



प्रधान आयुक्तका कार्यालय, सीमा शुल्क, अहमदाबाद

"सीमाशुल्कभवन", पहलीमंजिल, पुरानेहाईकोर्टकेसामने, नवरंगपुरा, अहमदाबाद - 380 009.
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SHOW CAUSE NOTICE

(Issued under Section 124 of the Customs Act, 1962)

Shri Wasimkhan Munawwerkhan Pathan, (hereinafter referred to as the said "passenger/ Noticee"), residing at 1262, Kanch Ni Masjid, Jamalpur, Ahmedabad, India, Pin - 380001, holding an Indian Passport Number No. B7071087 arrived from Jeddah to Ahmedabad by (Seat No: 17A) at Sardar Vallabhbhai Patel International Airport (SVPIA), Terminal-2, Ahmedabad. On the basis of passenger profiling and suspicious movement, one passenger who arrived by Indigo Flight No. 6E92 on 15.03.2024 from Jeddah to Ahmedabad at Terminal 2 of Sardar Vallabhbhai Patel International Airport (SVPI), Ahmedabad, the passenger was intercepted by the Air Intelligence Unit (AIU) officers, SVPI Airport, Customs, Ahmedabad under Panchnama proceedings dated 15.03.2024 **(RUD-01)** in presence of two independent witnesses for passenger's personal search and examination of his baggage.

2. The Officers of AIU, SVPI Airport Ahmedabad identified Shri Wasimkhan Munawwerkhan Pathan by his passport No. B7071087 and his boarding pass bearing Seat No. 17A, after he had crossed the Green Channel at the SVPI Airport, Ahmedabad. In the presence of the panchas, the AIU Officers asked Shri Wasimkhan Munawwerkhan Pathan if he has anything to declare to the Customs, to which he denied. The officers offered their personal search to the passenger, but the passenger politely denied and submitted that he has having full trust on the Officers. The officers asked the passenger whether he wants to be checked in front of an Executive Magistrate or Superintendent of Customs, in reply to which he consented to be searched in front of the Superintendent of Customs. Thereafter, the AIU officers in presence of panchas asked Shri Wasimkhan

Munawwerkhan Pathan to walk through the Door Frame Metal Detector (DFMD) machine; prior to passing through the said DFMD, the passenger was asked to remove all the metallic objects he wore on his body/ clothes. Thereafter, the passenger readily removed the metallic substances from his body such as belt, mobile, wallet etc. and kept it on the tray placed on the table and after that officer asked him to pass through the Door Frame Metal Detector (DFMD) machine and while he passed through the DFMD Machine, but no beep sound/ alert was generated.

2.1. The Officers in presence of the panchas, carried out scanning of all baggage of the passenger in the scanner installed near the exit gate of the arrival hall of SVPI Airport, Ahmedabad. During examination of baggage, the AIU officers noticed some suspicious X-ray image indicating something objectionable is present in the hand bag of Shri Wasimkhan Munawwerkhan Pathan. Further, the officer of AIU asked about the suspicious X-ray image also asked whether he is carrying any dutiable/ contraband goods. After sustained interrogation Shri Wasimkhan Munawwerkhan Pathan confessed that he has Gold jewellery in his hand bag. The AIU officers checked the hand bag of Shri Wasimkhan Munawwerkhan Pathan and found 01 Gold Chain and 04 Gold Kada coated with white Rhodium from the said passenger. Thereafter, the said passenger, the panchas and the officers of AIU move to the AIU office located opposite Belt No. 03 of the Arrival hall, terminal 02 of Sardar Vallabhbhai Patel International Airport, Ahmedabad alongwith the baggage of the passenger. The AIU officers checked the baggage of the passengers, however nothing other objectionable was found in his baggage.

2.2. The officer then informed the panchas that they need to contact Shri Soni Kartikey Vasantrai, a Government Approved Valuer to confirm the correctness of purity, weight and value of the recovered one gold chain and 04 Gold Kada coated with white Rhodium from Shri Wasimkhan Munawwerkhan Pathan. Accordingly, the officers telephonically contacted Shri Soni Kartikey Vasantrai and requested him to come to the office of the Air Intelligence Unit, SVPI Airport, Ahmedabad for testing and valuation purpose. In reply, the Government Approved Valuer informed the officers that the testing of

the material is possible only at his workshop and also informs the address of his workshop.

2.3. Thereafter, the AIU Officers, along with the passenger and the panchas left the Airport premises in a government vehicle and reached at the premises of the Government Approved Valuer located at 301, Golden Signature, B/h Ratnam Complex, C.G. Road, Ahmedabad - 380006. On reaching the above referred premises, the officers introduced the panchas, as well as the passenger to one person namely Mr. Soni Kartikey Vasantrai, Government Approved Valuer. Shri Soni Kartikey Vasantrai, the Government Approved Valuer started the detailed examination of the 01 gold chain and 04 gold kada coated with white Rhodium that was recovered from the passenger. After weighing the said 01 gold chain and 04 gold kada coated with white Rhodium on his weighing scale, Shri Kartikey Vasantrai Soni provided detailed verification report vide certificate No. 1538/2023-24, dated 15.03.2024 (**RUD-2**) and wherein it is certified that the total weight of the 01 gold chain and 04 gold kada coated with white Rhodium contained having total weight **633.250 grams**, having total tariff value of **Rs.36,43,483/-** and market value of **Rs.42,92,802/-**. The weighing of 01 Gold Chan coated with white Rhodium is 283.130 grams 999.0/24 kt. purity market value is Rs.19,19,338/- and Tariff Value is Rs.16,29,024/-. Total weighing of 04 White Rhodium gold Kada is 350.120 grams purity is 999.0/24kt, market price is Rs.23,73,463/- and Tariff Value is Rs.20,14,459/-. The value of the gold has been calculated as per the Notification No. 17/2024-Customs (N.T.) dated 06.03.2024 (gold) and Notification No. 18/2024-Customs (N.T.) dated 07.03.2023 (exchange rate). The panchas, the passenger and the officers carefully observed the process and fully satisfied with the method adopted by the government approved valuer. All were satisfied and agreed with the testing and Valuation Certificate No: 1538/2023-24, dated 15.03.2024 given by Shri Kartikey Vasantrai Soni and in token of the same, the Panchas and the passenger put their dated signature on the said valuation certificate.

2.4. Then, the Officers, panchas and the passenger came back to the SVPI Airport in a Government Vehicle, after the proceedings of the valuation, examination of gold at the workshop, along with the 01 gold

chain and 04 Gold Kada on 15.03.2024. Thereafter, the Officers in the presence of the panchas asked the passenger, to produce the documents in his possession and he produced the below mentioned documents.

- (i) Copy of passport No. B7071087 issued at Ahmedabad, Gujarat on 07.11.2023 valid upto 06.11.2033.
- (ii) Boarding pass of Flight No. 6E92, Seat no.17A from Jeddah to Ahmedabad.

2.5. The Customs officers informed that the copies of travelling documents and identity proof documents mentioned above taken into possession of the officers for further investigation and the panchas as well as the passenger put their dated signatures on copies of all the above-mentioned travelling documents and the passenger manifest, as a token of having seen and agreed to the same.

