEDS	105.925	5513290.33	2411002592	01-08-2023
INMUN1	7747099	11-01-2025	CORIANDER SEEDS	220	14003220	2411003972	28-10-2024
INMUN1	7785860	14-01-2025	CORIANDER SEEDS	110	6955146.94	2411003972	28-10-2024
INMUN1	7806815	16-01-2025	CORIANDER SEEDS	66	4219327.37	2411004124	18-12-2024
INMUN1	7806874	16-01-2025	CORIANDER SEEDS	43.932	2808537.72	2411004124	18-12-2024
INMUN1	7826477	16-01-2025	CORIANDER SEEDS	130.588	8348386.7	2411004124	18-12-2024
INMUN1	7827352	16-01-2025	CORIANDER SEEDS	65.549	4219197.9	2411004124	18-12-2024
INMUN1	7898648	20-01-2025	CORIANDER SEEDS	86.7	5802995.47	2411004124	18-12-2024

INMUN1	7921781	21-09-2023	CORIANDER SEEDS	109.975	5816493.15	2411002592	01-08-2023
INMUN1	7962402	24-01-2025	SPLIT CORIANDER SEEDS	68.5	3507860.29	2411004216	16-01-2025
INMUN1	7962446	24-01-2025	CORIANDER SEEDS	111.4	7566305.06	2411004124	18-12-2024
INMUN1	7962467	24-01-2025	CORIANDER SEEDS	110.2	7573905.65	2411004124	18-12-2024
INMUN1	7962505	24-01-2025	CORIANDER SEEDS	110	7560159.91	2411004124	18-12-2024
INMUN1	7962553	24-01-2025	CORIANDER SEEDS	110	7042035	2411004124	18-12-2024
INMUN1	8059763	28-09-2023	CORIANDER SEEDS	109.425	6071457.41	2411002592	01-08-2023
INMUN1	8257457	08-02-2025	CORIANDER SEEDS	110	7622847.8	2411004228	21-01-2025
INMUN1	8280631	10-02-2025	CORIANDER SEEDS	109.3	7524507.59	2411004228	21-01-2025
INMUN1	8381785	19-10-2023	CORIANDER SEEDS	110	5803594.09	2411002810	04-10-2023
INMUN1	8381786	19-10-2023	CORIANDER SEEDS	109.35	5797216.09	2411002810	04-10-2023
INMUN1	8381787	19-10-2023	CORIANDER SEEDS	109.275	5793239.94	2411002810	04-10-2023
INMUN1	8395836	17-02-2025	CORIANDER SEEDS	110	7198045.14	2411004124	18-12-2024
INMUN1	8402835	20-10-2023	CORIANDER SEEDS	109.75	5909721.52	2411002810	04-10-2023
INMUN1	8495262	21-02-2025	CORIANDER SEEDS	101.94	6784401.67	2411004228	21-01-2025
INMUN1	8495263	21-02-2025	CORIANDER SEEDS	80.32	5161642.01	2411004228	21-01-2025
INMUN1	8495264	21-02-2025	CORIANDER SEEDS	107.734	7459677.49	2411004228	21-01-2025
INMUN1	8495265	21-02-2025	CORIANDER SEEDS	218.463	14869678.04	2411004228	21-01-2025
INMUN1	8495266	21-02-2025	CORIANDER SEEDS	100.44	6328061.81	2411004228	21-01-2025
INMUN1	8495281	21-02-2025	CORIANDER SEEDS	108.551	7516247.9	2411004228	21-01-2025

INMUN1	8503927	27-10-2023	SPLIT CORIANDER SEEDS	44	2004366.27	2411002670	23-08-2023
INMUN1	8560471	31-10-2023	SPLIT CORIANDER SEEDS	108	4827849.08	2411002670	23-08-2023
INMUN1	8560537	31-10-2023	CORIANDER SEEDS	109.5414	5941393.89	2411002810	04-10-2023
INMUN1	8652340	06-11-2023	CORIANDER SEEDS	110.98	6015847.35	2411002899	30-10-2023
INMUN1	8652456	06-11-2023	CORIANDER SEEDS	110.25	6220206.2	2411002899	30-10-2023
INMUN1	8652533	06-11-2023	CORIANDER SEEDS	109.75	6191996.64	2411002899	30-10-2023
INMUN1	8652655	06-11-2023	CORIANDER SEEDS	110.05	5922356.72	2411002899	30-10-2023
INMUN1	8670400	08-11-2023	CORIANDER SEEDS	109.725	5910468.72	2411002901	30-10-2023
INMUN1	8715523	05-03-2025	CORIANDER SEEDS	109.78	7154207.87	2411004124	18-12-2024
INMUN1						2411004228	21-01-2025
INMUN1	8852789	20-11-2023	CORIANDER SEEDS	109.925	5777932.81	2411002972	13-11-2023
INMUN1	8907695	23-11-2023	CORIANDER SEEDS	224.25	12391577.18	2411002972	13-11-2023
INMUN1	8919048	16-03-2025	CORIANDER SEEDS	110	7531261.08	2411004331	28-02-2025
INMUN1	8925730	24-11-2023	CORIANDER SEEDS	109.7	5905611.42	2411002973	13-11-2023
INMUN1	9196194	12-12-2023	CORIANDER SEEDS	107.9	5702945.79	2411002973	13-11-2023
INMUN1	9417178	27-12-2023	CORIANDER SEEDS	220	11652128.13	2411002592	01-08-2023
INMUN1						2411002810	04-10-2023
INMUN1						2411002972	13-11-2023
INMUN1						2411002973	13-11-2023

INNSA1	2917915	17-10-2022	CORIANDER SEEDS	21.897	1490399.24	2206000524	01-06-2022
INNSA1						2210005215	08-10-2022
INNSA1	6610015	27-06-2023	CORIANDER SEEDS	110.25	5860008.01	2411002444	12-06-2023
INNSA1	8382729	19-10-2023	CORIANDER SEEDS	109.75	5906212.18	2411002810	04-10-2023
INNSA1	8652792	06-11-2023	CORIANDER SEEDS	220	12259603	2411002901	30-10-2023
INNSA1	8687669	09-11-2023	CORIANDER SEEDS	108.45	5910958.21	2411002901	30-10-2023
INNSA1	8855014	20-11-2023	CORIANDER SEEDS	110.052	6205344.22	2411002972	13-11-2023
INNSA1	9349000	21-12-2023	CORIANDER SEEDS	110	6147999	2411002973	13-11-2023
				7420.6764	427084370.6		

14.2. After scrutiny of import data and records, it was observed that M/s Shreeji Agri Commodity Pvt. Ltd. had imported 7420.67 MT of goods, i.e., Coriander Seeds, valued at Rs. 42,70,84,370/- (Rupees Forty-Two Crores Seventy Lakhs Eighty-Four Thousand Three Hundred and Seventy only) under the Advance Authorization Scheme through **Mundra and Nhava Sheva Port** during the period from **June 2022 to Feb, 2025,** as detailed in Annexure-A. Further, during inquiry, total **3150** MT quantity of duty-free imported coriander seeds imported under advance authorization were **traced** which were sold into domestic market by M/s Shreeji Agri Commodity Pvt. Ltd. without payment of applicable duties.

14.3 During the course of the inquiry, statements were recorded from various brokers, buyers, sellers, and third-party exporters who had undertaken transactions involving coriander seeds with M/s Shreeji Agri Commodity Pvt. Ltd. In the course of recording these statements, several documents pertaining to the procurement, storage, and sale of coriander seeds by the firm were produced, identified, and thoroughly examined. Detailed scrutiny and analysis of these documents, read in conjunction with the corroborative statements of the concerned parties, established that duty-free imported coriander seeds availed under the Advance Authorization Scheme were specifically identified and traced through documentary evidence. This fact was further admitted by the respective buyers during their depositions. The investigation thus clearly demonstrates that

M/s Shreeji Agri Commodity Pvt. Ltd. diverted imported duty-free coriander seeds into the domestic market without payment of applicable customs duty, in contravention of the conditions prescribed under the Advance Authorization Scheme and in violation of Notification No. 21/2023-Cus, thereby resulting in misuse of the export promotion benefit.

14.4 The Director of M/s Shreeji Agri Commodity Pvt. Ltd. admitted that the firm had imported duty-free coriander seeds under the Advance Authorization Scheme and subsequently diverted the same into the domestic market in violation of the prescribed conditions. To ostensibly fulfill the export obligations linked to some Advance Authorization, the firm procured Indian-origin coriander seeds from local sources and exported them while declaring the respective Advance Authorization numbers on the shipping bills. He acknowledged being fully aware of the legal provisions governing the scheme, including the categorical prohibition on the sale, transfer, or diversion of duty-free imported goods in the domestic market without payment of applicable customs duty. He further admitted that the firm neither informed nor obtained prior approval from any competent authority for the transfer and storage, of the imported goods, as mandated under Customs Notification No. 21/2023-Customs dated 01.04.2023. Upon being confronted with relevant documentary evidence, including statements of buyers, brokers, and sellers, as well as supporting commercial records, he conceded that the firm had contravened the conditions of both the Advance Authorization Scheme and the aforesaid Customs Notification. He expressly accepted responsibility for the violations, thereby establishing clear evidence of deliberate misuse of the export promotion scheme.

14.5 During the enquiry M/s Shreeji Agri Commodities Pvt. Ltd. had **voluntarily paid** an amount of Rs. **75 Lakhs** vide various online challans. The detail of the said payments is as under:

Sr. No.	Challan No. & Date	Total amount	Document Reference No.
01	1819861659 dated 30.05.2025	25,00,000/-	TR 6 Challan
02	2193715562 dated 10.06.2025	25,00,000/-	TR 6 Challan
03	1223888480 dated 05.08.2025	25,00,000/-	E-payment Transaction Receipt

The voluntary payment of customs duty by M/s Shreeji Agri Commodity Private Limited during the course of investigation is itself a clear indication that the importer has accepted the liability arising out of diversion of

duty-free imported goods. The director of M/s Shreeji Agri Commodity Pvt. Ltd., in its statement, expressly admitted to such liability and undertook to discharge the same in a phased manner. This act of part-payment towards customs duty, reinforces the fact that the importer was fully conscious of the contravention committed under the Advance Authorization Scheme and of the consequent duty liability. The voluntary deposit made during investigation, therefore, constitutes corroborative evidence of the misuse of exemption and establishes that the importer acted with full knowledge of the violations, thereby strengthening deliberate evasion of duty.

15. LEGAL PROVISIONS APPLICABLE IN THE CASE:-

A. The Foreign Trade (Development and Regulation) Act, 1992

(i) Section 11: Contravention of provision of this Act, rules, orders and exports and import policy: - No export or import shall be made by any person except in accordance with the provisions of this Act, the rules and orders made there under and the export and import policy for the time being in force.

B. Foreign Trade (Regulation) Rules, 1993

(i). RULE 14: Prohibition regarding making, signing of any declaration, statement or documents: -

No person shall make, sign or use or cause to be made, signed or used any declaration, statement or document for the purposes of obtaining a license or importing any goods knowing or having reason to believe that such declaration, statement or document is false in any material particular.

C. RELEVANT PROVISIONS OF ADVANCE AUTHORISATION SCHEME UNDER FOREIGN TRADE POLICY 2023:-

Chapter 4 of Foreign Trade Policy 2023, titled Duty Exemption/Remission Scheme and sub paras there under read as:-

4.00. Scheme under this chapter enables duty free imports of inputs for export production, including replenishment of input or duty remission.

4.03. (a) Advance Authorisation is issued to allow duty free import of input, which is physically incorporated in export product (making normal allowance for wastage)……."

*4.04. Advance Authorisation for **Spices** Duty free import of spices covered under Chapter-9 of ITC (HS) shall be permitted only for activities like crushing / grinding*

*/ **sterilization** / manufacture of oils or oleoresins. Authorisation shall not be available for simply cleaning, grading, re-packing, etc*

*4.16 (i) Advance Authorisation and / or material imported under Advance Authorisation shall be subject to '**Actual User' condition**. The same shall not be transferable even after completion of export obligation. However, Authorisation holder will have option to dispose of product manufactured out of duty free input once export obligation is completed.*

D. <u>NOTIFICATIONS UNDER THE CUSTOMS ACT, 1962</u>:-

The conditions for import of the inputs under Advance Authorisation and there utilization has statutory backing in Notification No. 21/2023-Cus dated 01.04.2023 issued by the CBIC which, among other things, states that:

1. **Notification No. 21/2023 – Customs dated 01.04.2023** *hereby exempts materials imported into India against a valid Advance Authorisation issued by the Regional Authority in terms of paragraph 4.03 of the Foreign Trade Policy (hereinafter referred to as the said authorisation) from the whole of the duty of customs leviable thereon which is specified in the First Schedule to the Customs Tariff Act, 1975 (51 of 1975) and from the whole of the additional duty, leviable thereon under sub-sections(1), (3) and (5) of section 3, integrated tax leviable thereon under sub-section (7) of section 3, goods and services tax compensation cess leviable thereon under sub-section (9) of section 3, safeguard duty leviable thereon under section 8B, countervailing duty leviable thereon under section 9 and anti-dumping duty leviable thereon under section 9A of the said Customs Tariff Act, subject to the following conditions, namely:-*

(i) that the said authorisation is produced before the proper officer of customs at the time of clearance for debit;

(ii) that the said authorisation bears,-

(a) the name and address of the importer and the supporting manufacturer in cases where the said authorisation has been issued to a merchant exporter; and

(b) the shipping bill number(s) and date(s) and description, quantity and value of exports of the resultant product in cases where import takes place after fulfilment of export obligation;

or

(c) the description and other specifications where applicable of the imported materials and the description, quantity and value of exports of the resultant product in cases where import takes place before fulfillment of export obligation;

(iii) that the materials imported correspond to the description and other specifications where applicable mentioned in the authorisation and are in terms of para 4.12 of the Foreign Trade Policy and the value and quantity thereof are within the limits specified in the said authorisation;

(iv) that in respect of imports made before the discharge of export obligation in full, the importer at the time of clearance of the imported materials executes a bond with such surety or security and in such form and for such sum as may be specified by the Deputy Commissioner of Customs or Assistant Commissioner of Customs, as the case may be, binding himself to pay on demand an amount equal to the duty leviable, but for the exemption contained herein, on the imported materials in respect of which the conditions specified in this notification are not complied with, together with interest at the rate of fifteen percent per annum from the date of clearance of the said materials;

(v) …….

(vi) …….

(vii) …….

(viii)……..

(ix)……..

(x)…….

(xi)……..

