OFFICE OF THE PRINCIPAL COMMISSIONER OF CUSTOMS

CUSTOMS HOUSE, MP & SEZ

MUNDRA, KUTCH-GUJARAT -370421

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सत्यमेव जयते

A	**FILE NO.** फ़ाइल संख्या	CUS/APR/INV/675/2026-Gr 4-O/o Pr Commr-Cus-Mundra
B	**OIO NO.** आदेश संख्या	MCH/ADC/ZDC/396/2026-27
C	**PASSED BY** जारीकर्ता	Dipak Zala, Additional Commissioner of Customs/अपर आयुक्त सीमा शुल्क, Custom House, Mundra/कस्टम हाउस, मुंद्रा।
D	**DATE OF ORDER** आदेश की तारीख	15.10.2026
E	**DATE OF ISSUE** जारी करने की तिथि	15.10.2026
F	**SCN No. & Date** कारण बताओ नोटिस क्रमांक	Waived.
G	**NOTICEE/ PARTY/ IMPORTER** नोटिसकर्ता/पार्टी/आयातक	M/s. Reegloriya E-Commerce Private Limited (IEC: AAPCR2233N)

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

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

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

"सीमाशुल्कआयुक्त (अपील),

चौथी मंजिल, हुडको बिल्डिंग, ईश्वरभुवन रोड,

नवरंगपुरा,अहमदाबाद 380 009"

"THE COMMISSIONER OF CUSTOMS (APPEALS),

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

NAVRANGPURA, AHMEDABAD-380 009."

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

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

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

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

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

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

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

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

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1. BRIEF FACTS OF THE CASE:

1.1 Based on the specific intelligence, the import consignment covered under Bill of Entry No. 9973891 dated 19.06.2026 (Z-Type), filed by M/s. Reegloriya E-Commerce Private Limited (IEC No. AAPCR2233N) and contained in Container No. TCKU7328271, was placed on hold for detailed examination at the premises of M/s. Shoolin Trade Link LLP, Plot No. 11A, Block No. 11B, Sector-12S, Light Engineering Zone, East of J&K, APSEZ Mundra, Gujarat-370421. The examination was conducted on 11.07.2026 in the presence of Shri Pranjal Singh, authorized representative of the importer, M/s. Reegloriya E-Commerce Private Limited, and the authorized representative of the SEZ Warehouse Unit, M/s. Shoolin Trade Link LLP.

1.2 The table below summarizes the weighment details in respect of BE No. 9973891 dated 19.06.2026 (Z-Type) pertaining to M/s. Reegloriya E-Commerce Private Limited:

Sr. No.	Container No.	Gross Weight declared in BE/BL (in Kgs)	Gross Weight as per weighment at SEZ Unit (Kgs)	Difference (Kgs)
1	TCKU7328271	23,050	23,170	120

1.3 The importer/authorized representative produced the relevant import documents, including Bill of Entry No. 9973891 dated 19.06.2026, Invoice No. RE-26-27/01AS dated 22.04.2026, Packing List and Bill of Lading No. 269217286 dated 06.05.2026. The goods declared in the Bill of Entry comprised only one description under Customs Tariff Heading (CTH) 39239090, namely “Empty Plastic Bottles”, with declared quantity of 23,050 KGS in 1,084 packages.

2. ACTION TAKEN: - EXAMINATION FINDINGS:

2.1 During the physical examination, the container bearing No. TCKU7328271 was identified and presented for examination. The container was secured with Seal No. CN3701492, which was verified and found intact. The container was found in sound condition without external damage.

2.2 Thereafter, the seal was cut open in the presence of the Panchas, the authorized representative of the importer and the authorized representatives of SEZ warehouse unit. On opening the container, it was found that container was fully stuffed with corrugated carton boxes, some of which were wrapped in PP woven sheets of different colours. The goods were de-stuffed into the warehouse and segregated item-wise. During the examination, the goods were checked and examined, the weight of different types of packages was verified and a physical count of the goods was also carried out.