3. The AIU Officers informed the panchas as well as the passenger, that the recovered 01 gold chain and 04 gold kada coated with white Rhodium contained having Gross weight **633.250 grams** 24Kt./999.0 purity having tariff value of **Rs.36,43,483/-** (Rupees Thirty-Six Lakh Forty-Three Thousand Four Hundred Eighty-Three Only) and market value of **Rs.42,92,802/-** (Rupees Forty-Two Lakh Ninety-Two Thousand Eight Hundred Two only). The said passenger had attempted to smuggle gold into India with an intent to evade payment of Customs duty which is a clear violation of the provisions of the Customs Act, 1962. Thus, the officers informed that they have a reasonable belief that the aforesaid Gold had attempted to be smuggled by the passenger, resulted in liable for confiscation as per the provisions of Customs Act, 1962 read with Rules and Regulation made thereunder.

4. A statement of **Shri Wasimkhan Munawwerkhan Pathan**, residing at 1262, Kanch Ni Masjid, Jamalpur, Ahmedabad, India, Pin-380001, holding an Indian Passport Number No. B7071087 was recorded under Section 108 of the Customs Act, 1962 (**RUD-03**) before the Superintendent (AIU), Customs, SVPI Airport, Ahmedabad on 15.03.2024, wherein he explained as under:

- Q-1 Ans.- His name, age and address stated above are true and correct. he is working as a car mechanic.
- Q-2 Ans.-They lived with his family i.e. wife, mother, father, sisters and his child.
- Q-3 Ans. – He did diploma in Mechanical. He knows Hindi, English, Gujarati. He travelled to Jeddah from 01.03.2024 to 15.03.2024.
- Q.4 Ans. –He replied that he is not frequent traveler, this is first time he visited to Makka Madina for Umrah. His tickets were booked by Shri Yashirbhai Bandusarwala, he is Tour operator. For this trip he has not pay single money at the time of booking of ticket. His friend Shri Yashirbhai Bandusarwala told that gave him money in installment after Umrah. He agreed and travelled on 01.03.2024 from Ahmedabad to Dubai by Indigo Airlines.
- Q.5 Ans.- On being asked, he stated that the recovered gold was not his and not purchased by him, while he returns to India from Jeddah on 15.03.2024 by 6E92 via. Indigo Airways that time shri Yashirbhai Bandusarwala given him the gold items i.e. 01 gold chain and 04 Gold Kada white Rhodium coated. The pax also accepted that the gold did not belonging to him and not purchased by him. He was fully aware that he was having gold in excess quantity but he was not aware of the actual quantity of gold. He have not any contact number or photo of the receiver of the gold in India. He was also aware that import of gold such ways in hidden condition/evade of duty is an offence.
- Q.6. Ans: He stated that he knows bringing/import of gold by way of concealment in an illegal way and it is an offense.
- Q.7. Ans:- Further, he stated that he was never indulged in any smuggling activity in the past. This was the first time he has carried gold weighing (Net) 633.250 grams in form of white rhodium coated 01 Chain and 04 Kada of gold .
- Q.8. Ans:-Further, he stated that on arrival at SVPI Airport at Ahmedabad from Jeddah by Flight No. 6E92 Indigo Airways at about 9.36 AM on 15.03.2024. He was intercepted by the AIU officers as they have doubt also input that he is carrying some high valued dutiable goods, when pass through the Red Channel the officers asked the pax to declare if anything high valued dutiable item, which is denied by the pax. At Green Channel, where they asked for baggage scanning and scanned his all baggage in baggage scanning machine(BSM) that time the Officers of AIU found some suspicious image inside his baggage. Thereafter, he was taken in AIU room which is situated at opp. to Belt No.2 at arrival hall of SVPI Airport. During the time of his

personal checking the AIU's officer asked please declare if you carrying anything dutiable/contraband. He confessed that he is carrying 01 gold chain and 04 Gold Kada in his side hand bag but he do not know the actual weight. Thereafter, he removed all the gold items and handed over to the officers. Thereafter, for testing and valuation purpose officers called to the govt. approved Valuer. After examination and valuation of the gold, the government approved valuer reported that one gold chain weighing 283.130 grams and four gold kada weighing 350.120 grams having purity 999.00 (24 Kt.). The total gold is having weight 633.250 grams, having tariff value of Rs. 36,43,483/- and market value of Rs.42,92,802/-. The said gold total weighing 633.250 grams having purity 999.00 (24 Kt.) (total 5 gold article i.e. 1 Gold chain and 4 gold Kada) was seized by the officers under Panchnama dated 15.03.2024 under the provision of Customs Act, 1962. Further, he stated that he was present during the entire course of the Panchnama dated 15.03.2024 and he confirmed the events narrated in the said panchnama drawn on 15.03.2024 at Terminal-2, SVPI Airport, Ahmedabad. In token of its correctness he had put his dated signature on the said Panchnama.

Q.9.Ans: - He has already been stated that the gold was not his and not purchased by him. He also stated that he was aware that smuggling of gold without payment of customs duty is an offence. Since, he was aware that he has carrying excess quantity of gold in form of Kada and Chain which is inside his handbag but he did not make any declarations in this regard as he wanted to clear it illicitly and evade payment of duty to his own benefit i.e. visit Makka - Madina for Umrah and the same will be handover to other unknown person at SVPI Airport, he did not make any declarations in this regard.

Q.10.Ans. He already stated that this gold is not his and not purchased by him. He only knew that this gold is handover to some unknown person in India, he will be contacted him when he will arrive at India.

Q.11 Ans. Further, he stated that he has bank Account in State Bank of India, but he did not know his bank account number.

5. The above said gold (White Rhodium coated 01 gold chain and 04 gold kada) with a net weighment of 633.250 grams (283.130 gram of 01 gold chain and 350.120 gram of 04 gold Kada) having purity of 999.0/24 Kt. involving total tariff value of Rs.36,43,483/- (Rupees Thirty Six Lakh Forty Three Thousand Four Hundred Eighty Three Only) and market value of Rs.42,92,802/- (Rupees Forty Two Lakh Ninety

Two Thousand Eight Hundred Two only) recovered from the said passenger which were attempted to be smuggled into India with an intent to evade payment of Customs duty by concealed as white Rhodium coated gold in his hand bag, which was in clear violation of the provisions of the Customs Act, 1962. Thus, on a reasonable belief that the Gold totally weighing 633.250 Grams which were attempted to be smuggled by Shri Wasimkhan Munawwerkhan Pathan, Passport No. B7071087 is liable for confiscation under the provisions of Section 111 of the Customs Act, 1962, hence, the above said gold weighing 633.250 grams 24kt/999.0 purity was placed under seizure under the provision of Section 110 of the Customs Act, 1962, vide Seizure Memo Order dated 15.03.2024, under Section 110 (1) & (3) of the Customs Act, 1962 (**RUD - 04**).

6. RELEVANT LEGAL PROVISIONS:

A. THE CUSTOMS ACT, 1962:

I) Section 2 - Definitions.—*In this Act, unless the context otherwise requires,—*

(22) "goods" includes-

- (a) vessels, aircrafts and vehicles;
- (b) stores;
- (c) baggage;
- (d) currency and negotiable instruments; and
- (d) any other kind of movable property;

(3) "baggage" includes unaccompanied baggage but does not include motor vehicles;

(33) "prohibited goods" means any goods the import or export of which is subject to any prohibition under this Act or any other law for the time being in force but does not include any such goods in respect of which the conditions subject to which the goods are permitted to be imported or exported have been complied with;

(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;"

II) Section 11A – Definitions -*In this Chapter, unless the context otherwise requires,*

- (a) "illegal import" means the import of any goods in contravention of the provisions of this Act or any other law for the time being in force;"

III) "Section 77 – Declaration by owner of baggage.—The owner of any baggage shall, for the purpose of clearing it, make a declaration of its contents to the proper officer."