(xii) that the said authorisation shall not be transferred and the said materials shall not be transferred or sold:

Provided that the said materials may be transferred to a job worker for processing subject to complying with the conditions specified in the relevant goods and services tax provisions permitting transfer of materials for job work;

(xiii) that in relation to the said authorisation issued to a merchant exporter, any bond required to be executed by the importer in terms of this notification shall be executed jointly by the merchant exporter and the supporting manufacturer binding themselves jointly and severally to comply with the conditions specified in this notification

2. *Where the materials are found defective or unfit for use, the said materials may be re-exported back to the foreign supplier within six months from the date of clearance of the said material or such extended period not exceeding a further*

period of six months as the Commissioner of Customs may allow: Provided that at the time of re-export the materials are identified to the satisfaction of the Deputy Commissioner of Customs or Assistant Commissioner of Customs, as the case may be, as the materials which were imported.

E. <u>CUSTOMS ACT, 1962</u>:

(1) Section 2(39) – "Smuggling *"in relation to any goods, means any act or omission which will render such goods liable to confiscation under Section 111 or Section 113 of the Customs Act, 1962.*

(2) Section 3. Classes of officers of customs. *-*

1[There shall be the following Classes of officers of customs, namely:-

(a) Principal Chief Commissioner of Customs or Principal Chief Commissioner of Customs (Preventive) or Principal Director General of Revenue Intelligence;

(b) Chief Commissioner of Customs or Chief Commissioner of Customs (Preventive) or Director General of Revenue Intelligence;

(c) Principal Commissioner of Customs or Principal Commissioner of Customs (Preventive) or Principal Additional Director General of Revenue Intelligence or Principal Commissioner of Customs (Audit);

(d) Commissioner of Customs or Commissioner of Customs (Preventive) or Additional Director General of Revenue Intelligence or Commissioner of Customs (Audit);

(e) Principal Commissioner of Customs (Appeals);

(f) Commissioner of Customs (Appeals);

(g) Additional Commissioner of Customs or Additional Commissioner of Customs (Preventive) or Additional Director of Revenue Intelligence or Additional Commissioner of Customs (Audit);

(h) Joint Commissioner of Customs or Joint Commissioner of Customs (Preventive) or Joint Director of Revenue Intelligence or Joint Commissioner of Customs (Audit);

(i) Deputy Commissioner of Customs or Deputy Commissioner of Customs (Preventive) or Deputy Director of Revenue Intelligence or Deputy Commissioner of Customs (Audit);

(j) Assistant Commissioner of Customs or Assistant Commissioner of Customs (Preventive) or Assistant Director of Revenue Intelligence or Assistant Commissioner of Customs (Audit);

(k) such other class of officers of customs as may be appointed for the purposes of this Act

(3) **Recovery of duties not levied or not paid or short levied or short paid or erroneously refunded:-**

Section 28(4): *Where any duty has not been levied or not paid or has been short-levied or short-paid or erroneously refunded, or interest payable has not been paid, part-paid or erroneously refunded, by reason of,*
(a) collusion; or

(b) any wilful 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 not paid 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.

(4) Interest on delayed payment of duty:-

Section 28AA:- *(1) Notwithstanding anything contained in any judgment, decree, order or direction of any court, Appellate Tribunal or any authority or in any other provision of this Act or the rules made thereunder, 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.*

(2) Interest at such rate not below ten per cent. And not exceeding thirty-six per cent. Per annum, as the Central Government may, by notification in the Official Gazette, fix, shall be paid by the person liable to pay duty in terms of section 28 and such interest shall be calculated from the first day of the month succeeding the month in which the duty ought to have been paid or from the date of such erroneous refund, as the case may be, up to the date of payment of such duty.

(3) Notwithstanding anything contained in sub-section (1), no interest shall be payable where, —

(a) the duty becomes payable consequent to the issue of an order, instruction or direction by the Board under section 151A; and

(b) such amount of duty is voluntarily paid in full, within forty-five days from the date of issue of such order, instruction or direction, without reserving any right to appeal against the said payment at any subsequent stage of such payment.

(5) Section 111:- Confiscation of improperly imported goods, etc.:-

Sub Section 111 (o) *stipulates that any goods exempted, subject to any condition, from duty or any prohibition in respect of the import thereof under this Act or any other law for the time being in force, in respect of which the condition is not observed unless the non-observance of the condition was sanctioned by the proper officer.*

(6) Section 112- Penalty for improper importation of goods, etc. – *Any person –*

(a) *who, in relation to any goods, does or omits to do any act which act or omission would render such goods liable to confiscation under section 111, or abets the doing or omission of such an act, or*

(b) *who acquires possession of or is in any way concerned in carrying, removing, depositing, harboring, keeping, concealing, selling or purchasing or in any other manner dealing with the goods which he knows or has reason to believe are liable to confiscation under Section 111;*

Shall be liable to penalty as envisaged in sub clause (i) to (v) of the said Section.

(7) Section 114A- Penalty for short levy or non-levy of duty in certain cases:-

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.

16 <u>DISCUSSION ON THE EVIDENCES:</u>

From the facts discussed in the foregoing paras, documentary evidences gathered during the course of investigation, statements of various persons recorded on various dates coupled with the voluntary depositions made by various persons, the following facts emerge:-

➢ M/s Shreeji Agri Commodity Pvt. Ltd. Obtained the following Advance Authorization numbers from DGFT Rajkot under Advance Authorization Scheme **on self-declaration basis** (without any fix norms) and had utilized for import of duty free Coriander Seeds under Advance Authorization Scheme. The aforesaid license was issued to M/s Shreeji Agri Commodity Pvt. Ltd. in terms of **para 4.03 of Foreign Trade Policy 2023** for importing Coriander Seeds without payment of duty by availing the benefit of Notification No. 21/2023-Cus. dated 01.04.2023.

Sr. No.	LICENCE NUMBER	LICENCEDATE
1	2411003223	30-01-2024
2	2411002810	04-10-2023
3	2411002899	30-10-2023
4	2411002901	30-10-2023
5	2411003250	06-02-2024
6	2411003972	28-10-2024
7	2411002444	12-06-2023
8	2411003918	07-10-2024
9	2411002592	01-08-2023
10	2411004124	18-12-2024
11	2411004216	16-01-2025
12	2411004228	21-01-2025
13	2411002670	23-08-2023
14	2411002972	13-11-2023
15	2411004331	28-02-2025
16	2411002973	13-11-2023
17	2206000524	01-06-2022
18	2210005215	08-10-2022

➢ As per the para (xii) of Notification No. 21/2023-Cus. Dated 01.04.2023, *the said materials shall not be transferred or sold.*

➢ From the investigation conducted, as discussed in the above **paras,** it appears that said duty free imported goods were sold to the various buyers into local market without payment of customs duty.

➢ As per the terms of the **Advance Authorization** issued to the importer, **M/s Shreeji Agri Commodity Pvt. Ltd.** was permitted to import duty-free coriander seeds with the obligation to export sterilized coriander seeds on a self-declaration

basis. The inquiry, however, has conclusively established that the importer diverted the duty-free imported goods into the domestic market and, instead, exported Indian-origin coriander seeds under the cover of the Advance Authorization. Thus, it stands established that the importer deliberately misused the **Advance Authorization Scheme** by availing the benefit of duty exemption without fulfilling the prescribed export conditions, in contravention of the governing customs notification.

➢ The admissions of the Director of M/s Shreeji Agri Commodity Pvt. Ltd. during investigation clearly establish that duty-free imported coriander seeds were stored at unauthorized warehouses not declared in the Advance Authorization. No intimation of such storage was ever provided to the competent authorities, in direct violation of the conditions prescribed under Customs Notification No. 21/2023-Cus dated 01.04.2023. His acknowledgment of having reviewed and signed the said Notification, including Para XII which explicitly prohibits transfer, sale, or storage of duty-free goods at unapproved premises, demonstrates that the firm knowingly contravened the governing conditions. This conduct confirms deliberate non-compliance with the scheme requirements and unauthorized storage of imported goods, thereby substantiating the allegation of misuse.

➢ Further, by admitting that the duty-free imported coriander seeds were diverted and sold in the local market, the Director has affirmed violation of both the Customs Act, 1962 and Notification No. 21/2023-Cus. While he sought to downplay the scale of diversion by attributing it to only 10% of total turnover, such acknowledgment nonetheless establishes that the firm engaged in unauthorized disposal of exempted imports in the domestic market. His acceptance of the consequent duty liability, including partial payment of ₹75 lakh and assurance of further payment, corroborates the fact of evasion and reinforces the presence of mensrea. Thus, the enquiry has conclusively proved that M/s Shreeji Agri Commodity Pvt. Ltd. misused the Advance Authorization Scheme by diverting duty-free imports into the domestic market in contravention of law.

➢ In his statement, director of M/s Shreeji Agri Commodity Pvt. Ltd confirmed that the said firm had sold the imported coriander seeds to various buyers. The details of the said sale of coriander seeds after first import 2023 under Advance Authorizations is mentioned below:

Sl. No.	**Name of buyers**	**Total Qty purchased (in MT)**
1	M/s Vedic International	158.005

2	M/s Pankaj Kumar Neeraj Kumar, Neemuch	423.045
3	M/s Sujay Traders	59.68
4	M/s Shiv Bhole Enterprise, Neemuch	523
5	M/s Times Comtrade Pvt. Ltd	1055
6	M/s Madhav Agro Industries, Unjha	10
7	M/s BS Commodity & Export Unjha	9.605
8	M/s Anant Seeds	218.46
9	M/s Kore International	6.125
10	M/s Dev Trader	164.17
11	M/s Gangaram Lalludas Patel	143.775
12	M/s Devdoot Trading Co.	379.465
	Total	**3150.33**

➢ The transactions unearthed during the course of investigation, which involved the sale of duty-free imported coriander seeds into the domestic market, constitute clear and corroborated evidence of deliberate misuse of the **Advance Authorization Scheme** by **M/s Shreeji Agri Commodity Pvt. Ltd.** The firm, instead of utilizing the imported goods for the intended purpose of processing and re-export in compliance with the scheme conditions, diverted them into local trade channels for commercial gain. Such diversion was admitted by the buyers as well as confirmed through documentary records including invoices, e-way bills, warehouse registers, and WhatsApp communications. The act of disposing of duty-free imports in the domestic market, without payment of applicable customs duties and in contravention of **Notification No. 21/2023-Cus dated 01.04.2023**, demonstrates conscious intent to evade revenue and fraudulently claim benefits under an export promotion scheme. These findings, therefore, conclusively establish that the firm acted with full knowledge of the prohibitions and intentionally misused the scheme to its advantage.

17 CONTRAVENTION OF STATUTORY PROVISIONS:

17.1 M/s **Shreeji Agri Commodity Pvt. Ltd.** had imported duty free goods under Advance Authorization Scheme issued by DGFT Ahmedabad under Notification No. 21/2023-Cus Dated 01.04.2023 during the period from June, 2022 to February, 2025. This period was covered under the provisions of The Foreign Trade Policy (FTP) 2023, which came into force with effect from 1st April, 2023.

17.2 As per the terms and conditions of Notification No. 21/2023-Cus., dated 01.04.2023 read with relevant provisions of Exim Policy in force, in order to avail exemption from payment of duty, M/s **Shreeji Agri Commodity Pvt. Ltd.** was required to deliver the duty free imported goods at their registered premises as per Actual User Conditions of the said notifications. After delivering the same to their registered premises, they were required to process the same for

manufacture of finished goods meant for export only. However, the said materials might be transferred to a job worker for processing subject to complying with the conditions specified in the relevant CBIC notifications permitting transfer of materials for job work. Now, as per the evidence available on record and discussed in the foregoing paragraphs, it appears that the conditions/provisions of the Advance Authorization issued to M/s **Shreeji Agri Commodity Pvt. Ltd.** for effecting duty free clearance of impugned goods were not followed by the said firm and the goods imported under the impugned Advance Authorization were diverted/sold in the open market in as such condition and accordingly the actual user condition (and physical incorporation in export products) requiring fulfillment of export obligation was violated. The condition No. (x) of Notification No. 21/2023-Cus., dated 01.04.2023 had also been violated. Consequently **Shreeji Agri Commodity Pvt. Ltd.** was not entitled to avail benefit of duty free clearance in terms of Notification No. 21/2023-Cus., dated 01.04.2023 and as such the duty of Customs but for exemption along with the interest at the applicable rate is recoverable from M/s Shreeji Agri Commodity Pvt. Ltd..

17.3 From the facts discussed in forgoing paras and material evidences available on record, it appears that M/s Shreeji Agri Commodity Pvt. Ltd. was having knowledge of provisions of Customs Act, 1962 and deliberately sold the duty free goods viz. Coriander Seeds in the local market and without payment of aggregate duties of Customs. It appears that they had contravened the provisions of Chapter 4 of the Foreign Trade Policy FTP 2023 read with Notification No. 21/2023-Cus dated 01.04.2023, in as much as they had diverted/sold **all quantity of Coriander Seeds**, imported under the said Scheme for using the same in the export of the resultant products but actually sold in the local market. They had diverted/sold the goods knowingly in the local market to make huge illegal profits. The said duty free goods were supposed to be exported or disposed of in accordance to the provisions of the FTP 2023 and above said notification issued by CBIC but M/s Shreeji Agri Commodity Pvt. Ltd. violated the conditions of the FTP 2023 and did not fulfill the requisite compliance and conditions for import of duty free inputs & export thereof as envisaged under Advance Authorization Scheme read with the condition of Notification No. 21/2023-Cus dated 01.04.2023.

17.4 From the facts discussed in the foregoing paras and material evidences available on record, it appears that Shri Jitendra Tulsidas Kakkad, Managing Director of M/s Shreeji Agri Commodity Private Limited. diverted/sold the goods imported by his firm without payment of duty under the Advance Authorizations issued in the name of M/s Shreeji Agri Commodity Private Limited in terms of Notification No. 21/2023-Cus dated 01.04.2023.

17.5. In light of the facts discussed in the foregoing paras and material evidence available on records, it appears that M/s Shreeji Agri Commodity Private Limited had violated/contravened the provisions of Notification No. 21/2023-Cus dated

01.04.2023 read with the provisions of para no. 4.03. & 4.16 of Chapter 4 of Export & Import Policy 2023 in as much as they had imported **7420.676 MTs** of goods viz. Coriander Seeds of CTH 09092190 having Assessable Value **Rs. 42,70,84,370/- (Rupees Forty Two Crores Seventy Lakhs Eighty Four Thousand and Three Hundred and Seventy Only) for which duty forgone amounts to Rs. 16,93,38,953/- (Rupees Sixteen Crores Ninety Three Lakhs Thirty Eight Thousand and Nine Hundred and Fifty Three Only)** (as detailed in Annexure-A attached to this Show Cause Notice) against Advance Authorization Scheme and were diverted/sold into the local market as such for sale and were not actually utilized for intended purpose and for fulfillment of its export obligation as envisaged in the said Authorization.