2.3 During the examination, the item-wise examination inventory was recorded and a total of 1,067 cartons, having an aggregate weight of 22,871.14 Kgs, were found. The detailed physical examination revealed substantial discrepancies between the declared goods and the goods physically found, including goods of different descriptions which were not declared in the Bill of Entry.

2.4 The detailed inventory of the goods found during examination is as under:

Sr. No.	Description	No. of Cartons / Bundles	Pieces per carton	Total Quantity	Unit	Average Weight per Carton (KGS)	Total Weight (KGS)
1	Small Empty Plastic Bottle	12	50	600	PCS	13.66	163.92
2	Empty Sipper Plastic Bottle	84	48	4032	PCS	17.90	1503.60
3	Empty Plastic Water Bottle	37	48	1776	PCS	5.40	199.80
4	Small Light Bulb	272	2000	544000	PCS	9.63	2619.36
5	Make-up Sponge	78	2500	195000	PCS	25.00	1950.00
6	Belt With Buckle	44	360	15840	PCS	40.25	1771.00

Sr. No.	Description	No. of Cartons / Bundles	Pieces per carton	Total Quantity	Unit	Average Weight per Carton (KGS)	Total Weight (KGS)
7	Belt With Buckle (YPT)	9	300	2700	PCS	48.70	438.30
8	S.S. Extension (1" Inch)	184	720	132480	PCS	26.93	4955.12
9	S.S. Extension (1.5" Inch)	49	480	23520	PCS	25.00	1225.00
10	S.S. Extension (2" Inch)	50	360	18000	PCS	23.30	1165.00
11	S.S. Extension (2.5" Inch)	30	280	8400	PCS	21.75	652.50
12	S.S. Extension (3" Inch)	30	240	7200	PCS	24.26	727.80
13	S.S. Extension (4" Inch)	19	240	4560	PCS	24.23	460.37
14	S.S. Extension (6" Inch)	20	200	4000	PCS	31.97	639.40
15	Iron Hex-30 Gm	149	1000	149000	PCS	29.53	4399.97
Total		**1067**					**8826**

3. Re-determined Description and Classification of the Goods:

3.1 The importer had declared only one description in the said Bill of Entry, namely “Empty Plastic Bottles” under CTH 39239090. However, during physical examination, fifteen distinct descriptions of goods were found, including goods which were not declared separately in the Bill of Entry. The CTHs of each item are re-determined as under:

Table-D

Sr. No.	Declared Description	Re-determined Description	Declared CTH	Re-determined CTH	UOM
1	Empty Plastic Bottles	Small Empty Plastic Bottle	39239090	39233090	KGS
2	Empty Plastic Bottles	Empty Sipper Plastic Bottle	39239090	39233090	KGS
3	Empty Plastic Bottles	Empty Plastic Water Bottle	39239090	39233090	KGS
4	Not declared in BE	Small Light Bulb	----	85392940	UNIT
5	Not declared in BE	Make-up Sponge	----	96162000	KGS

Sr. No.	Declared Description	Re-determined Description	Declared CTH	Re-determined CTH	UOM
6	Not declared in BE	Belt With Buckle	----	62171090	KGS
7	Not declared in BE	Belt With Buckle (YPT)	----	62171090	KGS
8	Not declared in BE	S.S. Extension (1" Inch)	----	73072200	KGS
9	Not declared in BE	S.S. Extension (1.5" Inch)	----	73072200	KGS
10	Not declared in BE	S.S. Extension (2" Inch)	----	73072200	KGS
11	Not declared in BE	S.S. Extension (2.5" Inch)	----	73072200	KGS
12	Not declared in BE	S.S. Extension (3" Inch)	----	73072200	KGS
13	Not declared in BE	S.S. Extension (4" Inch)	----	73072200	KGS
14	Not declared in BE	S.S. Extension (6" Inch)	----	73072200	KGS
15	Not declared in BE	Iron Hex-30 Gm	----	73072900	KGS