IV) "Section 110 – Seizure of goods, documents and things.— (1) If the proper officer has reason to believe that any goods are liable to confiscation under this Act, he may seize such goods:"

V) "Section 111 – Confiscation of improperly imported goods, etc.—The following goods brought from a place outside India shall be liable to confiscation:-

- (d) any goods which are imported or attempted to be imported or are brought within the Indian customs waters for the purpose of being imported, contrary to any prohibition imposed by or under this Act or any other law for the time being in force;
- (f) any dutiable or prohibited goods required to be mentioned under the regulations in an arrival manifest or import manifest or import report which are not so mentioned;
- (i) any dutiable or prohibited goods found concealed in any manner in any package either before or after the unloading thereof;
- (j) any dutiable or prohibited goods removed or attempted to be removed from a customs area or a warehouse without the permission of the proper officer or contrary to the terms of such permission;
- (l) any dutiable or prohibited goods which are not included or are in excess of those included in the entry made under this Act, or in the case of baggage in the declaration made under section 77;
- (m) any goods which do not correspond in respect of value or in any other particular with the entry made under this Act or in the case of baggage with the declaration made under section 77 in respect thereof, or in the case of goods under transshipment, with the declaration for transshipment referred to in the proviso to sub-section (1) of section 54;"

VI) "Section 119 – Confiscation of goods used for concealing smuggled goods—Any goods used for concealing smuggled goods shall also be liable to confiscation."

VII) "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 manner dealing with any goods which he know or has reason to believe are liable to confiscation under Section 111, shall be liable to penalty.

B. THE FOREIGN TRADE (DEVELOPMENT AND REGULATION) ACT, 1992;

I) "Section 3(2) - The Central Government may also, by Order published in the Official Gazette, make provision for prohibiting, restricting or otherwise regulating, in all cases or in specified classes of cases and subject to such exceptions, if any, as may be made by or under the Order, the import or export of goods or services or technology."

II) "Section 3(3) - All goods to which any Order under sub-section (2) applies shall be deemed to be goods the import or export of which has been prohibited under section 11 of the Customs Act, 1962 (52 of 1962) and all the provisions of that Act shall have effect accordingly."

III) "Section 11(1) - No export or import shall be made by any person except in accordance with the provisions of this Act, the rules and orders made thereunder and the foreign trade policy for the time being in force."

C. THE CUSTOMS BAGGAGE DECLARATIONS REGULATIONS, 2013:

I) Regulation 3 (as amended) - All passengers who come to India and having anything to declare or are carrying dutiable or prohibited goods shall declare their accompanied baggage in the prescribed form.

Contravention and violation of laws:

7. It therefore appears that:

- (a) The passenger had dealt with and actively indulged himself in the instant case of smuggling of gold into India. The passenger had improperly imported gold (01 Gold chain and 04 Gold Kada) weighing 633.250 Grams having purity 999.0/24 Kt. by concealing in his hand bag and involving tariff value of Rs.36,43,483/- (Rupees Thirty-Six Lakh Forty-Three Thousand Four Hundred Eighty-Three Only) and market value of Rs.42,92,802/- (Rupees Forty-Two Lakh Ninety-Two Thousand Eight Hundred Two only). The said gold was

concealed in his hand bag and not declared to the Customs. The passenger opted green channel to exit the Airport with deliberate intention to evade the payment of Customs Duty and fraudulently circumventing the restrictions and prohibitions imposed under the Customs Act, 1962 and other allied Acts, Rules and Regulations. Therefore, the improperly imported 633.250 Grams of 01 white rhodium coated gold chain and 04 white rhodium coated gold kada purity 999.0/24 Kt. by the passenger by way of concealed in his hand bag in Jewellery form without declaring it to the Customs on arrival in India cannot be treated as bonafide household goods or personal effects. The passenger has thus contravened the Foreign Trade Policy 2015-20 and Section 11(1) of the Foreign Trade (Development and Regulation) Act, 1992 read with Section 3(2) and 3(3) of the Foreign Trade (Development and Regulation) Act, 1992.

- (b)** By not declaring the value, quantity and description of the goods imported by him, the said passenger violated the provision of Baggage Rules, 2016, read with the Section 77 of the Customs Act, 1962 read with Regulation 3 of Customs Baggage Declaration Regulations, 2013.
- (c)** The improperly imported gold by the passenger, found concealed as white rhodium coated 01 gold chain and 04 gold kada, without declaring it to the Customs is thus liable for confiscation under Section 111(d), 111(f), 111(i), 111(j), 111(l) and 111(m) read with Section 2 (22), (33), (39) of the Customs Act, 1962 and further read in conjunction with Section 11(3) of the Customs Act, 1962.
- (d)** The Noticee by his above-described acts of omission and commission on his part has rendered himself liable to penalty under Section 112 of the Customs Act, 1962.
- (e)** As per Section 123 of the Customs Act 1962, the burden of proving that the white rhodium coated 01 gold chain and 04

gold kada weighing 633.250 Grams having purity 999.0/24 Kt. and having tariff value of Rs.36,43,483/- (Rupees Thirty Six Lakh Forty Three Thousand Four Hundred Eighty Three Only) and market value of Rs.42,92,802/- (Rupees Forty Two Lakh Ninety Two Thousand Eight Hundred Two only), which was concealed as wrapped in his hand bag by the passenger, totally weighing 633.250 grams without declaring it to the Customs, are not smuggled goods, is upon the passenger Shri Wasimkhan Munawwerkhan Pathan.

8. Now, therefore, **Shri Wasimkhan Munawwerkhan Pathan** residing at 1262, Kanch Ni Masjid, Jamalpur, Ahmedabad, Gujarat, India, Pin - 380001, holding an Indian Passport Number No. B7071087, is hereby called upon to show cause in writing to the Additional Commissioner of Customs, having his Office located at 2nd Floor, 'Custom House' Building, Near All India Radio, Navrangpura, Ahmedabad-380009, as to why:

- (i) 01 Gold chain (weighing 283.130 gram) and 04 Gold Kadas (weighing 350.120 gram), totally weighing **633.250** Grams having purity 999.0/24 Kt. and having total tariff value of **Rs.36,43,483/-** (Rupees Thirty Six Lakh Forty Three Thousand Four Hundred Eighty Three Only) and market value of **Rs.42,92,802/-** (Rupees Forty Two Lakh Ninety Two Thousand Eight Hundred Two only) which was concealed in his hand bag, and was placed under seizure under panchnama proceedings dated 15.03.2024 and Seizure Memo Order dated 15.03.2024 should not be confiscated under the provision of Section 111(d), 111(f), 111(i), 111(j), 111(l) and 111(m) of the Customs Act, 1962;
- (ii) Penalty should not be imposed upon the passenger, under Section 112 of the Customs Act, 1962, for the omissions and commissions mentioned hereinabove.

9. Shri Wasimkhan Munawwerkhan Pathan, is further required to state specifically in the written reply as to whether he wishes to be heard in person before the case is adjudicated. If no specific mention

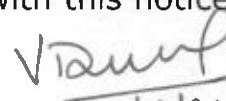
is made about this in the written reply, it shall be presumed that he does not wish to be heard in person. He should produce at the time of showing cause, all the evidences which he intends to rely upon in defense.