17.6 It is evident that M/s. Shreeji Agri Commodity Pvt. Ltd. has intently exported Indian Origin Coriander seeds towards the fulfilment of export obligation under Advance Authorisation, which establishes that M/s. Shreeji Agri Commodity Pvt. Ltd. has entered into the goods which do not correspond in respect of particulars as mentioned in the Shipping Bills and such act makes the export goods of 3361.945 MTs of Coriander Seeds valued at Rs. 26,52,92,736/-is liable for confiscation under section 113(i) of Customs Act, 1962. Further, M/s. Shreeji Agri Commodity Pvt. Ltd. is liable for penalty under section 114 of Customs Act, 1962 for their act of making the goods liable for confiscation under Section 113 of Customs Act, 1962.

17.7 The violation of the actual user condition and other mandatory requirements of the Advance Authorization Scheme by M/s Shreeji Agri Commodity Private Limited stands confirmed through the categorical admissions of Shri Jitendra Tulsidas Kakkad, Managing Director of the firm, who acknowledged that duty-free goods imported under the scheme had been diverted and sold in the domestic market. This fact is further corroborated by the statements of various buyers, who confirmed that they had purchased such duty-free imported coriander seeds directly from the firm.

17.8 In addition, the statements of multiple suppliers and third-party exporters established that the exports declared under the Advance Authorization, whether in the name of M/s Shreeji Agri Commodity Private Limited or through other exporters, did not involve the duty-free imported coriander seeds. Instead, domestically grown coriander seeds procured from local markets were supplied by M/s Shreeji Agri Commodity Private Limited to third-party exporters, who then effected the exports under the cover of Advance Authorizations issued to M/s Shreeji Agri Commodity Private Limited. This arrangement effectively enabled Shreeji to claim fulfillment of export obligations while retaining and diverting the actual duty-free imports into the domestic market.

17.9 These corroborated facts conclusively prove that M/s Shreeji Agri Commodity Private Limited misused the Advance Authorization Scheme by diverting imported duty-free goods into the local market without payment of duty,

and supplying domestically sourced coriander seeds to third-party exporters for export under its Advance Authorizations. Such conduct amounts to gross violation of the conditions prescribed under Notification No. 21/2023-Cus dated 01.04.2023, clearly establishing deliberate misuse of the scheme to derive unlawful commercial benefits.

17.10 In view of foregoing discussion, the said goods imported under the above mentioned Bills of Entry under Advance Authorization appears liable to confiscation under Section 111(o) of Customs Act, 1962 for contravention of the conditions of the relevant notification, Advance Authorization Scheme, Exim Policy and Customs Act, 1962. Also their act of diversion of the said goods is to be treated as smuggling as per Section 2(39) of the Customs Act, 1962. Thus Shreeji Agri Commodity Private Limited by their acts of commission and/or omission had rendered themselves liable for penalty under the provisions of Section 112/114A of Customs Act, 1962.

17.11 By such acts Shreeji Agri Commodity Private Limited by way of willful mis-statement and suppression of facts, fraudulently availed benefits in terms of Para 4.03 of FTP 2023 in as much as they failed to process any resultant product meant for export the and violated the provisions of Rule 14 of the Foreign Trade (Regulations) Rules, 1993 read with Section 11 of the Foreign Trade (Development and Regulations) Act, 1992. Further, the duty free Coriander Seeds were diverted in local market in violation of the above said provisions and therefore contravened the provisions of Section 3 of Foreign trade (Development & Regulation) Act, 1992.

17.12 Shri Jitendra Tulsidas Kakkad, MD of M/s Shreeji Agri Commodity Pvt. Ltd. was well aware of the legal provisions governing imports under the Advance Authorization Scheme to the effect that the duty free goods imported under the said Scheme were subject to the actual user condition and as such could not be sold in the market. By indulging themselves in the unauthorized diversion and sale of duty-free goods imported against the impugned Advance Authorization, Shri Jitendra Tulsidas Kakkad, illegally enriched himself at the cost of Government Revenue thereby knowingly causing harm to the economy of the nation. Thus, from the circumstantial and documentary evidences available on record it is evident that Shri Jitendra Tulsidas Kakkad, by way of his act of diverting duty-free goods made these liable for confiscation under Section 111 of the Customs Act, 1962 and rendered themselves liable for penal action under Section 112(b)/114AA of the Customs Act, 1962

17.13 The following Multiple 3rd party exporters mentioned in the below table, have exported **Indian Origin Coriander by mentioning the Advance Authorization of M/s Shreeji Agri Commodity Private Limited** which is a gross violation of the condition attached to the Advance Authorizations scheme Notification No. 21/2023-Cus dated 01.04.2023.

Exporter Name	**IEC**	**Exported Qty (in MT)**

BSR OVERSEAS LLP	AARFB9398K	791.228
ASIAN FOOD INDUSTRIES	3499001942	468.225
M R AGRO INDUSTRIES	0805015728	273
SAIBABA AGRILINK PRIVATE LIMITED	5612002505	104.49
B P SPICES	0817503331	71
RISE AND SHINE OVERSEAS	ASQPK3499M	56.01
LANCER SPICES PRIVATE LIMITED	3415000273	42.021
ROY INTERNATIONAL	2413002715	40

The act of evasion of duty by reason of collusion & suppression of facts on the part of 3rd party exporters by including Advance License Number in their shipping Bills to facilitate fulfilment of export obligation, despite fully aware that the goods exported were of Indian Origin and not eligible for export under Advance Authorisation licenses. This act of the third party exporters appears to have rendered the said goods liable for confiscation under section 113(i) of the Customs Act, 1962. For their act of contraventions, they are liable for Penal action under Section 114, 114AA & 117 of the Customs Act, 1962.

18. ROLE PLAED BY COMPANIES/PERSONS

A case of connivance amongst all the parties involved, wherein every stakeholder involved was aware of their illegal role being played by them. Each stakeholder intended to suppress the facts before Indian Customs, to mis-declare the subject goods to defraud the government exchequer. There are evidences of determinative character which complied with the inference arising from the dubious conduct of stakeholders seems to lead to the conclusion, it was all planned to mis-declare and suppress the information from the department. The role in brief is reproduced below :-

18.1 ROLE PLAYED BY M/S. SHREEJI AGRI COMMODITY PRIVATE LIMITED

The Customs Duty amounting **16,93,38,953/- (Rupees Sixteen Crores Ninety-Three Lakhs Thirty-Eight Thousand and Nine Hundred and Fifty-Three Only)** leviable on the illicitly cleared imported goods viz -7420.676 MTs of goods viz. Coriander Seeds is therefore liable to be recovered in terms of proviso to Section 28(4) of Customs Act, 1962 read with the provisions of Notification No. 21/2023-Cus dated 01.04.2023. Shreeji Agri Commodity Private Limited by adopting the above modus had violated the statutory conditions as laid down for Advance Authorization license under Notification No. 21/2023-Cus dated 01.04.2023 and evaded the aforesaid Customs duty by reason of collusion, willful mis-statement and suppression of facts. The licenses obtained under the Advance Authorization Scheme were wrongly utilized and misrepresented by M/s Shreeji

Agri Commodity Private Limited. The firm had obtained such licenses on the basis of self-declaration and actual user condition but deliberately diverted and sold duty-free imported coriander seeds in the domestic market, in gross violation of the conditions of the scheme and the governing customs notification. This conduct amounts to misstatement and suppression of material facts before the Customs and DGFT authorities at the time of availing duty-free clearances. The admitted diversion of exempted imports into the local market clearly establishes deliberate misuse of the licenses issued under the Advance Authorization Scheme. Accordingly, the invocation of provisions of Section 28(4) of the Customs Act, 1962 for recovery of duty is attracted, along with interest at the applicable rate in terms of Section 28AA of the Customs Act, 1962. In view of the above findings, it appears that by their acts of omission and commission, M/s Shreeji Agri Commodity Private Limited rendered the duty-free imported goods liable to confiscation under Section 111 of the Customs Act, 1962, and evaded customs duty amounting to ₹**16,93,38,953/- (Rupees Sixteen Crores Ninety-Three Lakhs Thirty-Eight Thousand and Nine Hundred and Fifty-Three Only)**. The firm has therefore rendered itself liable to penalty under Sections 112(a) of the Customs Act, 1962. Further, the act of duty evasion by deliberate misrepresentation and suppression of facts on the part of M/s Shreeji Agri Commodity Private Limited attracts penal action under Section 114A of the Customs Act, 1962.

Further, on scrutiny of the the stock ledger of M/s. Shreeji Agri Commodity Private Limited it is evident that M/s. Shreeji Agri Commodity Pvt. Ltd. has acquired coriander seeds locally from various local/domestic suppliers viz. M/s. Vraj Exports , M/s. Tirupati Industires, etc. and the same was confirmed by these firms during their statements recorded under section 108 of Customs Act, 1962 and further Shreeji Agri Commodity Private Limited have sold the same to the various third party exportesrs at discounted rate to be exported on behalf of M/s. Shreeji Agri Commodity Pvt. Ltd. for the purpose of fulfilling export obligation under advance authorization which is gross violation of norms of the Advance Authorisation Scheme.

It is evident that M/s. Shreeji Agri Commodity Pvt. Ltd. has intently exported Indian Origin Coriander seeds towards the fulfilment of export obligation under Advance Authorisation, which clearly establishes that M/s. Shreeji Agri Commodity Pvt. Ltd. has entered into the goods which do not correspond in respect of particulars as mentioned in the Shipping Bills and such act makes the goods i.e. 3361.945 MTs of Coriander Seeds valued at Rs. 26,52,92,736/-, liable for confiscation under section 113(i) of Customs Act, 1962. Further, M/s. Shreeji Agri Commodity Pvt. Ltd. is liable for penalty under section 114 of Customs Act, 1962 for their act of making the goods liable for confiscation under Section 113 of Customs Act, 1962.

18.2 ROLE PLAYED BY SHRI JITENDRA TULSIDAS KAKKAD, MD OF M/S. SHREEJI AGRI COMMODITY PVT. LTD.

In light of discussions made in the foregoing paras, Shri Jitendra Tulsidas Kakkad, MD of M/s Shreeji Agri Commodity Pvt. Ltd. had obtained Licence under Advance Authorisation Scheme from DGFT fraudulently in the name of M/s Shreeji Agri Commodity Pvt. Ltd. on the basis of willful mis-declaration and on the basis of false information and after obtaining the impugned Advance Authorisation Licence, imported Coriander Seeds as detailed in the table given at **Annexure-A** attached to this **Show Cause Notice** in the name of M/s Shreeji Agri Commodity Pvt. Ltd. and cleared the same without paying Customs Duty by availing benefit of Notification No. 21/2023-Cus dated 01.04.2023 against impugned Advance Authorizations issued in the name of M/s Shreeji Agri Commodity Pvt. Ltd. and thereby caused a loss to the Government exchequer to the extent of **16,93,38,953/- (Rupees Sixteen Crores Ninety Three Lakhs Thirty Eight Thousand and Nine Hundred and Fifty Three Only)** Shri Jitendra Tulsidas Kakkad, was well aware of the legal provisions governing imports under the Advance Authorization Scheme to the effect that the duty free goods imported under the said Scheme were subject to the actual user condition and as such could not be sold in the market. By indulging themselves in the unauthorized diversion and sale of duty-free goods imported against the impugned Advance Authorization, Shri Jitendra Tulsidas Kakkad, illegally enriched himself at the cost of Government Revenue thereby knowingly causing harm to the economy of the nation. Thus, from the circumstantial and documentary evidences available on record it appears that Shri Jitendra Tulsidas Kakkad, by way of their act of diverting duty-free goods made these liable for confiscation under Section 111 of the Customs Act, 1962 and rendered themselves liable for penal action under Section 112(b) and 114AA of the Customs Act, 1962.

Further, Shri Shri Jitendra Tulsidas Kakkad, MD of M/s Shreeji Agri Commodity Pvt. Ltd. has exported Indian Origin goods for fulfilment of export obligation, as against the norms prescribed for advance license, which is gross violation of provisions of Advance Authorisation, and the such act makes the export goods liable for confiscation, hence, Shri Jitendra Tulsidas Kakkad is liable for penalty under Section 114 of Customs Act, 1962.

18.3 ROLE PLAYED BY MULTIPLE 3RD PARTY EXPORTERS

At the statements of the exporters who were mentioned in the Advance Authorization Number(s) of M/s. Shreeji Agri Commodity Private Limited at their export shipping bills, the Proprietor/Partner/Directors of the firms/companies, on perusal of documentary evidences in the form of Purchase Order, Sales Contract, Invoices, E-way Bills, Shipping Bills, Country of Origin Certificate etc. placed before them have categorically admitted the fact that they had actually

exported Indian Origin Coriander Seeds supplied by M/s. Shreeji Agri Commodity Private Limited, however, as per the instruction of M/s. Shreeji Agri Commodity Private Limited, they had included the Advance Authorization Number of M/s. Shreeji Agri Commodity Private Limited. Further, they agreed the fact that for such act of inclusion of Advance License Number of M/s. Shreeji Agri Commodity Private Limited, they had purchased Indian Origin Coriander Seends from M/s. Shreeji Agri Commodity Private Limited at a discounted rate of 1% to 2%. The act of inclusion of Advance License Number was solely to facilitate M/s. Shreeji Agri Commodity Private Limited to fulfill the export obligation against those Advance Licenses. Therefore, it is evident that the act of these exporters, including the Advance Authorization Number of M/s. Shreeji Agri Commodity Private Limited at their export Shipping Bills, was deliberate and they were knowingly and wilfully involved in such acts in violation of Customs Act, 1962, evidently for monetary consideration.

The following Multiple 3rd party exporters mentioned in the below table, have exported **Indian Origin Coriander by mentioning the Advance Authorization of M/s Shreeji Agri Commodity Private Limited** which is a gross violation of the condition attached to the Advance Authorizations scheme Notification No. 21/2023-Cus dated 01.04.2023.