4. INVESTIGATIONS CONDUCTED:

4.1 Based on the findings of the physical examination, the imported goods were found to have discrepancies in respect of description, particulars and quantity vis-à-vis the declarations made in the Bill of Entry. The declared gross weight of 23,050 Kgs was compared with the gross weight of 23,170 Kgs as per the weighment slip at the SEZ Unit. The physical examination further revealed Small Empty Plastic Bottles, Empty Sipper Plastic Bottles, Empty Plastic Water Bottles, Small Light Bulbs, Make-up Sponges, Belts with Buckles, S.S. Extensions of different sizes and Iron Hex-30 Gm, whereas the Bill of Entry declared only “Empty Plastic Bottles”.

4.1.1 Therefore, based on the aforesaid prima facie findings, the imported goods appeared to have been mis-declared in respect of description and quantity, with multiple distinct goods found which were not reflected separately in the declared list.

4.1.2 In view of the discrepancies noticed during examination, and in order to ascertain the correct assessable value of the imported goods and ensure proper valuation in accordance with Section 14 of the Customs Act, 1962 read with the Customs Valuation (Determination of Value of Imported Goods) Rules, 2007, it was considered necessary to obtain an independent valuation from an

empaneled Chartered Engineer for determining the actual nature, specifications, condition and fair value of the goods and for safeguarding Government revenue.

4.2 Rejection of declared value & Redetermination of Assessable Value:

4.2.1 The Rule 3 of the Customs Valuation (Determination of Price of Imported Goods) Rules, 2007 (hereinafter referred to as “the CVR, 2007”) provides the method of valuation. The Rule 3(1) of the CVR, 2007 provides that "Subject to Rule 12, the value of imported goods shall be the transaction value adjusted in accordance with provisions of Rule 10. The Rule 3(4) ibid states that "if the value cannot be determined under the provisions of sub-rule (1), the value shall be determined by proceeding sequentially through Rule 4 to 9 of CVR, 2007". Whereas, it appears that, transaction value in terms of Rule 3 of the CVR, 2007, is to be accepted only where there are direct evidences with regard to the price actually paid or payable in respect of the imported goods by the importer. Whereas, it further appears that, there is a reasonable doubt regarding the truth and accuracy of the value declared by the importer, and hence it appears liable to be rejected in terms of Rule 12 of the CVR, 2007.

4.2.2 Whereas, it appears that, if actual transaction value which means price paid or payable cannot be ascertained on the basis of Rule 3 of the CVR, 2007, the value shall be decided proceeding to subsequent rules. Thus, recourse is to be taken to the Rule 9 of the CVR, 2007 which provides for determination of value where the value of the imported goods cannot be determined under the provisions of any of the preceding rules, the value shall be determined using reasonable means consistent with the principles and general provisions of these rules and on the basis of data available in India.

4.2.3 Whereas, it appears that, the value of the impugned goods could not be determined under Rule 4 and 5 *ibid* since the goods have been undeclared/mis-declared by means of description, and the value of contemporaneous imports of identical and similar goods of the same quality and composition was not available in the material placed on record. Proceeding sequentially, it is stipulated under Rule 6 *ibid* that where the value is not determinable under

Rule 3, 4 and 5, the value is to be determined under Rule 7 or when the value cannot be determined under that Rule, under Rule 8. Whereas, Rule 7 provides for "Deductive Value" i.e. the value is to be determined on the basis of valuation of identical goods or similar imported goods sold in India, in the condition as imported at or about the time at which the declaration for determination of value is presented, subject to deductions stipulated under the rule. Whereas, for the reasons detailed above, the value also cannot be determined as per the said Rule 7 *ibid*. Likewise, for application of Rule 8 of the CVR, 2007, the cost of production or processing involved in the imported goods are not available. In the absence of requisite data, the value cannot be determined by taking recourse to these rules either.