10. Shri Wasimkhan Munawwerkhan Pathan is further required to note that the reply should reach **within 30 (thirty) days** or within such extended period as may be allowed by the adjudicating authority. If no cause is shown against the action proposed above within 30 days from the receipt of this show cause notice or if anyone does not appear before the adjudicating authority as and when the case is posted for hearing, the case is liable to be decided ex-parte on the basis of facts and evidences available on record.

11. This show cause notice is issued without prejudice to any other action that may be taken against him, under this Act or any other law for the time being in force, or against any other company, person(s), goods and conveyances whether named in this notice or not.

12. Department reserves its right to amend, modify or supplement this notice at any time prior to the adjudication of the case.

13. The relied upon documents for the purpose of this notice are listed in Annexure 'A' and copies thereof are enclosed with this notice.


6/8/24
(Vishal Malani)

Additional Commissioner
Customs, Ahmedabad.

F. No. VIII/10-189/SVPIA-A/O&A/HQ/2024-25 Date : 06.08.2024
DIN: 20240871MN000000B7EE

BY SPEED POST/ E-mail:

To,
Shri Wasimkhan Munawwerkhan Pathan,
1262, Kanch Ni Masjid, Jamalpur,
Ahmedabad, Gujarat, India, Pin-380001.

Copy to:

- (i) The Deputy/Assistant Commissioner of Customs (AIU), SVPIA, Ahmedabad.
- (ii) The System In-Charge, Customs, HQ., Ahmedabad for uploading on the official web-site i.e. <http://www.ahmedabadcustoms.gov.in>.
- ✓ (iii) Guard File.

Annexure 'A'

Documents relied upon in the notice to show cause dated 06.08.2024, issued to Shri Wasimkhan Munawwerkhan Pathan,1262, for attempting to smuggle 01 Gold Chain and 04 Gold Kada having total weight of 633.250 grams 24kt/9990.0 purity.

Sr. No.	Document	Remarks
1	Panchnama drawn on 15.03.2024 at SVP International Airport, Ahmedabad	Copy enclosed.
2.	Valuation certificate no. 1538/2023-24 dated 15.03.2024 issued by Shri Karitkey Soni, Government Approved Valuer.	Copy enclosed.
3.	Statement dated 15.03.2024 of Wasimkhan Munawwerkhan Pathan	Copy enclosed.
4.	Seizure memo Order dated 15.03.2024 issued under Section 110(1) & (3) of the Customs Act, 1962.	Copy enclosed.

**Panchanama dated 15.03.2024 drawn at the Arrival Hall of
Terminal 2 of SVPI Airport, Ahmedabad**

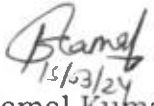
Sr. No.	Name & Address of the Panchas	Age in Yrs.	Occupation
1.	Avani Patel, C-1103, Shaligram Square, Near Gota Bridge, S. G. High way, Ahmedabad-382481	23	Service
2.	Amardeep Singh, 507 Lal Krishna Apartment, New Nikol, Ahmedabad	24	Service

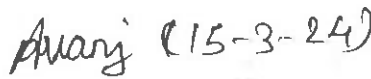
On being called upon by a person, who introduces himself as Kamal Kumar Khatik, Inspector of Customs (AIU), SVPI Airport, Ahmedabad by showing his identity card, we the above named panchas present ourselves at approx. 9.15 AM of 15.03.2024 at the green channel of arrival hall of Terminal 2, SVPI Airport, Ahmedabad. Kamal Kumar Khatik introduces us to other officers namely Shri Himanshu Garg, Deputy Commissioner, Ms. Sarjula Vasava, Shri Rakesh Kumar and Shri Ravi Shankar all three Superintendent of Customs (AIU). Kamal Kumar Khatik requests us to remain present as panchas during the course of personal and baggage search proceedings of three passengers. On being requested, we the above mentioned panchas give our consent to remain present as panchas for the entire proceedings.

Kamal Kumar Khatik, Inspector of Customs (AIU), SVPI Airport, Ahmedabad informs us that three passengers have opted for green channel at arrival hall of Terminal 2, SVPI Airport, Ahmedabad but on suspicious movement of the passenger, the officers of the AIU intercepted the said 03 passengers. Thorough checking of the passengers as well as examination of their baggage is required and requests us to remain present as panchas during the course of personal and baggage search proceedings of the three passengers. The passengers would be arriving by flight No. 6E92 of Indigo airlines which will be landing at approximately 09.36 AM and we are requested to be present during the entire proceedings as independent panchas.

Accordingly, in the presence of we the panchas, the officers intercept passenger when the said passengers try to exit through Green Channel at arrival hall of terminal 2 of Sardar Vallabhbhai Patel International Airport (SVPI) Ahmedabad. On being asked about his identity by the AIU officers, the three passengers identify **(1) Noorjahan Bano Chhipa** and having Passport No. R7546106 **(2) Shaida** having Passport No. R7546107 **(3) Wasimkhan Munawwerkhan Pathan** having Passport No. B7071087 and shows their Boarding Pass which shows that the three passengers have travelled from Jeddah to Ahmedabad on 15.03.2024 by Indigo airlines flight No. 6E92, Seat No. 17C- Noorjahan

Before me,


(Kamal Kumar Khatik)
Inspector (AIU)
SVPI Airport, Ahmedabad

Pancha 1.  (15-3-24)

Pancha 2.  (15-3-24)

1. Smt. Noorjahan Bano Chhipa 2. Smt. Shaida 3. Shri Wasimkhan Munawwerkhan Pathan

(Passengers)

Bano Chhipa, Seat No. 17B- Shaida and Seat No. 17A- Wasimkhan Munawwerkhan Pathan at SVPI Airport, Ahmedabad.

The AIU officers inform to the said three passengers that they will be conducting his and her personal search and other accompanied officers will conduct detailed examination of all the three passengers. Here, the officers offer their personal search to the passengers, but the passenger denies saying that they are having full trust on the officers. Now, the AIU officer asks the passengers whether they want to be checked in front of an Executive Magistrate or Superintendent of Customs, in reply to which the passengers give their consent to be searched in front of the Superintendent of Customs.

Now, the AIU officers ask Smt. Noorjahan Bano Chhipa, Smt. Shaida and Shri Wasimkhan Munawwerkhan Pathan to pass through the Door Frame Metal Detector (DFMD) Machine installed near the green channel in the Arrival hall of Terminal 2 building, after removing all metallic objects from their body/clothes. The passengers remove all the metallic objects such as mobile, purse, jewellery etc. and keeps in a plastic tray and passes through the DFMD machine. However, no beep sound is heard indicating there is nothing objectionable/metallic substance on their body/clothes.


Thereafter, the AIU officers scan all the baggage of (1) **Smt. Noorjahan Bano Chhipa** and (2) **Smt. Shaida** in the Baggage Screening Machine (BSM) but nothing suspicious is observed from the baggage of Noorjahan Bano Chhipa and Shaida by the AIU officers. Further, in presence of we the panchas the AIU officers scan all the baggage of (3) **Shri Wasimkhan Munawwerkhan Pathan** in the Baggage Screening Machine (BSM). On examination of baggage, the AIU officers noticed/observed some suspicious x-ray image indicating something objectionable is present in the hand bag of Shri Wasimkhan Munawwerkhan Pathan. The officer of AIU asked about the suspicious x-ray image also asked whether he is carrying any dutiable/contraband goods. After sustained interrogation Shri Wasimkhan Munawwerkhan Pathan confesses that he has Gold jewellery in his hand bag. The AIU officers checked the hand bag of **Shri Wasimkhan Munawwerkhan Pathan** and found **01 Gold Chain and 04 Gold Kada Coated with White Rhodium** from the said passenger.