Exporter Name	**IEC**	**Exported Qty (in MT)**
BSR OVERSEAS LLP	AARFB9398K	791.228
ASIAN FOOD INDUSTRIES	3499001942	468.225
M R AGRO INDUSTRIES	0805015728	273
SAIBABA AGRILINK PRIVATE LIMITED	5612002505	104.49
B P SPICES	0817503331	71
RISE AND SHINE OVERSEAS	ASQPK3499M	56.01
LANCER SPICES PRIVATE LIMITED	3415000273	42.021
ROY INTERNATIONAL	2413002715	40

The deliberate act of duty evasion through collusion and suppression of material facts by the third-party exporters, by way of including Advance Authorisation (License) numbers in their shipping bills with the intent to facilitate fulfillment of export obligation of M/s. Shreeji Agri Commodity Pvt. Ltd., despite being fully aware that the goods exported were of Indian origin and thus ineligible for export under the said Advance Authorisation, clearly establishes their culpable involvement. Such acts on the part of the third-party exporters have rendered the impugned goods liable for confiscation under Section 113(i) of the Customs Act, 1962. Consequently, for their aforesaid acts of omission and commission in

contravention of the provisions of the Customs Act, they are liable to penal action under Sections 114, 114AA, and 117 of the Customs Act, 1962.

19. For their acts of omission and commission:

(A) M/s Shreeji Agri Commodity Pvt. Ltd. has rendered themselves liable for penalty under Section 112(a)/114A and 114 of the Customs Act, 1962.

(B) Shri Jitendra Tulsidas Kakkad (Director of M/s Shreeji Agri Commodity Pvt. Ltd,) has rendered himself liable for penalty under Section 112(b), 114 and 114AA of the Customs Act, 1962.

(C) the following 3rd party exporters have rendered themselves liable for penalty under Section 114, 114AA and 117 of the Customs Act, 1962.

Sr. No.	**Exporter Name**	**IEC**	**Exported Qty (in MT)**	**FOB Value**
1	BSR OVERSEAS LLP	AARFB9398K	791.228	67184421.56
2	ASIAN FOOD INDUSTRIES	3499001942	468.225	39338613.82
3	M R AGRO INDUSTRIES	0805015728	273	21749120.92
4	SAIBABA AGRILINK PRIVATE LIMITED	5612002505	104.49	8622003.56
5	B P SPICES	0817503331	71	5312721.90
6	RISE AND SHINE OVERSEAS	ASQPK3499M	56.01	4909971.85
7	LANCER SPICES PRIVATE LIMITED	3415000273	42.021	4215265.69
8	ROY INTERNATIONAL	2413002715	40	3234252.00

20. CHARGING SECTION-

20.1 Now, therefore, M/s Shreeji Agri Commodity Private Limited (presently known as M/s Shreeji Global FMCG Limited) having its registered office at Office No. 1205, The Spire, Twelfth Floor, Ayodhya Chowk, 150ft Ring Road, Rajkot, Gujarat – 360007 are hereby called upon to show cause to the Pr. Commissioner/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 the receipt of this notice, as to why-

(i) The illicitly cleared goods i.e. **7420.676 MTs** of Coriander Seeds valued at **427084370/-** (Rupees Forty-Two Crores Seventy Lakhs Eighty-Four Thousand and Three Hundred and Seventy Only) should not be confiscated under Section 111(o) of the Customs Act, 1962.

(ii) Customs duty amounting ₹ **16,93,38,953/-** (Rupees Sixteen Crores Ninety Three Lakhs Thirty Eight Thousand and Nine Hundred and Fifty Three Only) on

illicitly cleared Coriander Seeds weighing **7420.676 MTs** of Coriander Seeds valued at **427084370/-** (Rupees Forty Two Crores Seventy Lakhs Eighty Four Thousand and Three Hundred and Seventy Only) as detailed as per enclosed Annexure-A to this notice, should not be demanded under Section 28(4) of Customs Act, 1962 read with the provisions of Notification No. 21/2023-Cus dated 01.04.2023.

(iii) Interest at the applicable rates on the said duty amount mentioned at (ii) above from the date of duty-free importation till the date of payment of such duty should not be recovered under Section 28AA of Customs Act, 1962;

(iv) The exported goods i.e. 3361.945 MTs of Coriander Seeds valued at Rs. 26,52,92,736/-, should be confiscated under section 113(i) of Customs, Act, 1962.

(v) Penalty should not be imposed on them under Section 112 (a) /114A and 114 of Customs Act, 1962.

(vi) The Bond furnished by them against the consignments imported duty free under Advance Authorizations in terms of Notification No. 21/2023-Cus. dated 01.04.2023 but diverted as such to the local market, should not be enforced and security if any furnished with bond should not be encashed and appropriated towards their duty liabilities, interest thereon, fine and penalties.

(vii) The voluntary payment already made by the importer should not be appropriated against the duty liability determined

20.2 Further, Shri Jitendra Tulsidas Kakkad, Director of M/s Shreeji Agri Commodity Pvt. Ltd, is called upon to show cause to the Pr. Commissioner/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 the receipt of this notice, as to why penalty should not be imposed on him under Section 112(b), 114 and 114AA of Customs Act, 1962.

20.3 Further, the third party exporters as listed below in the table, are called upon to show cause to the Pr. Commissioner/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 the receipt of this notice, as to why the illicitly exported Coriander seeds, as listed in the table below, should not be confiscated under section 113(i) of the Customs Act, 1962 and Penalty should not be imposed on them under Section 114, 114AA and 117 of Customs Act, 1962.

Sr. No.	Exporter Name	IEC	Exported Qty (in MT)	FOB Value
1	BSR OVERSEAS LLP	AARFB9398K	791.228	67184421.56
2	ASIAN FOOD INDUSTRIES	3499001942	468.225	39338613.82
3	M R AGRO INDUSTRIES	0805015728	273	21749120.92
4	SAIBABA AGRILINK PRIVATE LIMITED	5612002505	104.49	8622003.56
5	B P SPICES	0817503331	71	5312721.90
6	RISE AND SHINE OVERSEAS	ASQPK3499M	56.01	4909971.85
7	LANCER SPICES PRIVATE LIMITED	3415000273	42.021	4215265.69
8	ROY INTERNATIONAL	2413002715	40	3234252.00

WRITTEN SUBMISSION AND PERSONAL HEARING

21. Following the principles of natural justice, opportunities of personal hearing were granted to all the Noticees. During the personal hearing through virtual mode, Adv. Manish Jain and Adv. Raksha Bhandari on behalf of M/s Shreeji Agri Commodity Pvt. Ltd. (Noticee no. 1) and Shri Jitendra Tulsidas Kakkad (Noticee no. 2), re-iterated their written submission dated 18.08.2026 and 19.08.2026 respectively wherein they interalia stated as below:

(a) Submissions of the main Noticee, M/s Shreeji Global FMCG Ltd.

i. Processing at the factory and movement by the "same truck"**:** The Noticee submits that its factory lies on the route between the Port and the third-party warehouses. According to it, the imported goods are first taken to the factory, where they are sorted, cleaned, graded and sterilised, and are then moved by the same truck to the third-party warehouses for storage. It states that most of the warehouses are within 50 km of the factory, so that no e-way bill was required for the factory-to-warehouse leg. It submits that the allegation of sale of the imported goods without any processing is therefore based on conjecture, and that no evidence has been placed on record to show that the goods were sold in the domestic market. It adds that, in certain instances where goods went directly to a warehouse, they were brought back to the factory, processed and sent again to the warehouses.

ii. Test report**:** The Noticee submits that the Department tested only live consignments and, on that basis alone, assumed that all the earlier transactions were also mis-declared. It further submits that the test report determines origin on the basis of moisture content, which cannot be a determinative factor for origin. According to the Noticee, testing of samples serves to verify the nature of the goods and to determine their classification, and cannot establish the country of origin. It therefore contends that the test report is vague in nature, and is unreliable as evidence of origin.

iii. Quantity alleged and discharge of onus**:** The Noticee submits that the Department relied merely on the inward and outward entries of the warehouses, gate passes and transport receipts, and on the e-way bills issued from the Port to the Noticee, to allege transfer of the imported goods. It submits that the Department has counted the same quantity twice, since 722.124 MT found in the name of M/s Times Comtrade Pvt. Ltd. figures in both the quantity alleged to have been sold to domestic buyers and the quantity alleged to be lying at third-party warehouses. It further submits that 172.725 MT found in its own name has also been included in the demand. On this computation, the Noticee contends that the allegation can stand, at the most, only for 4,160.945 MT of the imported goods.

iv. Financing arrangement with M/s Times Comtrade Pvt. Ltd.**:** The Noticee submits that the transaction with M/s Times Comtrade Pvt. Ltd. was only a financing arrangement and not a sale. It states that it entered into a Buy-Back Agreement (Annexure-51) under which it deposited goods in the name of Times Comtrade against payment, so as to give Times Comtrade control over the goods against the money advanced for the Noticee's liquidity. It further states that it took the goods back within a period of 12 months at the same price at which they were transferred, and that the goods so taken back were used for export of finished goods. It submits that the Department has mistaken this financing arrangement for diversion of the goods, and that the goods were never sold to Times Comtrade.

v. Extended period and bona fide conduct**:** The Noticee submits that the extended period under Section 28(4) of the Customs Act, 1962 has been incorrectly invoked. According to it, Section 28(4) can be applied only when there is collusion, wilful mis-statement or suppression of facts by the importer, and no mis-declaration, mis-statement or suppression can be attributed to it. It relies on Cosmic Dye Chemical v. CCE, (1995) 6 SCC 117, for the view that suppression and misrepresentation must be wilful, and on Gupta Steel v. Commissioner of Customs, Jamnagar, 2015 (324) E.L.T. 29 (S.C.), for the view that the extended period cannot be invoked when the Department had full knowledge of the facts. It also submits that the exports were made bona fide to fulfil the export obligation under the Advance Authorizations.

(b) Submissions of Shri Jitendra Tulsidas Kakkad, Managing Director

i. Acting only in an official capacity**:** The Noticee submits that he is only a Director of the Principal Noticee and that whatever he did was done in that capacity. He contends that no personal liability can be fastened on a director who has merely acted in his official capacity, and where no specific case has been made out against him. He relies on Sterlite Industries (India) Ltd. v. CCE, 2002 (143) E.L.T. 682 (Tri.-Mumbai), and on Pankaj Extrusion Ltd. v. CC (Export), CESTAT Mumbai, Order dated 13.10.2021, and submits that he cannot be held personally liable for penal action under the Customs Act, 1962.

ii. No pecuniary benefit**:** The Noticee submits that there is no evidence of any pecuniary benefit having flowed to him, and that the SCN does not allege otherwise. He relies on Commissioner of Customs, Mumbai v. M. Vasi, 2003 (151) E.L.T. 312 (Tri.-Mumbai), in which it was held that abetment presupposes knowledge of the offence and the benefit derived from it, and that in the absence of conscious knowledge a penalty for aiding and abetting cannot be sustained. On this basis he contends that no penalty can be imposed on him.

21.1 Common Submissions of the Seven Third-Party Exporters: Seven of the eight third-party exporters, namely M/s BSR Overseas LLP (Noticee No. 3), M/s Asian Food Industries (Noticee No. 4), M/s M.R. Agro Industries (Noticee No. 5), M/s Saibaba Agrilink Pvt. Ltd. (Noticee No. 6), M/s B.P. Spices (Noticee No. 7), M/s Rise and Shine Overseas (Noticee No. 8) and M/s Roy International (Noticee No. 10), were represented by Adv. Manish Jain and Adv. Raksha Bhandari and filed replies that are substantially the same in their content and grounds. The common submissions of the seven exporters are summarised below:

i. Conditions of third-party export satisfied and goods covered by the AA**:** The exporters submit that all conditions of third-party export are satisfied. They rely on the definition of third-party export in the Exim Policy and the Foreign Trade Policy, and on CBEC Circular No. 120/95-Cus. dated 23.11.1995, and submit that the invoice, BRC and GR declaration were in their own names, so that there is no violation on their part. They submit that the coriander seeds exported are covered by the valid Advance Authorization issued by DGFT to the importer, that the goods are not restricted or prohibited, and that mere processing and sorting does not alter the composition or character of the goods. They further submit that physical incorporation of the imported inputs in the export product is not a mandatory condition under the Advance Authorization scheme. They rely for this on Notification No. 21/2023-Cus. dated 01.04.2023, the legislative history of the Advance Authorization notifications and Board circulars. They conclude that no condition of the exemption notification has been violated.

ii. Section 138B and statements of co-noticees**:** The exporters submit that the statements of the Managing Director and other co-noticees can be admitted in evidence against them only if the procedure laid down in Section 138B of the Customs Act, 1962 is followed. They submit that, if this procedure is not followed, it must be taken that the Department does not wish to rely on those statements, and that the statements cannot then be used against them. They further submit that a statement of a co-accused cannot be relied upon without corroborative evidence, and that a penalty cannot be imposed solely on such a statement. For this they rely on Superintendent of Customs v. Bhanabhai Khalpabhai Patel, 1995 (75) E.L.T. 508 (S.C.).

iii. Exported goods not liable to confiscation under Section 113(i)**:** The exporters submit that the exported goods are not liable to confiscation under Section 113(i) of the Customs Act, 1962. According to them, the description of the goods in the invoice, the shipping bill and the export scheme details agrees with the description in the Advance Authorization, and the goods were therefore correctly declared. They contend that, since the goods correspond with the entry made, the condition for confiscation under Section 113(i) is not met.

iv. Penalty under Section 114**:** The exporters submit that the penalty proposed on them under Section 114 is incorrectly imposed. They point out that Section 114 applies to a person who does or omits to do an act which would render goods liable to confiscation under Section 113, or abets such an act, so that the penalty is tied to the liability of the goods to confiscation. They contend that, as the goods exported by them are not liable to confiscation under Section 113(i), no penalty can be imposed on them under Section 114.

v. Penalty under Section 117**:** The exporters submit that Section 117 is a residuary provision, which applies only where no express penalty is provided elsewhere in the Act for the contravention. They contend that it cannot be invoked when specific penalties are proposed against them under Sections 114 and 114AA for the same conduct. They further submit that a penalty under Section 117 cannot be imposed when the SCN does not disclose which provision of the Act has been contravened, and rely on DHL Express (India) Pvt. Ltd. v. Commissioner of Customs, Airport, Mumbai, 2016 (332) E.L.T. 169 (Tri.-Mumbai).

vi. Bona fide conduct, absence of knowledge and mens rea, and absence of personal benefit**:** exporters submit that their conduct was bona fide and that they had no knowledge of the mala fide acts of the importer. They contend that mere mention of the importer's name or Advance Authorization number in the shipping bills, and the availing of a discount, does not amount to doing or omitting an act that renders goods liable to confiscation, or to abetment of such an act. They submit that abetment requires knowledge on the part of the person concerned, and that the Department has furnished no proof of it. For this they rely on Trade Wings Ltd. v. Commissioner of Customs, Mumbai, 2009 (243) E.L.T. 439 (Tri.-Mumbai), and Commissioner of Customs (EP) v. P.D. Manjrekar, 2009 (244) E.L.T. 51 (Bom.). They also submit that they had no intention to evade duty and derived no personal benefit, and that no penalty should be imposed for a technical or venial breach or where the breach flows from a bona fide belief, relying on Hindustan Steel Ltd. v. State of Orissa, 1978 (2) E.L.T. (J159) (S.C.).