4.2.4 Whereas, it appears that, the provisions of Rule 4 to 8 *ibid* are not applicable in the instant case, the value of the impugned goods is required to be determined under the provisions of Rule 9 of the CVR, 2007, which reads as under: -

"Rule 9: Residual method – (1) Subject to the provisions of Rule 3, where the value of the imported goods cannot be determined under the provisions of any of the preceding rules, the value shall be determined using reasonable means consistent with the principles and general provisions of these rules and on the basis of data available in India:"

4.2.5 Whereas, as per the provisions of Rule 9 *ibid*, the assessable value of the goods actually found during examination are required to be re-determined under Rule 9 ibid, i.e. as per the residual method. Whereas, the impugned goods were inspected/valued by Shri Anwar Y. Kukad, Chartered Engineer & Government Approved Valuer, and he vide CE Report No. AYK:VAL:03011:2026 dated 20.08.2026 (digitally signed on 03.09.2026) has suggested the value of the imported goods as 22,200.23 USD (CIF Value) at the conversion rate of 1 USD = 95.30 INR, as detailed in Table-E below:

Table-E

Sr. No.	Description of Goods	UQC	Qty	Per Unit CIF (USD)	Total CIF (USD)	Ex. Rate	Total CIF Value (INR)
1	Small Empty Plastic Bottle	KGS	600	0.100	16.39	95.30	1,562.16
2	Empty Sipper Plastic Bottle	KGS	4,032	0.400	601.44	95.30	57,317.23
3	Empty Plastic Water Bottle	KGS	1,776	0.500	99.90	95.30	9,520.47
4	Small Light Bulb	UNIT	544,000	0.010	5440.00	95.30	518,432.00
5	Make-up Sponge	KGS	195,000	0.650	1267.50	95.30	120,792.75
6	Belt With Buckle	KGS	15,840	0.650	1151.15	95.30	109,704.60
7	Belt With Buckle (YPT)	KGS	2,700	0.650	284.89	95.30	27,150.49
8	S.S. Extension (1" Inch)	KGS	132,480	0.500	2477.56	95.30	236,111.47
9	S.S. Extension (1.5" Inch)	KGS	23,520	0.600	735.00	95.30	70,045.50
10	S.S. Extension (2" Inch)	KGS	18,000	0.750	873.75	95.30	83,268.38
11	S.S. Extension (2.5" Inch)	KGS	8,400	0.850	554.62	95.30	52,855.76
12	S.S. Extension (3" Inch)	KGS	7,200	1.000	727.80	95.30	69,359.34
13	S.S. Extension (4" Inch)	KGS	4,560	1.250	575.46	95.30	54,841.58
14	S.S. Extension (6" Inch)	KGS	4,000	2.000	1278.80	95.30	121,869.64
15	Iron Hex-30 Gm	KGS	149,000	1.390	6115.96	95.30	582,850.83
Total					**22200.23**		**21,15,682**

4.2.6 Whereas, it appears that, the assessable value of Rs. 12,27,655/- declared by the importer in the Z-Type Bill of Entry No. 9973891 dated 19.06.2026 is liable to be rejected in terms of Rule 12 of the Customs Valuation (Determination of Value of Imported Goods) Rules, 2007. Further, it appears that the assessable value of the cargo covered under the said Bill of Entry is required to be taken as **Rs. 21,15,682/-** on the basis of the valuation report submitted by the Chartered Engineer for the purpose of valuation under the provisions of Rule 9 of the Customs Valuation (Determination of Value of

Imported Goods) Rules, 2007, read with Note 2 of the Interpretative Notes to Rule 9 of the said Rules.