Thereafter, all the three said passengers, we the panchas and the officers of AIU move to the AIU office located opposite Belt No. 3 of the Arrival Hall, terminal 2 of Sardar Vallabhbhai Patel International Airport, Ahmedabad alongwith the baggage of the passengers. The AIU officers checked the baggage of the passengers, however nothing other objectionable is found.

Now, the AIU officers ask the said passengers again, if they are having anything dutiable which is required to be declared to the Customs

Before me,

Pancha 1. *Awary* (15-3-24)


(Kamal Kumar Khatik)
Inspector (AIU)
SVPI Airport, Ahmedabad

Pancha 2. *Qroz* (15-3-24)

1. Smt. Noorjahan Bano Chhipa 2. Smt. Shaida 3. Shri Wasimkhan Munawwerkhan Pathan

(Passengers)

to which the said passengers deny. Now, in presence of we the panchas, AIU officers interrogate the said passengers and on sustained interrogation and repeated questioning, both the two passengers **Smt. Noorjahan Bano Chhipa** and **Smt. Shaida** confess that they are carrying Gold and Chemical mix paste strip covered with white tape concealed inside the waist band of their innerwear. Further, the passenger **Smt. Noorjahan Bano Chhipa** removes Two Strips Covered with white Tape and the passenger **Smt. Shaida** removes one Strip Covered with white Tape from their innerwear and handed over the same to the AIU officers in our presence.

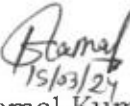
Thereafter, the AIU officer calls the Government Approved Valuer and informs him that total **01 Gold Chain and 04 Gold Kada Coated with White Rhodium** and **three gold & chemical mix strips Covered with white Tape** have been recovered from the said three passengers, it is gold in semi-solid paste form and hence, he needs to come to the Airport for testing and valuation of the said material. In reply, the Government Approved Valuer informs the AIU Officer that the testing of the said material is only possible at his workshop as gold has to be extracted from such semi-solid paste form by melting it and also informs the address of his workshop.

Thereafter, at around 13.05 PM on 15.03.2024 we the panchas along with the passengers and the Officers leave the Airport premises in a Government Vehicle and reach at the premises of the Government Approved Valuer located at 301, Golden Signature, Bh. Ratnam Complex, C.G. Road, Ahmedabad-380006.

On reaching the above referred premises, the AIU officer introduces the panchas as well as the passenger to one person named Shri Kartikey Vasantrai Soni, Government Approved Valuer. Here, after weighing on weighing scale, Shri Kartikey Vasantrai Soni informs that the 02 Gold and Chemical mix paste strip recovered from **Smt. Noorjahan Bano Chhipa** weighing at **1100.680**, the 01 Gold and Chemical mix paste strip recovered from **Smt Shaida** weighing at **670.310** and 01 Gold Chain Coated with White Rhodium weighing at **283.130 grams** and 04 Gold Kada Coated with White Rhodium total weighing at **350.120 grams** having purity of 999.0/24kt. recovered from **Shri Wasimkhan Munawwerkhan Pathan**.

Now the AIU officers takes the photographs of the said Gold and Chemical mix paste strip and Gold Chain and Gold Kada which are as under:

Before me,

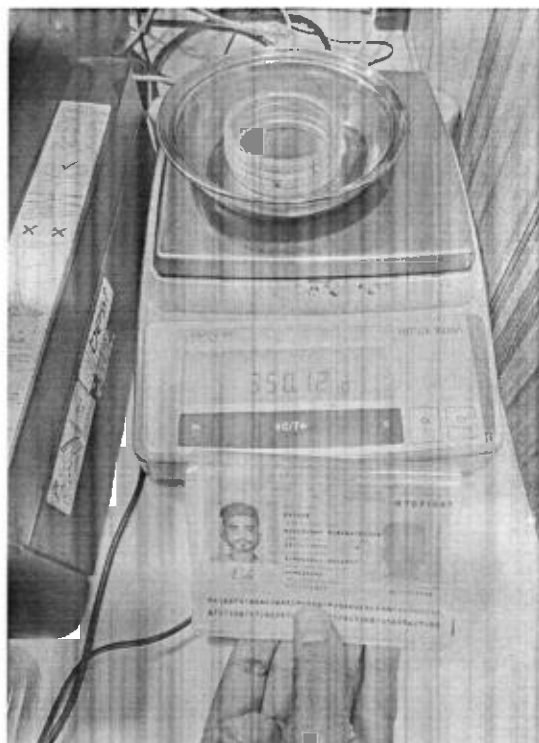
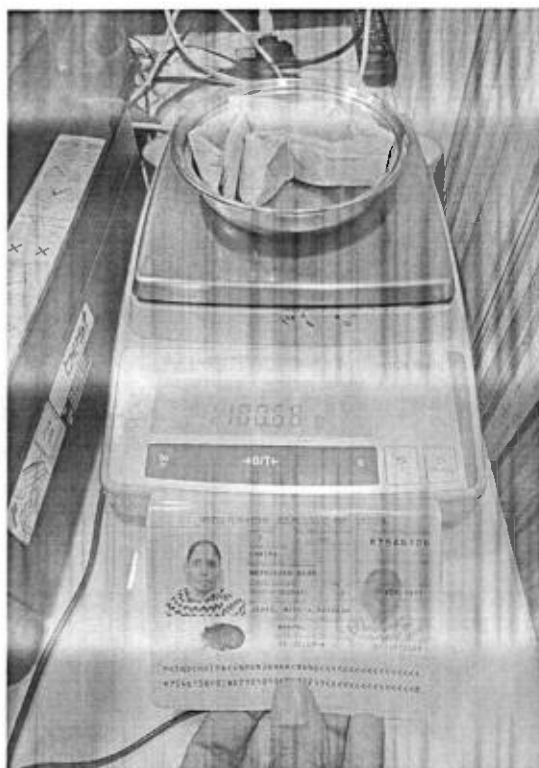

(Kamal Kumar Khatik)
Inspector (AIU)
SVPI Airport, Ahmedabad

Pancha 1.  (15-3-24)

Pancha 2.  (15-3-24)

1. Smt. Noorjahan Bano Chhipa 2. Smt. Shaida 3. Shri Wasimkhan Munawwerkhan Pathan

(Passengers)



Thereafter, Shri Kartikey Vasantrai Soni, Government Approved Valuer leads us to the furnace, which is nearby. Here, Shri Kartikey Vasantrai Soni starts the process of converting strip containing semi-solid substance consisting of gold and chemical mix one by one into solid gold. The white tape of strips is removed and semi-solid paste is put into the