21.2 M/s Lancer Spices Pvt. Ltd. filed its own reply, signed by its Director, Shri Vijay Chellani, wherein they interalia stated as below:

i. Goods of Indian origin purchased on documents**:** The Noticee submits that the goods it exported were purchased from the importer under GST invoices clearly showing the goods as "Indian Origin" coriander seeds. It states that this is corroborated by the e-way bills showing movement of locally procured coriander from APMC sources to the importer and then to the Noticee, and by Certificates of Origin issued by the competent authorities declaring the goods as Indian origin. It submits that the shipping bills declared the origin correctly, as per the documents furnished by the seller, and that at no point did it purchase or receive any imported or foreign-origin coriander. It states that it acted strictly in accordance with the seller's documents.

ii. Use of the AA number**:** The Noticee submits that it mentioned the importer's Advance Authorization No. 2411003972 in the export documents purely at the seller's request and on commercial terms, and acknowledges that the SCN records the discount offered by the importer for doing so. It submits that this is a common industry practice. According to it, as far as it is aware, neither the Foreign Trade Policy nor the Customs law prohibits a third-party exporter from mentioning the Advance Authorization details, so long as the exporter does not itself claim duty-free import benefits, which it states it never did.

DISCUSSION AND FINDINGS

22. I have carefully gone through the facts of the case, Show Cause Notice and the noticee's submissions filed both, in written and in person advanced during the course of personal hearing. The principles of natural justice, particularly audi alteram partem, have been duly complied with by granting adequate opportunity to the noticees to present their defence. Accordingly, I proceed to examine the issues involved in the present case in the light of the available records, statutory provisions, and judicial precedents. On a careful perusal of the subject show Cause Notice and case records, I find that following main issues are involved in this case, which are required to be decided:

(i) Whether the illicitly cleared goods i.e. **7420.676 MTs** of Coriander Seeds valued at Rs. **42,70,84,370/-** be confiscated under Section 111(o) of the Customs Act, 1962 and whether the Customs duty amounting ₹ **16,93,38,953/-** be demanded from importer M/s Shreeji Agri Commodity Pvt. Ltd. under Section 28(4) of Customs Act, 1962 read with the provisions of Notification No. 21/2023-Cus dated 01.04.2023 along with interest under Section 28AA of the Customs Act, 1962.

(ii) Whether the exported goods i.e. 3361.945 MTs of Coriander Seeds valued at Rs. 26,52,92,736/-, be confiscated under section 113(i) of Customs, Act, 1962.

(iii) Whether the penalty be imposed on importer under Section 112 (a) /114A and 114 of Customs Act, 1962.

(iv) Whether the Bond furnished by importer against the consignments imported duty free under Advance Authorizations in terms of Notification No. 21/2023-Cus. dated 01.04.2023 but diverted as such to the local market, be enforced and security if any furnished with bond be encashed and appropriated towards their duty liabilities, interest thereon, fine and penalties.

(v) Whether the voluntary payment already made by the importer be appropriated against the duty liability determined

(vi) Whether the penalty be imposed upon Shri Jitendra Tulsidas Kakkad, Director of M/s Shreeji Agri Commodity Pvt. Ltd under Section 112(b), 114 and 114AA of Customs Act, 1962.

(vii) Whether the illicitly exported Coriander seeds by 8 third party exporters be confiscated under section 113(i) of the Customs Act, 1962 and penalty be imposed on them under Section 114, 114AA and 117 of Customs Act, 1962.

23. Brief Facts:

23.1 M/s Shreeji Agri Commodity Pvt. Ltd. (presently M/s Shreeji Global FMCG Limited) imported 7420.676 MTs of Coriander Seeds (CTI 09092190) through Mundra (INMUN1) and Nhava Sheva (INNSA1) Ports at Nil rate of duty under various Advance Authorizations issued by DGFT, Rajkot, in terms of Notification No. 21/2023-Cus dated 01.04.2023, which was meant exclusively for physical export of the resultant product.

23.2 Intelligence developed by DRI, Ahmedabad Zonal Unit indicated that the duty-free goods imported by M/s Shreeji Agri Commodity Pvt. Ltd. were being diverted into the domestic market instead of being used to discharge the export obligation (EO). Simultaneous searches were conducted on 29 and 30 April 2025 at the Head Office (Rajkot), the factory premises (Kuvadva and Kherva/Morbi), and the APMC shops (Rajkot and Gondal) of the importer. These searches revealed no imported coriander whatsoever at any registered premises. Only domestically-sourced stock was found.

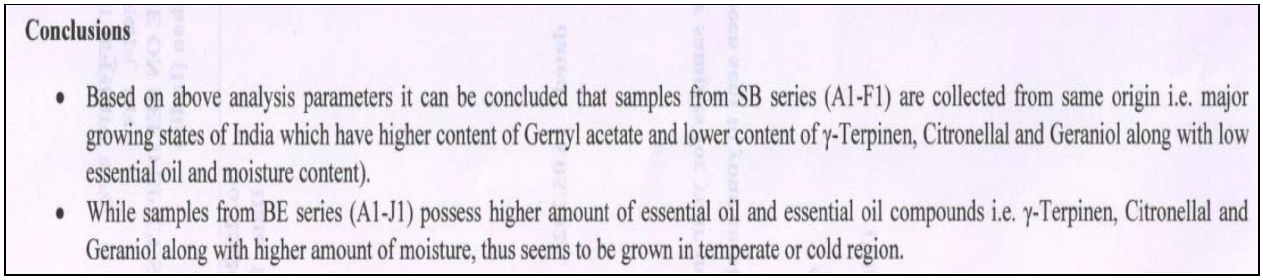
23.3 Subsequent searches at various third-party warehouses, namely PB Agri, Sanjaykumar Aggarwal and Nejul Shah, Alpaben kamleshbhai Parsana, Gokul, Steinweg Sharaf India Pvt. Ltd., Safe Warehouse, and Raj Warehouse, were conducted between 30.04.2025 and 16.06.2025. These searches traced 1,560.014 MTs of the imported coriander lying stored in the name of the importer itself and also in the names of related and unrelated third parties, namely M/s Shreeji Enterprise, M/s JV Traders, and M/s Times Comtrade Pvt. Ltd. However, none of these locations of said warehouses were declared in the Advance Authorizations. This quantity of 1,560.014 MT was placed under seizure under Section 110 of the Customs Act, 1962, and was later provisionally released by the competent authority.

23.4 Scrutiny of GST invoices and e-way bills further revealed sale of 3,150.33 MTs of the imported coriander by the importer to 12 identified domestic buyers, all of whom confirmed in their Section 108 statements that the goods purchased were "imported" coriander. The list of said 12 domestic buyers, as mentioned in para 16 of SCN, is produced below:

Sl. No.	**Name of buyer**	**Total qty purchased (MT)**
1	M/s Vedic International	158.005
2	M/s Pankaj Kumar Neeraj Kumar, Neemuch	423.045
3	M/s Sujay Traders	59.68
4	M/s Shiv Bhole Enterprise, Neemuch	523
5	M/s Times Comtrade Pvt. Ltd.	1,055
6	M/s Madhav Agro Industries, Unjha	10
7	M/s BS Commodity & Export, Unjha	9.605
8	M/s Anant Seeds	218.46
9	M/s Kore International	6.125
10	M/s Dev Trader	164.17
11	M/s Gangaram Lalludas Patel	143.775
12	M/s Devdoot Trading Co.	379.465
	Total	**3,150.33**

23.5 To independently corroborate this pattern, one live import consignment and the corresponding live export consignments of the importer were physically examined and sampled during the investigation. The samples were forwarded for scientific testing to the National Research Centre on Seeds Spices-ICAR, Ajmer. The test report vide F.no. 25-26/Dir.Cell/339 dt. 10.06.2025 established that the import consignment bore the characteristics of foreign-origin, temperate or cold-

region produce, while the export consignment tested as being of Indian origin. The relevant portion of test report is produced below:



Conclusions

- Based on above analysis parameters it can be concluded that samples from SB series (A1-F1) are collected from same origin i.e. major growing states of India which have higher content of Gernyl acetate and lower content of γ-Terpinen, Citronellal and Geraniol along with low essential oil and moisture content).
- While samples from BE series (A1-J1) possess higher amount of essential oil and essential oil compounds i.e. γ-Terpinen, Citronellal and Geraniol along with higher amount of moisture, thus seems to be grown in temperate or cold region.

23.6 Investigation into eight third-party exporters established that each of them had exported Indian-origin coriander sourced from the importer. This was done under the importer's Advance Authorization numbers, at a purchase-price discount of 1 to 2 percent, thereby completing paper fulfilment of the importer's export obligation. The quantity exported by each is as under:

Sr.no.	Third Party Exporter	Quantity Exported (MTs)
1	BSR Overseas LLP	791.228
2	Asian Food Industries	468.225
3	M.R. Agro Industries	273
4	Saibaba Agrilink Pvt. Ltd.	104.49
5	B.P. Spices	71
6	Rise and Shine Overseas	56.01
7	Lancer Spices Pvt. Ltd.	42.021
8	Roy International	40

23.7 Statement of MD Shri Jitendra Tulsidas Kakkad was recorded under Section 108 on 01.05.2025 and, in final form, on 07.08.2025. In his statement dated 01.05.2025, he stated that the goods belonged to him and had been stored at the various premises due to a storage crunch at his factory and warehouse, and no intimation had been given to Customs for storing the duty-free coriander outside the registered premises. He further accepted the diversion of the imported goods into the local market and also accepted that he had exported locally procured goods to fulfil the export obligation raised against the import under the Advance Authorization. In his final statement dated 07.08.2025, he accepted the facts recorded in the earlier statements.

24. Diversion of the imported goods: The cumulative evidence

24.1 The case against the importer rests on five evidences, each developed through a separate investigative process and from a separate source, yet all converging on the same conclusion. Each strand is discussed in detail below:

(i) Total absence of imported stock at declared premises**:** Simultaneous Panchnama proceedings were conducted over 29 and 30 April 2025 at premises registered in the Advance Authorizations, namely the Head Office at Rajkot, both factory premises at Kuvadva and Kherva/Morbi, and the APMC shops at Rajkot and Gondal. These were the very locations where the duty-free imported coriander was required, as a condition of the exemption, to be received, processed, and consumed towards the export product. At none of these premises was even a single grain of imported coriander found. The factory premises did contain coriander seeds, approximately 332 MT finished and 144 MT raw, however, this stock was itself confirmed, to be domestically sourced, by the production manager Shri Arjun Dattani during search proceedings under panchnama dt. 29.04.2025.

(ii) Presence of the imported goods at unauthorized locations**:** Having found nothing at the registered premises, DRI investigation traced 1,560.014 MT of the imported coriander to seven separate third-party warehouse premises. These were PB Agri Warehouse, the Sanjaykumar Aggarwal and Nejul Shah Warehouse, the Tushar Harsukhbhai Ambaliya Warehouse, Star Agri/Gokul Warehouse, Steinweg Sharaf India Pvt. Ltd., Safe Warehouse, and Shree Shubham Logistics/Raj Warehouse. The quantity found stored at each location, and the name in which it stood, as per the Panchnamas and the Seizure Memo dated 18.06.2025, is as under:

Sr. No.	Panchnama Date	Warehouse	Name of Goods Holder	Qty Detained (MT)
1	13.06.2025	PB Agri Warehouse	M/s Shreeji Enterprise	286.565
			M/s Times Comtrade Pvt. Ltd.	322.505
2	16.06.2025	Safe Warehouse	M/s JV Traders	43.935
			M/s Times Comtrade Pvt. Ltd.	108.755
3	13.06.2025	Raj Warehouse	M/s Shreeji Global FMCG (formerly M/s Shreeji Agri Commodity Pvt. Ltd.)	21.29
			M/s Times Comtrade Pvt. Ltd.	131.455

4	30.04.2025	Alpaben Kamleshbhai Parsana Warehouse	M/s Shreeji Agri Commodity Pvt. Ltd.	151.435
		Safe Warehouse	M/s J.V. Traders	328.59
		Sanjaykumar Aggarwal & Nejul Shah Warehouse	M/s Shreeji Enterprise	6.075
5	03.05.2025	Gokul Warehouse	M/s Times Comtrade Pvt. Ltd.	72.35
6	28.05.2025	Lancheta-03, Anida, Gondal	M/s Times Comtrade Pvt. Ltd.	87.059
			Total	**1,560.014**

However, none of these find any mention in the Advance Authorizations under which the goods were imported duty-free. The goods, as mentioned above, lay recorded not only in the importer's own name but also in the names of M/s Shreeji Enterprise, the MD's own proprietorship concern, M/s JV Traders, and M/s Times Comtrade Pvt. Ltd., none of which are recognized entities under the AA scheme. Movement of duty-free imported goods to any premises other than that declared in the Authorization, without permission, is by itself a contravention of condition (xii) of Notification No. 21/2023-Cus. The fact that the goods were additionally found parked in the names of other third parties compounds this violation.