4.2.7 The valuation report provided by the Chartered Engineer has been shared with the importer. Further, the importer vide email/letter dated 30.09.2026 has accepted the Chartered Engineer's valuation report and they have further requested that the matter be decided without the issuance of a Show Cause Notice and without the requirement of a personal hearing. Accordingly, on the basis of the Chartered Engineer's report, the Assessable Value of the goods imported by M/s. Reegloriya E-Commerce Private Limited is re-determined at Rs. 21,15,682/-.

5. Importability and Policy Compliance:

5.1 The S.S. extensions and Iron Hex mentioned at Sr. Nos. 8 to 15 of Table-D which were not declared by the importer in the Bill of Entry, falls under Chapter 73 and are subject to requisite Steel Import Monitoring System (SIMS) registration. During investigation, the importer has not produced the requisite SIMS registration for these goods. Therefore, in absence of the same these goods become prohibited for import. However, the importer has produced the SIMS registration No. MOSSIMS190926690405 dated 19.09.2026 (for items mentioned at Sr. 8 to 14 of Table-D and SIMS registration No. MOSSIMS190926690422 dated 19.09.2026 (for Items mentioned at Sr. No. 15 of Table-D). As the said registration was obtained after the import has taken place and after the hold by the department, necessary adjudication process is needs to be initiated.

5.2 Accordingly, non-compliance with SIMS or any applicable BIS/QCO, the goods mentioned at Sr. Nos. 8 to 15 become prohibited for import and therefore, the same are liable for confiscation under Section 111(d), 111(l) and 111(m) of the Customs Act, 1962.

5.3 All other goods mentioned at Sr. Nos. 1 to 7 of the Table-D above are freely importable in India.

6. Re-determination of Applicable Duty:

6.1 On the basis of the re-determined classification in Table-D above and the re-determined value of the goods as mentioned in the Table-E above, the duty leviable on the goods imported vide Z-Type Bill of Entry No. 9973891 dated 19.06.2026 is re-calculated as under:

Sr. No.	Description	CTH	Assessable Value / CIF (INR)	BCD Rate	BCD Amount	SWS @10% of BCD	IGST @18%/5%	Total Duty
1	Small Empty Plastic Bottle	39233090	1,562	15%	234	23	328	585
2	Empty Sipper Plastic Bottle	39233090	57,317	15%	8,598	860	12,019	21477
3	Empty Plastic Water Bottle	39233090	9,520	15%	1,428	143	1,996	3567
4	Small Light Bulb	85392940	5,18,432	15%	77,765	7,776	1,08,715	194256
5	Make-up Sponge	96162000	1,20,793	20%	24,159	2,416	26,526	53101
6	Belt With Buckle	62171090	1,09,705	20%	21,941	2,194	6,692	30827
7	Belt With Buckle (YPT)	62171090	27,150	20%	5,430	543	1,656	7629.15
8	S.S. Extension (1" Inch)	73072200	2,36,111	10%	23,611	2,361	47,175	73147
9	S.S. Extension (1.5" Inch)	73072200	70,046	10%	7,005	700	13,995	21700
10	S.S. Extension (2" Inch)	73072200	83,268	10%	8,327	833	16,637	25797
11	S.S. Extension (2.5" Inch)	73072200	52,856	10%	5,286	529	10,561	16376
12	S.S. Extension (3" Inch)	73072200	69,359	10%	6,936	694	13,858	21488
13	S.S. Extension (4" Inch)	73072200	54,842	10%	5,484	548	10,957	16989
14	S.S. Extension (6" Inch)	73072200	1,21,870	10%	12,187	1,219	24,350	37756
15	Iron Hex-30 Gm	73072900	5,82,851	10%	58,285	5,829	1,16,454	180568
TOTAL			**21,15,682**		**2,66,675**	**26,667**	**4,11,919**	**7,05,261**

6.2 The total re-determined Assessable Value of the goods comes to Rs. 21,15,682/- and the total duty liability thereupon comes to Rs. 7,05,261/-, comprising BCD of Rs. 2,66,675/-, SWS of Rs. 26,667/- and IGST of Rs. 4,11,919/-.