Before me,

Pancha 1. *Anwarj (15-3-24)*

Kamal
15/3/24
(Kamal Kumar Khatik)
Inspector (AIU)
SVPI Airport, Ahmedabad

Pancha 2. *Anwar (15-3-24)*

Rukh 15/3/24

1. Smt. Noorjahan Bano Chhipa
2. Smt. Shaida
3. Shri Wasimkhan Munawwerkhan Pathan

(Passengers)

furnace and upon heating the said substance, it turns into liquid material. The said substance in liquid state is taken out of furnace, and poured into a mould and after cooling for some time, it becomes golden coloured solid metal in form of a bar. After completion of the procedure, Government Approved Valuer now takes the weight of the said golden coloured bars in presence of we panchas, the passenger and the AIU Officers. We the panchas, the passengers and the officers carefully observed the process of melting of Gold and its conversion into Gold Bar and fully satisfied with the method adopted by the Government Approved Valuer. The details of the Gold bars converted, its weight, purity and value submitted by the Government Approved Valuer are as under-

1. Smt. Noorjahan Bano Chhipa

Details of items	Pcs	Gross weight in gram	Net weight in gram	Purity	Market Value in Rs.	Tariff Value in Rs.
Gold Bar	02	1100.680	932.720	999.0, 24 Kt.	63,22,909/-	53,66,521/-

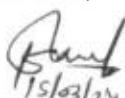
2. Smt. Shaida

Details of items	Pcs	Gross weight in gram	Net weight in gram	Purity	Market Value in Rs.	Tariff Value in Rs.
Gold Bar	02	670.310	566.750	999.0, 24 Kt.	38,41,998/-	32,60,867/-

Now the AIU officer takes the photographs of the above said bars which are as under:



Before me,


 (Kamal Kumar Khatik)
 Inspector (AIU)
 SVPI Airport, Ahmedabad

Pancha 1. *Awari* (15-3-24)

Pancha 2. *Amor* (15-3-24)

1. Smt. Noorjahan Bano Chhipa

2. Smt. Shaida

3. Shri Wasimkhan Munawwerkhan Pathan

(Passengers)

The details of the Gold Chain and Gold Kada, its weight, purity and value submitted by the Government Approved Valuer are as under for Shri Wasimkhan Munawwerkhan Pathan-

Details of items	Pcs	Net weight in gram	Purity	Market Value in Rs.	Tariff Value in Rs.
Gold Chain coated with White Rhodium	01	283.130	999.0, 24 Kt.	19,19,338/-	16,29,024/-
Gold Kada coated with White Rhodium	04	350.120	999.0, 24 Kt.	23,73,463/-	20,14,459/-
	05	633.250	999.0, 24 Kt.	42,92,802/-	36,43,483/-

The value of the gold bar/gold jewellery has been calculated as per the Notification No. 17/2024-Customs (N.T.) dated 06.03.2024 (gold) and Notification No. 18/2024-Customs (N.T.) dated 07.03.2024 (exchange rate). He submits his **valuation Certificate No.1539/2023-24** (Noorjahan Bano Chhipa), **1540/2023-24** (Shaida) and **1538/2023-24** (Wasimkhan Munawwerkhan Pathan) to the AIU Officer which is in Annexure-A and Annexure-B for passengers. We the above panchas and the said passenger put our dated signature on the said valuation report.

Now, as the proceedings of the extraction of gold at the workshop completed, we panchas, the officers and the passengers come back to the Airport in government vehicle alongwith the extracted gold bars at 06.00 PM on 15.03.2024.

Thereafter in the presence of we the panchas, on scrutiny of the documents of the passenger, it is found that-

Smt. Noorjahan Bano Chhipa is aged 53 years (DOB-01.01.1971) W/o Mohammad Anvar Chhipa residing at Ward No. 10, Choupatta Mohalla Jawad, Neemuch, Madhya Pradesh, Pin-458330

Smt. Shaida is aged 49 years (DOB-01.01.1975) W/o Mohammad Salim residing at Chopatta Mohalla Athana Darwaja Jawad, Neemuch, Madhya Pradesh, Pin-458330

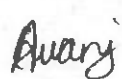
Shri Wasimkhan Munawwerkhan Pathan is aged 28 years (DOB-28.02.1996) S/o Munawwerkhan Pathan residing at 1262, Kanch Ni Masjid Jamalpur, Ahmedabad, Gujarat, Pin-380001

On being asked by the AIU officer, in presence of we the panchas, passenger Smt. Noorjahan Bano Chhipa, Smt. Shaida and Shri Wasimkhan Munawwerkhan Pathan produce the identity proof documents which are as under:-

Before me,


15/03/24

(Kamal Kumar Khatik)
Inspector (AIU)
SVPI Airport, Ahmedabad

Pancha 1.  (15-3-24)

Pancha 2.  (15-3-24)

1. Smt. Noorjahan Bano Chhipa

2. Smt. Shaida

3. Shri Wasimkhan Munawwerkhan Pathan

(Passengers)

1. Smt. Noorjahan Bano Chhipa

- i) Copy of Passport No. R7546106 issued at Bhopal on 22.02.2018 valid up to 21.02.2028.
- ii) Boarding pass of Flight No. 6E92, Seat No. 17C from Jeddah to Ahmedabad.

2. Smt. Shaida

- i) Copy of Passport No. R7546107 issued at Bhopal on 22.02.2018 valid up to 21.02.2028.
- ii) Boarding pass of Flight No. 6E92, Seat No. 17B from Jeddah to Ahmedabad.

3. Shri Wasimkhan Munawwerkhan Pathan


- i) Copy of Passport No. B7071087 issued at Ahmedabad on 07.11.2023 valid up to 06.11.2033.
- ii) Boarding pass of Flight No. 6E92, Seat No. 17A from Jeddah to Ahmedabad.


Now, the AIU officer show the passengers as well as us, the passenger manifest of Indigo Flight No. 6E92, in which name of Smt. Noorjahan Bano Chhipa, Smt. Shaida and Shri Wasimkhan Munawwerkhan Pathan mentioned clearly. We the panchas as well as the passengers put our dated signatures on copies of all the above mentioned travelling documents and the above passenger manifest, as a token of having seen and agreed to the same.

The gold bars/jewellery recovered from the said passengers Smt. Noorjahan Bano Chhipa, Smt. Shaida and Shri Wasimkhan Munawwerkhan Pathan are attempted to be smuggled into India with an intent to evade payment of Customs duty which is a clear violation of the provisions of Customs Act, 1962. Thus, the AIU officer informs that they have a reasonable belief that the above said Gold is being attempted to be smuggled by Smt. **Noorjahan Bano Chhipa, Smt. Shaida and Shri Wasimkhan Munawwerkhan Pathan** are liable for confiscation as per the provisions of Customs Act, 1962; hence, the said gold bars/jewellery along with packing material are being placed under seizure.

The AIU officer, then, in presence of we the panchas and in the presence of the said passenger, places the said gold bars/jewellery **recovered from** Smt. Noorjahan Bano Chhipa, Smt. Shaida and Shri Wasimkhan Munawwerkhan Pathan in transparent plastic boxes along with the respective packing materials and after placing the packing list **(Annexure-C)** on the same, ties it with white thread and seals it with the Customs lac seal in such a manner that same cannot be opened without tempering the Customs lac seal.