(iii) Documented sale into the domestic market**:** Beyond mere unauthorized storage, the goods were sold into the domestic market. Scrutiny of GST invoices and e-way bills, correlated against the statements of 12 identified domestic buyers, establishes actual commercial sale of 3,150.33 MT of coriander. The buyer-wise break-up along with the source of said quantity, is as under:

S. No.	Buyer	Qty (MT)	Source in the SCN
1	Vedic International	158.005	Shri Tarun Garg, Proprietor of the firm, in his statement dated 05.05.2025 (RUD-13), accepted purchase of 158.008 MT of imported coriander seeds from Shreeji (his invoice schedule totals 158.005 MT). Shri Kakkad, Managing Director of Shreeji, in his statement dated 07.08.2025 (RUD-34), confirmed this.
2	Pankaj Kumar Neeraj Kumar	423.045	Shri Pankaj Rahi, Proprietor of the firm, in his statement dated 06.05.2025 (RUD-14), accepted purchase of approx. 423.045 MT of imported coriander seeds from Shreeji. Shri Kakkad, Managing Director of

			Shreeji, in his statement dated 07.08.2025, confirmed this.
3	Sujay Traders	59.68	Shri Jinendra Kumar Pamecha, Proprietor of the firm, in his statement dated 06.05.2025 (RUD-15), accepted purchase of 59.68 MT of imported coriander seeds from Shreeji. Shri Kakkad, Managing Director of Shreeji, in his statement dated 07.08.2025, confirmed this.
4	Shiv Bhole Enterprise	523	Shri Akshay Airan, Authorised Person of the firm, in his statement dated 07.05.2025 (RUD-16), accepted purchase of approx. 573 MT from Shreeji, of which approx. 50 MT was domestic and 523 MT imported. Shri Kakkad, Managing Director of Shreeji, in his statement dated 07.08.2025, confirmed this.
5	Times Comtrade	1,055	Shri Jitendra Mangilal Agrawal, Associate Director of the firm, in his statement dated 03.06.2025 (RUD-17), accepted purchase of approx. 1055 MT of imported coriander seeds from Shreeji, Shri Kakkad, Managing Director of Shreeji, in his statement dated 07.08.2025, confirmed this.
6	Madhav Agro Industries	10	Shri Naisalkumar Rashikbhai Patel, Proprietor of the firm, in his statement dated 09.06.2025 (RUD-18), accepted purchase of 10 MT of imported coriander seeds from Shreeji. Shri Kakkad, Managing Director of Shreeji, in his statement dated 07.08.2025, confirmed this.
7	BS Commodity & Export	9.605	Shri Bhavikkumar Patel, Proprietor of the firm, in his statement dated 10.06.2025 (RUD-19), accepted purchase of 9.605 MT of imported coriander seeds from Shreeji. Shri Kakkad, Managing Director of Shreeji, in his statement dated 07.08.2025, confirmed this.
8	Anant Seeds	218.46	Shri Bhavesh Bharatbhai Trivedi, Partner of the firm, in his statement dated 23.06.2025 (RUD-20), accepted purchase of 218.46 MT of imported coriander seeds from Shreeji. Shri Kakkad, Managing Director of Shreeji, in his statement dated 07.08.2025, confirmed this.
9	Kore International	6.125	Shri Vinay Jain, Partner of the firm, in his statement dated 25.06.2025, accepted purchase of 6.125 MT of imported coriander seeds from Shreeji. Shri Kakkad, Managing Director of Shreeji, in his statement dated 07.08.2025, confirmed this.
10	Dev Trader	164.17	A chat in the statement of Shri Vishal Jayantilal Aghera (Executive, Transport and Operations, of the

			importer) dated 30.04.2025 (RUD-12) regarding said quantity.
11	Gangaram Lalludas Patel	143.775	Shri Pankajkumar D Patel, Proprietor of the firm, in his statement dated 02.07.2025 (RUD-22), accepted purchase of approx. 143.775 MT of imported coriander seeds from Shreeji.
12	Devdoot Trading Co.	379.465	Shri Upendrabhai Ratilal Ervadiya, Representative / Authorised person of the firm, in his statement dated 11.07.2025 (RUD-21), accepted purchase of approx. 379.465 MT of imported coriander seeds from Shreeji. Shri Kakkad, Managing Director of Shreeji, in his statement dated 07.08.2025, confirmed this.
	Total	**3,150.33**	

The above buyers, in their statements under Section 108, as mentioned in table above, confirmed that they understood and purchased the goods as "imported" goods, and not as ordinary domestically-traded stock. The warehouse and e-way bill records corroborate this pattern through two separate instances. First, E-way Bill No. 601875154740 dated 18.03.2025 was raised by M/s Shreeji for the goods to be delivered at Kherva, Gujarat as the destination. The relevant part of e-way bill is produced below:

1. E-WAY BILL Details

eWay Bill No: **6018 7515 4740**	Generated Date:**18/03/2025 08:07 PM**	Generated By: **24AAZ CS796 4F1ZK** Valid Upto: **20/03/2025**
Mode: **Road**	Approx Distance: **204km**	
Type: **Inward - Others-STOCK TRANSFER**	Document Details: **Challan - CH/25/03/52 - 18/03/2025**	Transaction type: **Combination of 2 and 3**

2. Address Details

From	To
GSTIN : 24AAZ CS796 4F1ZK SHREEJI GLOBAL FMCG LIMITED GUJARAT :: Dispatch From :: SAURASTRA CFS MUNDRA PORT, MUNDRA,GUJARAT-370421	GSTIN : 24AAZ CS796 4F1ZK SHREEJI GLOBAL FMCG LIMITED GUJARAT :: Ship To :: PLOT NO-8,SHREENATHJI INDUSTRIAL ESTATE ZONE-11,WANKANER, KHERVA,GUJARAT-363621

3. Goods Details

9092190		22000.00 KGS	1540000.00	-2.000+-2.000+NA+NA

However, the said consignment of 22 MT is instead recorded entering the inward register of Safe Warehouse, Jiyana, a fact of such diversion, further corroborated by the statement of Shri Vishal Aghera, Executive of the importer, recorded on 30.04.2025 under section 108 of the Customs Act, 1962 and the relevant part of his statement is produced below:

Question 7: Please state whether imported goods are directly transported from port of import to the registered premises of M/s Shreeji Agri Commodity Pvt. Ltd. or otherwise? **Answer 7:** The imported goods from port of import are not transported to the registered premises of M/s Shreeji Agri Commodity Pvt. Ltd. as due to not adequate space in our warehouses at Kuvadva and Gondal, we transport the said goods to Kuvadva Industrial Area to take the facility of storage of our goods in 3rd party warehouses.

Second, an outward withdrawal of 18.550 MT from the same Safe Warehouse on 28.03.2025 is recorded as correlated to sale invoice No. KHT-3/24-25/243 raised in favour of M/s Devdoot Trading Co. These are two independent instances drawn from the same warehouse records, each representative of the pattern underlying the full 3,150.33 MT figure, and together they establish that the goods were not merely stored outside the registered premises, but were affirmatively sold into the domestic market.

(iv) Corroboration by the statement of Shri Jitendra Kakkad, Managing Director**:** The documentary trail at (i) to (iii) above is reinforced not merely by the statements of subordinate staff, but by an admission from the Managing Director himself, the controlling mind of the importer company. Shri Jitendra Kakkad gave two statements three months apart, on 01.05.2025 and 07.08.2025, the latter reaffirming the former after due perusal. In these statements, he admitted three things. First, that the goods found at the warehouses belonged to him. Second, that he was aware of the requirement to intimate Customs of such storage but did not do so. Third, that the imported goods were diverted into the local market while locally-procured Indian-origin goods were exported in their place to discharge the export obligation. This is on-record admission by the person with actual knowledge and control of the transactions. It independently corroborates, in the clearest terms, the pattern already established through the physical and documentary evidence discussed above.

(v) Scientific corroboration through lab testing**:** Finally, the scientific comparison on basis of laboratory-based tests, support to the same conclusion. It found the sampled import consignment to bear the chemical signature of temperate or cold-region produce, while the corresponding export consignment matched the profile of major Indian growing regions. It demonstrates that the substitution pattern alleged at (i) to (iv) above did in fact occur on the ground.

24.2 As against the five lines of evidences summarized above, the importer's principal defense against the alleged diversion is that the goods were first processed at the factory and only thereafter moved "from the same truck" to third-party warehouses. This defense is unsupported by any processing or production record, stock account, or truck-movement log book placed on record, either

during investigation or in reply. A bare assertion, unaccompanied by documentary substantiation, cannot displace the direct evidence at (i) to (v) above.

24.3 The Noticee has further contended that the scientific test report relates to only one import consignment and a handful of export consignments, and cannot be extended to the remaining imports for which no sample was drawn. The Noticee has further contended that moisture content alone cannot determine origin. Neither contention displaces the above findings. The test report is only one of five independent strands of evidence, not the sole basis of the case. Even leaving it aside entirely, the finding of diversion stands independently established through the physical absence of stock at every declared premises, the documentary trail to unauthorized warehouses and domestic sale, and the Managing Director's own confession. As to the second contention, the test report does not rest on moisture alone. The import sample was found to carry a distinct profile of essential oil compounds, namely y-Terpinen, Citronellal and Geraniol, together with high moisture. The export sample, by contrast, showed higher geranyl acetate and lower levels of the same compounds, together with low moisture. This is a multi-parameter chemical comparison and a scientific conclusion which has not been contradicted by any counter report.

24.4 Further, the "financing arrangement" or Buy-Back defense as regards M/s Times Comtrade Pvt. Ltd. does not assist the importer, for three reasons. First, it does not explain the absence of the goods from the registered premises. Second, a transfer of duty-free imported goods to an entity not named in the AA, whatever its commercial characterization, is itself an unauthorized transfer. Third, no document evidencing actual return of the goods to the importer has been placed on record.

25. Fulfilment of Export Obligation using Indian-origin coriander:

25.1 Parallel to the diversion of imported stock discussed above, the investigation establishes that the Export Obligation under the very same Advance Authorizations was not discharged with the duty-free imported coriander at all. Instead, it was sought to be discharged with domestically-procured Indian-origin coriander, routed through eight third-party exporters. This substitution allowed the importer to project, on paper, that the EO stood fulfilled even as the imported goods themselves were being diverted into the domestic market. The details of the eight exporting entities, each citing the importer's own Advance Authorizations for their exports, are set out below:

S.No.	Exporter	Qty exported (MT)	Admission on record
1	BSR Overseas LLP	791.228	Admitted goods were Indian-origin, Double Parrot quality

2	Asian Food Industries	468.225	Admitted the coriander purchased was Indian-origin;
3	M.R. Agro Industries	273	Admitted the 273 MT exported was entirely Indian-origin and not sterilized.
4	Saibaba Agrilink Pvt. Ltd.	104.49	Admitted the 104.49 MT purchased was Indian-origin.
5	B.P. Spices	71	Admitted the 71 MT exported was never sterilized and was entirely Indian-origin.
6	Rise and Shine Overseas	56.01	Admitted every document showed the 56.01 MT as Indian-origin.
7	Lancer Spices Pvt. Ltd.	42.021	Admitted the 42 MT purchased was entirely Indian-origin
8	Roy International	40	Admitted the invoice, sales contract and Certificate of Origin all showed the 40 MT as Indian-origin.

25.2 Separately from the eight third-party exporters, the record also establishes that M/s Shreeji Agri Commodity Pvt. Ltd. directly exported Indian-origin coriander under its own shipping bills towards fulfilment of the very same export obligation. The live export consignments under Shipping Bills 1313141, 1313145 and 1313144, all dated 27.04.2025 filed at INMUN1, were physically examined under Panchnamas dated 06.05.2025/07.05.2025, at M/s Adani Exim Yard, Mundra. Samples drawn from each were tested by the National Research Centre on Seeds Spices-ICAR, Ajmer and the test report dt. 10.06.2025 confirms that the live sampled export consignment, which showed the low-moisture, high-geranyl-acetate profile characteristic of Indian-grown coriander rather than the temperate-region signature found in the imported stock. On this basis, it stands established that M/s Shreeji Agri Commodity Pvt. Ltd. directly exported 3,361.945 MT of coriander seeds, valued at Rs. 26,52,92,736/-, as per Annexure 'B' to the SCN, towards fulfilment of the export obligation under its Advance Authorizations, and that the entirety of this quantity was Indian-origin, not imported material as also evident from the shipping bills covering the Annexure 'B' consignments themselves describe the goods as Indian origin coriander. It is to add that this 3,361.945 MT quantity is in addition to the exports routed through the eight third-party exporters above.

25.3 This is corroborated by domestic suppliers M/s Vraj Exports, which sold 70.65 MT to Shreeji as recorded under statement dt. 23.06.2025 (RUD-27 to the SCN) of Shri Brijesh Pateliya, partner of M/s Vraj Exports, and M/s Tirupati Industries, which sold 230.521 MT to Shreeji as informed by the firm vide letter dt. 01.07.2025 (RUD-28 to the SCN). It is further corroborated by broker Shri Chiragkumar Shah of M/s Sesame & Spices Exim, in his statement dt. 02.06.2025 (RUD-26 to the SCN), who confirmed sale contracts explicitly specifying Gujarat/MP origin, executed on Shreeji's instructions for onward export.

25.4 A consistent pattern emerges from both channels. Indian-origin goods were purchased by third-party exporters at a discount contingent specifically on carrying Shreeji's AA number, and Indian-origin goods were also exported directly by Shreeji itself under its own shipping bills. This pattern establishes that the "export obligation" reflected against the Advance Authorizations was discharged on paper using ineligible, domestically-sourced material through both channels, while the genuinely-imported duty-free material was simultaneously diverted, as discussed above.

26. Thus, in view of above, the Department has independently and directly proved, through documentary correlation and admitted buyer and exporter statements, actual diversion and substitution to the extent of at least **3,150.33 MT** sold to domestic buyers, with the corresponding EO discharged through Indian-origin goods routed via the eight third-party exporters, as discussed at para 25.1 above. The Department has also proved the physical presence of **1,560.014 MT** at unauthorized warehouses.

26.1 For the residual quantity**,** meaning the balance out of the total 7420.676 MT imported, for which the importer has neither shown consumption towards EO nor accounted for its physical location as per the AA. They have failed to discharge burden of proof which lies on them.

27. <u>Onus on the Importer</u>:

27.1 It is a settled principle of law that exemption notifications, and the conditions attached to a duty-free scheme, must be construed strictly, and that the burden of establishing fulfilment of those conditions lies squarely upon the person claiming the benefit, and not upon the Department. In Novopan India Ltd. v. Collector of Central Excise and Customs, 1994 (73) E.L.T. 769 (S.C.), the Hon'ble Court held that "*A person invoking an exception or an exemption provision to relieve him of the tax liability must establish clearly that he is covered by the said provision*". This position was reaffirmed by the Constitution Bench in Commissioner of Customs (Import), Mumbai v. Dilip Kumar and Company, 2018 (361) E.L.T. 577 (S.C.), which held that "*exemption notification should be interpreted strictly; the burden of proving applicability would be on the assessee to*

show that his case comes within the parameters of the exemption clause or exemption notification." Applied here, the benefit of the exemption is to be denied where the conditions are not shown to have been satisfied, and this onus rests with added force on the importer because compliance, meaning that the actual use of the imported material in the export product (para 4.03 of FTP, 2023) and that the duty free imported goods under AA shall not be transferred (condition-xii of Notification 21/2023 dt. 01.04.2023), is a fact peculiarly within the importer's own knowledge.

27.2 Applying this principle to the facts of the present case, the importer availed duty-free clearance of 7420.676 MT. On investigation, none of this quantity was found at any premises declared in the Advance Authorizations. It is therefore for the importer, and not the Department, to establish through positive evidence, such as manufacturing records, consumption or stock accounts, correlation of specific Bills of Entry with specific Shipping Bills, or the physical location of the goods as per the AA, that the imported material was in fact used towards discharge of EO, or that it otherwise remains accounted for at the authorized location.