6.3 The importer has declared the duty liability of Rs.4,60,002/- in the Bill of Entry filed by them. Whereas, as per re-determined classification and re-determined value, the duty liability comes of **Rs.7,05,261/-** which has resulted in differential duty of **Rs.2,45,259/-.**

7. Outcome of the Investigation:

7.1 The investigation conducted by the Special Intelligence and Investigation Branch (SIIB), Customs House, Mundra, in respect of Z-Bill of Entry No. 9973891 dated 19.06.2026 filed by M/s. Reegloriya E-Commerce Private Limited in respect of the goods covered under Container No. TCKU7328271, revealed substantial discrepancies between the declaration made in the Bill of Entry and the goods found during physical examination.

7.2 Examination of the Goods:

The officers of the SIIB Section, Customs House, Mundra, conducted detailed examination of the impugned goods under Panchnama dated 11.07.2026. During the course of examination, the container was de-stuffed and the goods were segregated item-wise. The examination inventory recorded 1,067 cartons/bundles containing 11,11,108 pieces/units with aggregate goods weight of 22,871.14 Kgs. The physical examination revealed multiple descriptions of goods which were not separately declared in the Bill of Entry.

7.3 Valuation of the Goods:

Whereas, as per the provisions of Rule 9 *ibid*, the assessable value of the goods actually found during examination is required to be re-determined under Rule 9 *ibid,* i.e. as per the residual method. The impugned goods imported by M/s. Reegloriya E-Commerce Private Limited were valued by Shri Anwar Y. Kukad, Chartered Engineer & Government Approved Valuer, and the valuation annexure bearing Reference No. AYK:VAL:03011:2026 dated 20.08.2026

(digitally signed on 03.09.2026) has suggested a total CIF value of 22,200.23 USD, equivalent to Rs. 21,15,682/- at the exchange rate of Rs. 95.30 per USD. It appears that the assessable value of Rs. 12,27,655/- declared by the importer in the Z-Type Bill of Entry No. 9973891 dated 19.06.2026 is liable to be rejected in terms of Rule 12 of the Customs Valuation (Determination of Value of Imported Goods) Rules, 2007. Further, it appears that the assessable value of the cargo covered under the said Bill of Entry is required to be taken as Rs. 21,15,682/- on the basis of the Chartered Engineer's valuation under Rule 9 of the said Rules, read with Note 2 of the Interpretative Notes to Rule 9.

7.4 Re-determination of Duty:

The total re-determined duty of the goods, on the basis of the classification/rates available on record, comes to Rs.7,05,261/-, as against the declared duty of Rs. 4,60,002/- as per the Bill of Entry. Accordingly, the differential duty works out to Rs. 2,45,259/-, subject to final assessment and verification.

7.5 Importability and Policy Compliance:

7.5.1 The S.S. extensions and Iron Hex mentioned at Sr. Nos. 8 to 15 of Table-D which were not declared by the importer in the Bill of Entry, falls under Chapter 73 and are subject to requisite Steel Import Monitoring System (SIMS) registration. During investigation, the importer has not produced the requisite SIMS registration for these goods. Therefore, in absence of the same these goods become prohibited for import. However, the importer has produced the SIMS registration No. MOSSIMS190926690405 dated 19.09.2026 (for items mentioned at Sr. 8 to 14 of Table-D and SIMS registration No. MOSSIMS190926690422 dated 19.09.2026 (for Items mentioned at Sr. No. 15 of Table-D). As the said registration was obtained after the import has taken place and after the hold by the department, necessary adjudication process is needs to be initiated.

7.5.2 Accordingly, non-compliance with SIMS or any applicable BIS/QCO, the goods mentioned at Sr. Nos. 8 to 15 become prohibited for import and therefore,

the same are liable for confiscation under Section 111(d), 111(l) and 111(m) of the Customs Act, 1962.