Before me,


(Kamal Kumar Khatik)
Inspector (AIU)
SVPI Airport, Ahmedabad

Pancha 1.  (15-3-24)

Pancha 2.  (15-3-24)


1. Smt. Noorjahan Bano Chhipa 2. Smt. Shaida 3. Shri Wasimkhan Munawwerkhan Pathan

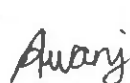
(Passengers)


We, the above mentioned two panchas, the AIU officer as well as the passengers have put our dated signature on the packing list placed over the boxes as a token of having packed and sealed in our presence and in the presence of the passengers. The said sealed transparent plastic container containing gold bar/jewellery alongwith the packing materials is handed over to the Ware House Incharge, SVPI Airport, Ahmedabad vide Ware House Entry No. 5993 dated 15.03.2024 (Smt. Noorjahan Bano Chhipa), 5994 dated 15.03.2024 (Smt. Shaida) and 5995 dated 15.03.2024 (Shri Wasimkhan Munawwerkhan Pathan).

Nothing else is seized or taken over from the passenger Smt. Noorjahan Bano Chhipa, Smt. Shaida and Shri Wasimkhan Munawwerkhan Pathan except what has been mentioned above in the panchnama. No threat, coercion or inducement is made during the entire proceedings. No religious sentiments of the passengers are hurt during the course of panchnama. The panchnama is recorded on a computer installed in the office of the Air Intelligence Unit at SVPI Airport, Ahmedabad and we all find that the panchnama is true and correct version of the proceedings. After understanding the same, and explaining the same to the passenger in the vernacular language we as well as the passenger put our dated signature on it as a token of truth and correctness. The Panchnama concluded in a peaceful manner at approx. 7.00 PM on 15.03.2024.

Before me,


(Kamal Kumar Khatik)
Inspector (AIU)
SVPI Airport, Ahmedabad

Pancha 1.  (15-3-24)

Pancha 2.  (15-3-24)

1. Smt. Noorjahan Bano Chhipa 2. Smt. Shaida 3. Shri Wasimkhan Munawwerkhan Pathan

(Passengers)

ANNEXURE 'A'

VALUATION CERTIFICATE OF ONE GOLD CHAIN & FOUR GOLD KADA COATED WITH WHITE RHODIUM RECOVERED FROM WASIMKHAN MUNAWWERKHAN PATHAN AT SVPI AIRPORT, AHMEDABAD ON 15.03.2024.

Certificate No: 1538 / 2023-24

Dated: 15/03/2024.

This is to certify that I have checked and examined One Chain & Four Gold Kada Coated with White Rhodium totally weighing **633.250** Grams recovered from Pax. **Wasimkhan Munawwerkhan Pathan** having Passport No. **B7071087** Residing at 1262, Kanch Ni Masjid, Jamalpur, Ahmedabad, Gujarat, India, travelling by Indigo Flight No: 6E 92 From Jeddah to Ahmedabad, Arrived on: 15-03-2024 at SVPI Airport, Ahmedabad. The details of purity of said Gold is certified in the table given below.

The market value of the aforesaid Gold & tariff value as per the Notification No. 17/2024- Customs (N.T.) dated 06.03.2024 (gold) and Notification No. 18/2024- Customs (N.T.) dated 07.03.2024 (exchange rate), the calculation of total market value based on the unit market value of gold @ **67790** per 10 grams (999.0 24Kt) and the calculation of total tariff value based on the tariff value of gold prevailing at the time of valuation @ **57536.25** Rs. per 10 gram (999.0 24Kt) are as given below: -

SR. No.	Details of Items	PCS	Net Weight in Gram	Purity	Market value (Rs)	Tariff Value (Rs)
1	Gold Chain Coated with White Rhodium	1	283.130	999.0 24Kt	1919338	1629024
2	Gold Kada Coated with White Rhodium	4	350.120	999.0 24Kt	2373463	2014459
	Total	5	633.250		4292802	3643483

Place: Ahmedabad

Date: 15/03/2024



Kartikey Vasantrai
15/03/24
(SONI KARTIKEY VASANTRAI)

P1 - *Anwar (15-3-24)*

Qr: Certificate-No:1538-2023-24 Dated:15.03.2024 The Deputy Commissioner (AIU) SVPI Customs Ahmedabad Recovered from Wasimkhan Munawwerkhan Pathan

Deputy Commissioner
15/3/24

P2 - *Anwar (15-3-24)*



Statement of Shri Wasimkhan Munawwerkhan Pathan(D.O.B- 28.02.1996) aged 28 years (Mobile No.8320665916) S/o Shri Munawwerkhan Pathan holding an Indian Passport Number No. B7071087, residing at 1262, Kanch ni Masjid, Jamalpur, Ahmedabad - 380001, Gujarat and recorded under Section 108 of the Customs Act, 1962 before the Superintendent (AIU), Customs, SVPI Airport, Ahmedabad on 15.03.2024.

I, Shri Wasimkhan Munawwerkhan Pathan(D.O.B- 28.02.1996) aged 28 years (Mobile No. 8320665916) S/o Shri Munawwerkhan Pathan holding an Indian Passport Number No. B7071087, residing at 1262, Kanch ni Masjid, Jamalpur, Ahmedabad - 380001, Gujarat and recorded under Section 108 of the Customs Act, 1962 and recorded under Section 108 of the Customs Act, 1962. on being called by the Superintendent, Customs, Air Intelligence Unit at SVPI Airport, Ahmedabad, appear before you to give my true and correct statement today i.e. on 15.03.2024.

Before recording my this statement, I have been explained the provisions of Sec. 108 of the Customs Act 1962, according to which I have to give true and correct statement. In case my this statement is found to be untrue or misleading, action under the provisions of the Indian Penal Code can be initiated against me and my this statement can be used against me or against any other person. After having understood the said provisions, I give my true and correct statement which is as under:

I present myself before you today on 15.03.2024 in response to the summons bearing DIN No. 20240371MN0000777B6E issued to me under Section 108 of the Customs Act, 1962. Before giving my statement, I have been explained the provisions of Section 108 of the Customs Act, 1962, wherein, I have been made to understand that I have to give my true and correct statement. I have been explained that if my statement is found to be false or incorrect, action can be taken against me under the provisions of the Indian Penal Code. I have also been explained that my statement can be used as legal evidence against me or any other person in the Court of law. Now, I give my statement as under:

Q-1. Please state your name, age, address and profession?

Ans:- My name, age and address stated above is true and correct. I am Working as Car Mechanical, Shantipura Circle, Ahmedabad.

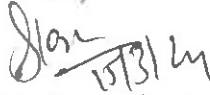
Q-2:- Please give the details of your family residing with you and their profession?


Ans: I am staying with my Family. In my family there is Mother, Father, three sister in which one is married, my wife and my child(aged 9 months). My Father is auto rickshaw driver and my mother and wife are home maker.

Q-3:- What is your qualification and your monthly income? Which language known by you?

Ans.: I did diploma in Mechanical. I know Hindi, Gujarati and English. However, the entire/whole statement explained to me in Hindi, I travelled to Jeddah with him from 01.03.2024 to 15.03.2024.

Before me,


(Sarjula Vasava)
Superintendent (AIU)

 15/3/24
(Shri Wasimkhan Munawwerkhan Pathan)
Pax

Q.4:- Please explain regarding your overseas travels?

Ans: I am not frequent traveller to Jeddah, this is First time I visit Makka-madina for Umrah. My tickets were booked by Shri Yashirbhai Bandusarwala he is tour operator and for this trip I have not pay single money at the time of booking as Shri Yashirbhai Bandusarwala is my friend who is also joined this trip so he told me that give me the booking charges after Umrah in installment. I thought in Ramzan this is good chance for me to visit our religious place Makka-madina. I agreed and travelled on 01.03.2024 from Ahmedabad to Dubai by Indigo Airlines.