27.3 No such record has been produced by the importer at any stage, neither during investigation nor in the reply. The only “explanation” offered in the reply is an unsubstantiated assertion of in-transit processing, and a “financing arrangement” or Buy-Back with M/s Times Comtrade Pvt. Ltd. Where the importer fails to discharge this onus, the goods must be held to have been diverted in contravention of the Notification.

28. <u>Role of the other Noticees in diversion/EO fulfilment:</u>

28.1 Shri Jitendra Tulsidas Kakkad, Managing Director, was the controlling mind of the importer. He personally perused and signed all relevant Panchnamas, personally admitted ownership of the diverted goods, and personally admitted the substitution mechanism in his statements. His role was not that of a passive employee but of the person who directed the scheme and had full knowledge of it.

28.2 The eight third-party exporters each performed the identical function of lending their shipping bills to carry the importer’s Advance Authorization details against ineligible, Indian-origin goods, in exchange for a purchase-price discount of 1 to 2 percent. This enabled the importer to show paper fulfilment of EO. Each exporter’s statement independently admits three things. First, that the goods exported by them were Indian-origin. Second, that the AA number of the importer was included at the importer’s specific request. Third, that a discount was extended contingent on this inclusion. Several of the exporters, namely M.R. Agro and B.P. Spices, went further, falsely describing untreated goods as “Sterilize” solely to match the AA’s product description.

28.3 The contention raised by the third-party exporters, that the case rests on hearsay statements of co-noticees and ought not to be relied upon without compliance with Section 138B, does not assist them either. The facts establishing each exporter's own role, namely the AA number used, the discount received, and the Indian origin of the goods exported, rest substantially on that exporter's own statement regarding its own transactions, not merely on Shri Kakkad's statement. These facts are independently corroborated by the exporter's own shipping bills, invoices, and Certificates of Origin placed on record. The evidentiary value of this documentary corroboration does not depend upon the admissibility of any other person's statement. The statements of the domestic buyers and brokers, who are not arrayed as noticees in the present SCN, are relied upon only as corroborative third-party evidence of the diversion and substitution already established through the independent physical and documentary evidence discussed above.

29. Demand under Section 28(4):

29.1 The findings recorded above establish that the imported coriander seeds were cleared without payment of duty under Notification No. 21/2023-Cus dated 01.04.2023 on the strength of the Advance Authorizations but the goods were diverted into the domestic market instead of being used towards the export obligation, is by itself a contravention of condition (xii) of Notification No. 21/2023-Cus and the exemption conditions were therefore breached and the duty foregone at the time of import became payable. The remaining question is whether the Department may recover that duty beyond the normal period. Section 28(4) of the Customs Act, 1962 permits a demand within five years from the relevant date where duty has not been levied or paid, or has been short-levied or short-paid, "by reason of" collusion, any wilful mis-statement, or suppression of facts by the importer or the exporter, or the agent or employee of either. The three grounds are stated in the alternative, so that proof of any one of them is sufficient to invoke the extended period. The conduct of the importer, as found above, is considered against these grounds together below.

29.2 The extended period is invokable on the conduct of the importer itself. The importer was bound to keep the imported goods at the premises declared in the Advance Authorizations and to intimate Customs of any storage elsewhere, and Shri Kakkad's own statements, examined above, confirm that he knew of this requirement. The goods were nevertheless held at third-party warehouses never named in the Advance Authorizations, and no intimation was made. Alongside this non-disclosure, the importer arranged with eight exporters, in return for a discount of 1 to 2 percent on the purchase price, to carry its Advance Authorization details in their shipping bills against Indian-origin goods, declared as "Russia" origin or, where untreated, described as "Sterilize", so as to match the Advance Authorizations, and exporters have admitted that these entries were made at its instruction. The object of these entries was to show on paper that the

export obligation stood discharged while the imported goods were being diverted into the domestic market. The arrangement came to light only through the DRI's independent investigation, the Panchnama proceedings, and the scientific test report, and not through any disclosure by the importer. Silence on facts the importer knew it was bound to disclose, together with false export declarations procured by it through the exporters to conceal the diversion, is incompatible with an inadvertent lapse or a bona fide understanding of the exemption conditions. It establishes suppression of facts by the importer, and the false declarations procured through the exporters under the same arrangement establish wilful mis-statement and collusion. Accordingly, the extended period is invokable and duty demand of Rs. 16,93,38,953/- is sustainable on the entire imported quantity of 7420.676 MT and is to be rightly demanded under Section 28(4) read with Notification No. 21/2023-Cus dated 01.04.2023 along with interest under Section 28AA of the Customs Act, 1962.

29.3 The importer has contended that it acted bona fide and that the extended period cannot be invoked in the absence of wilful mis-statement or suppression. This does not survive the facts found above. Bona fide conduct is inconsistent with three things found on record. First, the Managing Director's own admitted awareness of the requirement to intimate Customs of the warehousing, coupled with his deliberate choice not to do so. Second, the coordinated discount arrangement procured from eight separate, otherwise unconnected exporters. Third, the false origin and description entries made in shipping bills at the importer's own instruction. None of this is explained by inadvertence or an honest understanding of the exemption conditions, and the extended period accordingly remains rightly invoked.

29.4 The importer has already made a voluntary deposit of **Rs. 75,00,000/-** during the course of investigation. This amount is to be appropriated against the duty liability confirmed against the importer. The balance liability shall remain recoverable in accordance with law.

30. CONFISCATION:

30.1 For imported goods**:** Section 111(o) of the Customs Act, 1962 makes liable to confiscation any goods exempted from duty subject to a condition, in respect of which the condition is not observed, unless the non-observance was sanctioned by the proper officer. The imported goods, totalling 7420.676 MT, were cleared without payment of duty under Notification No. 21/2023-Cus dated 01.04.2023 on the strength of the Advance Authorizations, subject to the conditions of that Notification. As found in the preceding paras, the importer did not use these goods towards the export obligation. They were diverted into the domestic market, none of the quantity was found at any premises declared in the Advance Authorizations, and the storage at undeclared third-party warehouses was never intimated to

Customs. The conditions of the exemption were therefore not observed. Accordingly, the goods having a quantity of 7420.676 MT, valued at Rs. 42,70,84,370/-, are liable for confiscation under Section 111(o) of the Customs Act, 1962. Of this quantity, 1,560.014 MT was physically seized and was provisionally released, and redemption fine under Section 125 is to be quantified for that quantity also.

30.2 For exported goods**:** Two distinct quantities of exported goods are liable to confiscation under Section 113(i), corresponding to the two export channels discussed at para 25 above.

i. Goods exported by importer itself: 3,361.945 MT of Indian-origin coriander seeds, valued at Rs. 26,52,92,736/-, was directly exported by the importer itself under various shipping bills as per Annexure 'B' to the Show Cause Notice. This quantity is liable to confiscation as goods purportedly covering the importer's own export obligation, while in fact being ineligible Indian-origin goods substituted for the genuinely-imported material. Accordingly, said goods, valued at Rs. 26,52,92,736/-, is liable for confiscation under Section 113(i) of the Customs Act, 1962.

ii. Goods exported through third-party exporters: 1,845.974 MT of Indian-origin coriander seeds, valued at Rs. 15,45,66,371/- were exported by the eight third-party exporters under cover of the importer's Advance Authorization numbers, quantified exporter-wise in the table at para 23.6 above. In several of the shipping bills the entry also carried a false particular, either "Russia" as the origin of the goods or "Sterilize" as the description of untreated coriander, so as to match the Advance Authorizations. The goods actually exported were Indian-origin coriander procured locally, as each exporter has admitted in its own statement, and were neither the resultant product of the importer's duty-free imports nor traceable to them. Accordingly, the said goods, valued at Rs. 15,45,66,371/- are liable for confiscation under Section 113(i) of the Customs Act, 1962.

30.3 As the impugned goods are found to be liable for confiscation under Section 111 and 113 of the Customs Act, 1962, I find that it is necessary to consider as to whether redemption fine under Section 125 of Customs Act, 1962, is liable to be imposed in lieu of confiscation. I find that, in the present case, the subject goods are not physically available for confiscation at this stage. The goods have already been cleared and are no longer under the control of the Customs. Therefore, physical confiscation of the goods is not feasible. However, I note that the Hon'ble CESTAT, Ahmedabad, in the case of *M/s. Van Oord India Pvt. Ltd. vs. Commissioner of Customs, Ahmedabad* [Customs Appeal No. 10679 of 2024-DB], has held that redemption fine can be imposed even when the goods are not

physically available for confiscation. Further, this points were already settled in case of Judgment dated 11.08.2017 of Hon'ble High Court of Madras in ***C.M.A. No. 2857 of 2011 in the case of Visteon Automotive Systems India Ltd. Vs. CESTAT, Chennai [2018 (9) G.S.T.L. 142 (Mad.)]***. Para 23 of the said Judgment is as follows:

> *"The penalty directed against the importer under* Section 112 *and the fine payable under* Section 125 *operate in two different fields. The fine under* Section 125 *is in lieu of confiscation of the goods. The payment of fine followed up by payment of duty and other charges leviable, as per sub-section (2) of* Section 125*, fetches relief for the goods from getting confiscated. By subjecting the goods to payment of duty and other charges, the improper and irregular importation is sought to be regularised, whereas, by subjecting the goods to payment of fine under sub-section (1) of* Section 125*, the goods are saved from getting confiscated. Hence, the availability of the goods is not necessary for imposing the redemption fine. The opening words of* Section 125*, "Whenever confiscation of any goods is authorised by this Act ....", brings out the point clearly. The power to impose redemption fine springs from the authorisation of confiscation of goods provided for under* Section 111 *of the Act. When once power of authorisation for confiscation of goods gets traced to the said* Section 111 *of the Act, we are of the opinion that the physical availability of goods is not so much relevant. The redemption fine is in fact to avoid such consequences flowing from* Section 111 *only. Hence, the payment of redemption fine saves the goods from getting confiscated. Hence, their physical availability does not have any significance for imposition of redemption fine under* Section 125 *of the Act."*

30.4 I further find that the above view of Hon'ble Madras High Court in case of M/s Visteon Automotive Systems India Limited reported in 2018 (9) G.S.T.L. 142 (Mad), has been cited by Hon'ble Gujarat High Court in case of M/s Synergy Fertichem Pvt. Ltd reported in 2020 (33) G.S.T.L. 513 (Guj.) and the same has not been challenged by any of the parties concerned. Hence, from the above discussion and relying on the above judgements, I find that goods are liable for confiscation and redemption fine can be imposed.

30.5 Further**,** the exporters have contended that all conditions of third-party export under the Advance Authorization scheme stand satisfied, so that no confiscation under Section 113(i) arises. This does not hold on the facts found. A third-party export presupposes that the goods exported are the resultant product manufactured out of, or otherwise corresponding to, the AA holder's own duty-free imported material. This is the premise of para 4.03(a) of the Foreign Trade Policy 2023, which provides that an Advance Authorisation allows duty-free import of input "which is physically incorporated in export product." Here, the goods each exporter shipped were never sourced from, or traceable to, the

importer's imported consignments at all. They were ordinary Indian-origin coriander purchased independently, with the importer's AA number added to the shipping bill purely in exchange for a price discount. This is not a third-party export of the authorization holder's resultant product. It is the unconnected use of another's AA number to manufacture paper compliance, squarely falling within the mischief of Section 113(i).

Discussion on Penalty:

31. Penalty on M/s Shreeji Agri Commodity Private Limited: Penalty is proposed on the importer, M/s Shreeji Agri Commodity Private Limited, in the SCN under Sections 112(a), 114A, and 114 of the Customs Act, 1962. The applicability of each provision is examined below.

(i) **Section 114A.** Section 114A applies where duty has not been paid by reason of collusion, wilful mis-statement or suppression of facts, and makes the person liable to pay the duty so determined liable also to a penalty equal to that duty. As discussed above, the duty on the imported goods has already been held recoverable from the importer M/s Shreeji Agri Commodity Private Limited under Section 28(4) of the Customs Act, 1962, by reason of the importer's suppression of facts, together with the false export declarations procured through the exporters. Therefore, the importer is also liable for penalty under Section 114A of the Customs Act, 1962. Further, by the third proviso to Section 114A, no penalty is separately levied on the importer under Section 112 once penalty is levied under this section. Therefore, penalty under Section 112(a) is not imposable on the importer.

(ii) **Section 114.** The importer exported 3,361.945 MT of coriander seeds, valued at ₹26,52,92,736/-, towards fulfilment of the export obligation under its Advance Authorizations. The entire quantity exported was Indian-origin coriander procured locally, but the shipping bills presented the goods as exports made against the Advance Authorizations, so the goods did not correspond in a material particular with the entry made. It was the importer's own act that rendered the said goods liable for confiscation under Section 113(i) and the importer is therefore liable to penalty under Section 114(iii) of the Customs Act, 1962.

32. Penalty on Shri Jitendra Tulsidas Kakkad: Penalty is proposed against Shri Jitendra Tulsidas Kakkad, Director of the importer, under Sections 112(b), 114, and 114AA of the Customs Act, 1962. The same are discussed below:

(i) **Section 112(b).** Shri Kakkad's statements establish that he personally knew the imported goods were being stored outside the registered premises, and personally knew they were being diverted into the domestic market. This is his direct, admitted knowledge of the very conduct that renders the

goods liable to confiscation under Section 111(o), and it is this knowledge that attracts Section 112(b), which penalizes a person who deals with goods he knows, or has reason to believe, are liable to confiscation under Section 111. Therefore, penalty under Section 112(b)(ii) is imposable on Shri Jitendra Tulsidas Kakkad.

(ii) **Section 114.** As Managing Director, Shri Kakkad personally directed the export of Indian-origin coriander under the importer's shipping bills in substitution for the genuinely-imported material. This was the mechanism, rightly under his supervision, by which the entire scheme of diversion was concealed on paper, and this role in the improper export of goods liable to confiscation under Section 113(i) is what attracts Section 114. Accordingly, penalty under Section 114(iii) is imposable on Shri Jitendra Tulsidas Kakkad.

(iii) **Section 114AA.** The Advance Authorizations were obtained in the importer's name on self-declaration, and the imports were cleared duty-free under Notification No. 21/2023-Cus. dated 01.04.2023, which required actual-user use and barred sale or transfer of the goods. As Managing Director, Shri Kakkad controlled and operated the Authorizations, and his own statements show he knew these conditions. The goods were nevertheless diverted to third-party warehouses and sold in the domestic market. Shri Kakkad knowingly and intentionally caused them to be made on behalf of the importer. Accordingly, penalty under Section 114AA is imposable on Shri Kakkad.