7.5.3 All other goods mentioned at Sr. Nos. 1 to 7 of the Table-D above are freely importable in India.

7.6 Confiscation of Goods and Penal Action:

7.6.1 In view of the above, it appears that the importer, M/s. Reegloriya E-Commerce Private Limited, has imported the goods covered under Z-Type Bill of Entry No. 9973891 dated 19.06.2026, wherein the declaration was limited to "Empty Plastic Bottles" under CTH 39239090, whereas multiple distinct goods were found during examination.

7.6.2 Therefore, the goods found during examination which do not correspond with the declaration made in the Bill of Entry in respect of description, quantity and classification appear liable for confiscation under Sections 111(l) and 111(m) of the Customs Act, 1962.

7.6.3 Further, the goods mentioned at Sr. No. 8 to 15 of the Table-D above requires mandatory SIMS registration, which the importer has failed to obtain before or at the time of import. Therefore, in absence of the requisite SIMS registration, the goods mentioned at Sr. 08 to 15 of the Table-D above become prohibited, further they do not correspond with the declaration made by the import in BoE as well. Therefore, the same are appears liable for confiscation under Section 111(d), 111(l) and 111(m) of the Customs Act, 1962. However, during the course of investigation, the importer has produced the SIMS registration No. MOSSIMS190926690405 dated 19.09.2026 (for items mentioned at Sr. 8 to 14 of Table-D and SIMS registration No. MOSSIMS190926690422 dated 19.09.2026 (for Items mentioned at Sr. No. 15 of Table-D). As the said registration was obtained after the import has taken place and after the hold by the department, necessary adjudication process is needs to be initiated.

7.6.4 The aforesaid acts and omissions on the part of the importer indicate mis-declaration of the imported goods and an attempt to evade the applicable customs duty, in contravention of the provisions of Section 46(4) of the Customs Act, 1962. It appears that the aforesaid acts and omissions of the importer relating to improper importation of the goods and for knowingly making/submitting false or incorrect declarations/documents in connection with the imported goods render the importer liable for penal action under Sections 112(a)(i) (in respect of goods mentioned at Sr. No.8 to 15) and under Section 112(a)(ii) (in respect of all other goods) and under Section 114AA of the Customs Act, 1962, subject to adjudication.

8. RELEVANT LEGAL PROVISIONS:

(A) RELEVANT PROVISIONS OF SEZ ACT, 2005:

2. ***Definitions.*** *— In this Act, unless the context otherwise requires, —*

…….

(o) ***"import"*** *means—*

(i) bringing goods or receiving services, in a Special Economic Zone, by a Unit or Developer from a place outside India by land, sea or air or by any other mode, whether physical or otherwise; or

(ii) receiving goods, or services by a Unit or Developer from another Unit or Developer of the same Special Economic Zone or a different Special Economic Zone;

Section 21: Single enforcement officer or agency for notified offences. —

(1) The Central Government may, by notification, specify any act or omission made punishable under any Central Act, as notified offence for the purposes of this Act.

(2) The Central Government may, by general or special order, authorise any officer or agency to be the enforcement officer or agency in respect of any notified offence or offences committed in a Special Economic Zone.

(3) Every officer or agency authorised under sub-section (2) shall have all

the corresponding powers of investigation, inspection, search or seizure as is provided under the relevant Central Act in respect of the notified offences.