Q.5. Please give the details whether someone give you this gold which is concealed by you or otherwise?

Ans:- On being asked, I state that this gold is not mine and not purchased by me, while I return to India from Jeddah on 15.03.2024 by 6E92 via. Indigo Airways that time Shri Yashirbhai Bandusarwala given me this gold to handover the same in India. While he was given me this gold kada and chain). I also state that the said gold did not belonging to me and not purchased by me. I was fully aware that I was having Gold in excess quantity but I was not aware of the actual quantity of Gold. I don't have any mobile number or photo to of the receiver the gold in India. I am also aware that import of gold such ways in hidden condition/evade of duty is an offence.

Q.6 Whether you know that bringing of gold or handing and taking over of the gold in an illegal way is an offense?

Ans: Yes, I know bringing/import of gold by way of concealment in an illegal way and it is an offense.

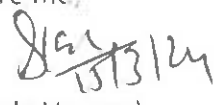
Q.7. Whether you were engaged in any smuggling activity in the past?

Ans:- I state that I have never indulged in any smuggling activity in the past. This is the first time I have carried gold weighing (Net) 633.250 grams in form of 4 Kada and 1 Chain.

Q.8. Please narrate the events on 15.03.2024 at the time of arrival at Ahmedabad Airport?

Ans:- On arrival at SVPI Airport at Ahmedabad from Jeddah by Flight No. 6E92 Indigo Airways at about 9.36 AM on 15.03.2024. I was intercept by the AIU Officers from the as they have doubt also input that I am carrying some high valued dutiable goods, when pass through the Red Channel the officers asked me to declare if anything high valued dutiable item, which I denied. At Green Channel, where they asked for baggage scanning and scanned my all baggage in baggage scanning machine(BSM) that time the Officers of AIU found suspicious inside my baggage. Thereafter, I was taken in AIU room for personal check and thorough check of my baggage which is situated at opp. to Belt No.2 at arrival hall of SVPI Airport. During the time of my personal checking the

Before me,


(Sarjula Vasava)
Superintendent (AIU)


(Shri Wasimkhan Munawwerkhan Pathan)

AIU's officer asked please declare if you carrying anything dutiable/contraband. Now, I confess that I am carrying gold kada and chain hidden in my handbag but I don't know the actual weight. Thereafter, the officers asked me to remove the same which was concealed in my handbag, the same were removed and handed over to AIU officer. Now, for testing and valuation purpose officers called to the govt. approved Valuer. At 11.00 AM. I leave Airport premises alongwith AIU officer and two Panchas and reached the premises of Govt. Approved valuer at 13.05 PM. Who in my presence tested and reported that the one gold chain (Net) weighing 283.130 grams) and four gold kada weighing 350.120 grams having purity 999.00(24 Kt.). The total gold is having weight 633.250 grams, having tariff value of **Rs. 36,43,483/-** and market value of **Rs. 42,92,802/-**. The said gold total weighing **633.250** grams having purity 999.00(24 Kt.)(**total 5 gold article i.e 1 Gold chain and 4 gold Kada**) was seized by the officers under Panchnama dated 15.03.2024 under the provision of Customs Act, 1962. I state that I have been present during the entire course of the Panchnama dated 15.03.2024 and I confirm the events narrated in the said panchnama drawn on 15.03.2024 at Terminal-2, SVPI Airport, Ahmedabad. In token of its correctness I have put my dated signature on the said Panchnama.

Q.10:- Please state specifically why you had opted for green channel without declaring the dutiable goods?

Ans: -I have already been state this gold is not mine and not purchased by me only. I am also aware that smuggling of gold without payment of customs duty is an offence. Since, I was aware that I have carrying excess quantity of gold in form of Kada and Chain which is inside my handbag but I did not make any declarations in this regard as I wanted to clear it illicitly and evade payment of duty to my own benefit i.e. visit Makka-madina for Umrah and the same will be handover to other unknown person at SVPI Airport I did not make any declarations in this regard.

Q.11. To whom the consignment of gold was supposed to handover after reaching Ahmedabad?

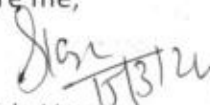
Ans. I already stated that this gold is not mine and not purchased by me. I only knew that this gold is handover to some unknown person in India, he will contact me when I will arrive at India.

Q.12 Please state details of your bank account.

Ans. I state that I have my bank Account in State Bank of India, I don't know my bank account number.

I have given my above statement voluntarily and willingly without any threat, coercion or duress and I have been explained my above statement in Hindi by AIU officer and after understanding the same, in token of the above statement being true and correct, I put my signature herein below. I further

Before me,

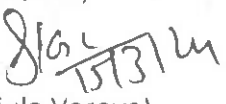

(Sarjula Vasava)
Superintendent (AIU)


 15/3/24
(Shri Wasimkhan Munawwerkhan Pathan)

Pax

state that I will present myself before you whenever I will be called upon. I have requested the officer to type the statement on the computer and the same has been recorded as per my say and my above statement is true and correct.

Before me,


(Sarjula Vasava)
Superintendent (AIU)

 15/3/24
(Shri Wasimkhan Munawwerkhan Pathan)



OFFICE OF THE DEPUTY COMMISSIONER OF CUSTOMS
::AIR INTELLIGENCE UNIT ::
SARDAR VALLABHBHAI PATEL INTERNATIONAL AIR PORT
AHMEDABAD 38 00 04
PHONE (079) 22 86 00 34 FAX (079) 22 86 00 35

F. No. VIII/10-364/AIU/A/2023-24

Date: 15.03.2024

ORDER UNDER SECTION 110 (1) AND (3) OF THE CUSTOMS ACT, 1962


In exercise of power conferred under sub-section (1) of Section 110 of the Customs Act, 1962, I, the undersigned, order to place **01 Gold Chain and 04 Gold Kada total weight 633.250 gram** of 24Kt, with purity 999.0, is having market value of Rs. 42,92,802/- (Rupees Forty Two Lakh Ninety Two thousand Eight Hundred two only) and Tariff Value Rs. 36,43,483/- (Rupees Thirty Six Lakh Forty Three thousand Four Hundred Eighty Three only) as on 15.03.2024 smuggled by **Wasimkhan Munawwerkhan Pathan**, under seizure on the reasonable belief that the said goods are liable for confiscation under Section 111 of the Customs Act, 1962, due to the reason that the said goods have been attempted to be smuggled into India through SVPI Airport, Ahmedabad by Wasimkhan Munawwerkhan Pathan, having total weight of 633.250 grams having purity 999.0/24 Kt and the same was recovered during the course of Panchnama dated 15.03.2024 drawn at SVPI Airport, Ahmedabad.

2. The gold which was recovered from Wasimkhan Munawwerkhan Pathan, is being seized vide warehouse entry no.5995/2024, dated 15.03.2024 is as under:

Sl. No.	Details of Items	PCS	Net Weight in Gram	Purity	Market Value (Rs.)	Tariff Value (Rs.)
1.	01 Gold Chain and 04 Gold Kada coated with white Rhodium having purity 999.0/24 Kt	5	633.250	999.0 24 Kt	Rs. 4292802/-	Rs. 3643483/-
	Total	5	633.250	24 Kt	Rs. 4292802/-	Rs. 3643483/-

Date : 15.03.2024

Place: SVPI Airport, Ahmedabad


(Rakesh Kumar)
Superintendent, Customs(AIU)
SVPI Air Port, Ahmedabad.