32.1 His defense of having "merely acted in his official capacity" and having derived "no pecuniary benefit" is distinguishable on facts from the case law relied upon by him, which concerned employees or directors without personal knowledge or active involvement. Here, as found above, his admitted statements establish personal knowledge, direction, and active involvement in both the diversion and the substitution mechanism. The absence of personal pecuniary benefit does not assist him under Section 112(b) or Section 114, both of which turn on knowledge and conduct rather than benefit, and is not, in any event, an essential ingredient of Section 114AA either. The penalties are accordingly confirmed under Sections 112(b), 114, and 114AA.

33. Penalty on third party exporters: Penalty is proposed against the eight third-party exporters under Sections 114, 114AA, and 117 of the Customs Act, 1962.

(i) **Section 114.** The goods exported by each of the eight exporters, under cover of the importer's Advance Authorization numbers, are liable to confiscation under Section 113(i) for the reasons discussed above. Each

exporter's admitted participation in lending its shipping bills to carry the importer's AA details against ineligible, Indian-origin goods is the act that renders those goods so liable, and it is this act that attracts Section 114. Accordingly, penalty under Section 114(iii) is imposable on each of the eight exporters, in respect of the quantity, exported by them.

(ii) **Section 114AA.** Some exporters declared the goods as being of "Russia" origin, and others falsely described untreated coriander as "Sterilize", solely to align the export documentation with the importer's Advance Authorizations. Each exporter has admitted, in its Section 108 statement, that these entries were false and were made to carry the importer's AA number. This is knowing use of false material within the meaning of Section 114AA. Accordingly, penalty under Section 114AA is imposable on each of the eight exporters, independently of Section 114.

(iii) **Section 117.** The additional invocation of the residuary Section 117 needs scrutiny. Section 117 is, by its terms, a residuary provision applicable only where "no express penalty is provided elsewhere." Since Sections 114 and 114AA already specifically cover the conduct alleged against these exporters, Section 117 does not apply alongside them. Penalty under Section 117 is accordingly not separately imposable on the exporters.

33.1 The exporters have contended that their conduct was bona fide, they had no knowledge of the importer's mala fide acts, and that no penalty is imposable in the absence of mens rea or personal pecuniary benefit. None of this is borne out by the record. Each exporter's own Section 108 statement admits that the goods exported on the importer's AA number were Indian-origin, not imported. Knowledge of the central fact is thus admitted by each exporter in its own words, not inferred from Shri Kakkad's statement alone. The "no benefit" contention is equally unsustainable. The price concession of 1 to 2 percent that each exporter admits receiving, specifically conditional on carrying the importer's AA number, is itself the benefit that induced the exporter's participation. Its modest size goes to quantum, not to its existence.

34. Provisional release of seized goods: Coriander seeds weighing 1,560.014 MT, valued at about ₹9.88 crore, were seized under Seizure Memo dated 18.06.2025 (RUD-32 of the SCN) and were provisionally released to the importer in two parts. The first part, 172.725 MT (21.29 MT at Raj Warehouse and 151.435 MT at the Alpaben Kamlesh Bhai Parsana Warehouse, both held in the importer's name), was released on a bond of **Rs. 76,58,013/-**, equal to its value, and a bank guarantee of **Rs. 55,36,403/-**. The second part, 1,387.289 MT, lying at nine locations, was released on a bond of **Rs. 9,11,24,983/-**, equal to its value, and a

bank guarantee of **Rs. 6,31,96,584/-**. The importer appealed against the release conditions of this second part before the Hon'ble CESTAT in Customs Appeal No. 11590 of 2025. By Final Order No. 10031/2026 dated 21.01.2026, the Hon'ble CESTAT sustained the bond for the full value of the goods and directed at para 4.4(ii): *"The second condition which requires the appellant to furnish Bank Guarantee (with auto-renewal clause) of Rs. 6,31,96,584/- as per para 2.2 of Circular No. 35/2017 Customs dated 16.08.2017 is required to be modified by directing the appellant to furnish a Bank Guarantee to the extent of 30% of the duty amount in line with the decision of Hon'ble Supreme Court of India in Commissioner of Customs, ICD, TKD New Delhi vs. Navshakti Industries Pvt Ltd (supra)."* In compliance, the second part was allowed provisional release on the bond of ₹9,11,24,983/- and a bank guarantee of ₹1,08,39,317/-, equal to 30% of the duty amount. Accordingly, I hold that, in the event of failure to pay the liability confirmed in this order, the bank guarantees of Rs. 55,36,403/- and Rs. 1,08,39,317/- so furnished can be encashed and appropriated against the dues confirmed in this order, and the bonds of Rs. 76,58,013/- and Rs. 9,11,24,983/- may be enforced for recovery of any balance.

35. <u>Enforcement of Bond submitted for AA</u>: The importer, at the time of clearance of the imported materials, was required under condition (iv) of Notification No. 21/2023-Cus dated 01.04.2023 to execute a bond. Under this bond, the importer bound itself to pay, on demand, an amount equal to the duty leviable but for the exemption, together with interest at the specified rate, in respect of materials for which the conditions of the notification are not complied with. Having regard to the findings above, namely duty demand confirmed under Section 28(4) with interest under Section 28AA, confiscation under Sections 111(o) and 113(i), and penalty confirmed under Section 114A, the conditions of the exemption stand found to have been violated. The bond so furnished by the importer is accordingly liable to be enforced, with any security furnished therewith liable to be encashed and appropriated towards the aggregate duty, interest, fine, and penalty liability confirmed in this order.

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

<u>ORDER</u>

36.1 <u>In respect of import/export by M/s Shreeji Agri Commodity Pvt. Ltd.</u>

(i) I hold the illicitly cleared goods i.e. **7420.676 MTs** of Coriander Seeds valued at **Rs. 42,70,84,370/-** (Rupees Forty-Two Crores Seventy Lakhs Eighty-Four Thousand and Three Hundred and Seventy Only) liable for confiscation under Section 111(o) of the Customs Act, 1962. I impose

redemption fine of **Rs. 4,00,00,000/-** (Rupees Four Cror e only) under Section 125(1) of the Customs Act, 1962, in lieu of confiscation.

(ii) I determine and confirm the demand of the differential duty of **Rs. 16,93,38,953/-** (Rupees Sixteen Crores Ninety Three Lakhs Thirty Eight Thousand and Nine Hundred and Fifty Three Only) on illicitly cleared Coriander Seeds, as detailed in Annexure-A to the SCN, under the provisions of Section 28(8) of the Customs Act, 1962 and order to recover the same from M/s Shreeji Agri Commodity Pvt. Ltd. under section 28(4) of Customs Act, 1962 read with the provisions of Notification No. 21/2023-Cus dated 01.04.2023 along with interest under Section 28AA of the Customs Act, 1962.

(iii) I hold the exported goods i.e. **3361.945 MTs** of Coriander Seeds valued at **Rs. 26,52,92,736/-** (Rupees Twenty Six Crore Fifty Two Lakh Ninety Two Thousand Seven Hundred And Thirty Six Only), liable for confiscation under section 113(i) of Customs, Act, 1962. I impose redemption fine of **Rs. 2,00,00,000/-** (Rupees Two Crore only) under Section 125(1) of the Customs Act, 1962, in lieu of confiscation.

(iv) I order to appropriate the voluntary payment of **Rs. 75,00,000/-** already made by the M/s Shreeji Agri Commodity Pvt. Ltd. against the duty liability determined.

(v) I impose a penalty of **Rs. 16,93,38,953/-** (Rupees Sixteen Crores Ninety Three Lakhs Thirty Eight Thousand and Nine Hundred and Fifty Three Only) on M/s Shreeji Agri Commodity Pvt. Ltd. under Section 114A of the Customs Act, 1962. However, I do not impose any penalty on M/s Shreeji Agri Commodity Pvt. Ltd. under Section 112(a) of the Customs Act, 1962.

(vi) I impose a penalty of **Rs. 1,00,00,000/-** (Rupees One Crore Only) on M/s Shreeji Agri Commodity Pvt. Ltd. under Section 114(iii) of the Customs Act, 1962.

(vii) I impose a penalty of **Rs. 1,00,00,000**/-(Rupees One Crore Only) on Shri Jitendra Tulsidas Kakkad, Director of M/s Shreeji Agri Commodity Pvt. Ltd under Section 112(b)(ii) of the Customs Act, 1962.

(viii) I impose a penalty of **Rs. 50,00,000**/-(Rupees Fifty Lakh Only) on Shri Jitendra Tulsidas Kakkad, Director of M/s Shreeji Agri Commodity Pvt. Ltd under Section 114(iii) of the Customs Act, 1962.

(ix) I impose a penalty of **Rs. 10,00,000**/-(Rupees Ten Lakh Only) on Shri Jitendra Tulsidas Kakkad, Director of M/s Shreeji Agri Commodity Pvt. Ltd under Section 114AA of the Customs Act, 1962.

(x) I order to enforce the Bond furnished by M/s Shreeji Agri Commodity Pvt. Ltd. against the consignments imported duty free under Advance Authorizations in terms of Notification No. 21/2023-Cus. dated 01.04.2023 but diverted as such to the local market, and order to encash and appropriate the security if any furnished with bond towards their duty liabilities, interest thereon, fine and penalties.

36.2 <u>In relation to export by 8 Third-Party exporters</u>:

(i) I hold the exported goods i.e. **1845.974 MTs** of Coriander Seeds valued at **Rs. 15,45,66,371/-** (Rupees Fifteen Crore Forty Five Lakh Sixty Six Thousand Three Hundred And Seventy One Only), exported by 8 Third-Party Exporters, liable for confiscation under section 113(i) of Customs, Act, 1962. I impose redemption fine, as detailed in table below, under Section 125(1) of the Customs Act, 1962, in lieu of confiscation. The party wise break-up for redemption fine is as below:

Sr. No.	Exporter Name	FOB Value of exported goods	Redemption Fine
1	BSR OVERSEAS LLP	67184421.56	22,00,000
2	ASIAN FOOD INDUSTRIES	39338613.82	13,00,000
3	M R AGRO INDUSTRIES	21749120.92	7,25,000
4	SAIBABA AGRILINK PRIVATE LIMITED	8622003.56	3,00,000
5	B P SPICES	5312721.90	1,75,000
6	RISE AND SHINE OVERSEAS	4909971.85	1,50,000
7	LANCER SPICES PRIVATE LIMITED	4215265.69	1,50,000
8	ROY INTERNATIONAL	3234252.00	1,00,000

(ii) I impose penalty on Third-Party Exporters under Section 114(iii) and 114AA of the Customs Act, 1962 as detailed in table below:

Sr. No.	Exporter Name	FOB Value of exported goods	Penalty under Section 114(iii)	Penalty under Section 114AA
1	BSR OVERSEAS LLP	67184421.56	13,00,000	2,50,000
2	ASIAN FOOD INDUSTRIES	39338613.82	7,50,000	1,50,000
3	M R AGRO INDUSTRIES	21749120.92	4,00,000	80,000
4	SAIBABA AGRILINK PRIVATE LIMITED	8622003.56	1,50,000	30,000

5	B P SPICES	5312721.90	1,00,000	20,000
6	RISE AND SHINE OVERSEAS	4909971.85	75,000	15,000
7	LANCER SPICES PRIVATE LIMITED	4215265.69	60,000	10,000
8	ROY INTERNATIONAL	3234252.00	50,000	10,000

(iii) I do not impose any penalty on Third-Party Exporters under Section 117 of the Customs Act, 1962 as discussed in para 33 above.

37. This order is issued without prejudice to any other action that may be taken against the claimant under the provisions of the Customs Act, 1962 or rules made there under or under any other law for the time being in force.

Digitally signed by
Nitin Saini
Date: 27-10-2026
17:14:53

(Nitin Saini)

Commissioner of Customs,

Mundra

F.No. GEN/ADJ/COMM/634/2025-Adjn

SCN No.- 23/2025-26/COMM/NS/Adjn/MCH

To:-

(i) M/s Shreeji Agri Commodity Private Limited
(Presently known as M/s Shreeji Global FMCG Limited)
Office No. 1205, The Spire, Twelfth Floor, Ayodhya Chowk, 150 Ft. Ring Road, Rajkot, Gujarat – 360007
operation@shreejiagri.com / export@shreejiagri.com

(ii) Shri Jitendra Tulsidas Kakkad,
Director, M/s Shreeji Agri Commodity Pvt. Ltd.
Address: Office No. 1205, The Spire, Twelfth Floor, Ayodhya Chowk, 150 Ft. Ring Road, Rajkot, Gujarat – 360007
jitendra@shreejiagri.com

(iii) M/s BSR Overseas LLP, IEC: AARFB9398K
Address: D-9/7, TTC Industrial Area, MIDC, Turbhe, Navi Mumbai – 400705

(iv) M/s Asian Food Industries, IEC: 3499001942
Address: NH No. 08, Opp. Reliance Petrol Pump, Dabhan, Nadiad, District Kheda – 387320, Gujarat

(v) M/s M.R. Agro Industries, IEC: 0805015728
Address: D-259, New Gunj Bazar, Unjha-384170
(vi) M/s Saibaba Agrilink Private Limited, IEC: 5612002505
Address: 1/1 Kalali Mohalla, Chhawni, Near Anaj Mandi Gate, Indore – 452001, Madhya Pradesh
(vii) M/s B.P. Spices, IEC: 0817503331
Address: 331/1, Dasaj Road, Bhakhar, Unjha, Mehsana – 384170, Gujarat
(viii) M/s Rise and Shine Overseas, IEC: ASQPK3499M
Address: PLOT NO 206, GLORIEOUS CITY, OPP GARDEN RESORT JAMNGAR ROAD, RAJKOT, Rajkot, Gujarat, 360006
(ix) M/s Lancer Spices Private Limited, IEC: **3415000273**
Address**:** 605, 6th Floor, Ozone Building, Vikram Sarabhai Campus, Near Genda Circle, Vadodara – 390023, Gujarat
(x) M/s Roy International, IEC: 2413002715
Address: Near Hari Mamra Factory, Behind Veterinary Hospital, Moviya Road, Gondal, Rajkot – 360311, Gujarat

Copy To-

(i) The Additional Director, Directorate of Revenue Intelligence (DRI), Ahmedabad Zonal Unit Zonal Unit 15, Magnet Corporate Park, Off S.G. Highway, Near Sola Over Bridge, Thaltej, Ahmedabad-380054.

(ii) Guard file/Office Copy.

(iii) The Deputy Commissioner of Customs, EDI Section, Mundra Customs