Section 22: Investigation, inspection, search or seizure. —

The agency or officer, specified under section 20 or section 21, may, with prior intimation to the Development Commissioner concerned, carry out the investigation, inspection, search or seizure in the Special Economic Zone or in a Unit if such agency or officer has reasons to believe (reasons to be recorded in writing) that a notified offence has been committed or is likely to be committed in the Special Economic Zone:

Provided that no investigation, inspection, search or seizure shall be carried out in a Special Economic Zone by any agency or officer other than those referred to in sub- section (2) or sub-section (3) of section 21 without prior approval of the Development Commissioner concerned:

Provided further that any officer or agency, if so authorised by the Central Government, may carry out the investigation, inspection, search or seizure in the Special Economic Zone or Unit without prior intimation or approval of the Development Commissioner

Notification Nos. 2665(E) and 2667(E) dated 05.08.2016:

(1) In exercise of the powers conferred by section 22 of the Special Economic Zones Act, 2005 (28 of 2005), the Central Government by Notification No. 2667(E) dated 05.08.2016 issued by the Ministry of Commerce & Industry, has authorized the jurisdictional Customs Commissioner, in respect of offences under the Customs Act, 1962 (52 of 1962) to be the enforcement officer(s) in respect of any notified offence or offences committed or likely to be committed in a Special Economic Zone. The enforcement officer(s), for the reasons to be recorded in writing, may carry out the investigation, inspection, search or seizure in a Special Economic Zone or Unit with prior intimation to the Development Commissioner, concerned. Under Section 21(1) of the SEZ Act, 2005, the Central Government may, by notification, specify any act or omission made punishable under any Central Act, as notified offence for the purposes of this Act.

(2) The Central Government, by the Notification 2665(E) dated 05.08.2016 has notified offences contained in Sections 28, 28AA, 28AAA, 74, 75, 111, 113, 115, 124, 135 and 104 of the Customs Act, 1962 (52 of 1962) as offences under the SEZ Act, 2005.

47 (5) *Refund, Demand, Adjudication, Review and Appeal with regard to matters relating to authorise operations under Special Economic Zones Act, 2005, transactions, and goods and services related thereto, shall be made by the Jurisdictional Customs and Central Excise Authorities in accordance with the relevant provisions contained in the Customs Act, 1962, Central Excise Act, 1944, and the Finance Act, 1994 and the rules made thereunder or the notifications issued thereunder.*

(B) RELEVANT PROVISIONS OF CUSTOMS ACT, 1962:

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

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

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

Section 2(26): *"importer", in relation to any goods at any time between their importation and the time when they are cleared for home consumption, includes [any owner, beneficial owner] or any person holding himself out to be the importer;*

Section 2(39): *"smuggling", in relation to any goods, means any act or omission which will render such goods liable to confiscation under section 111 or section 113.*

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

Section 17. Assessment of duty. –

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

..

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

Section 46. Entry of goods on importation:

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

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

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

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

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

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;*

(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 transhipment, with the declaration for transhipment referred to in the proviso to sub-section (1) of section 54;*

Section 112. Penalty for improper importation of goods, etc. –

Any person,-

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

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

shall be liable,-

(i) in the case of goods in respect of which any prohibition is in force under this Act or any other law for the time being in force, to a penalty 1 [not exceeding the value of the goods or five thousand rupees], whichever is the greater;

(ii) in the case of dutiable goods, other than prohibited goods, subject to the provisions of section 114A, to a penalty not exceeding ten per cent. of the duty sought to be evaded or five thousand rupees, whichever is higher:

114AA. Penalty for use of false and incorrect material. —

If a person knowingly or intentionally makes, signs or uses, or causes to be made, signed or used, any declaration, statement or document which is false or incorrect in any material particular, in the transaction of any business for the purposes of this Act, shall be liable to a penalty not exceeding five times the value of goods.

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

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

……..

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

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

Provided that ……..

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

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

9. The importer has vide email dated 30.09.2026 has accepted the valuation suggested by the chartered engineer report No. AYK:VAL:03011:2026 dated 20.08.2026 (digitally signed on 03.09.2026) and requested to waive off the P.H. & Show Cause Notice as they don't want the same on above mentioned bill of entry. Further, the importer has requested to decide the matter on merits.

10. In view of the above facts, it appears that: -

(i) The declared particulars, description and quantity of the imported goods in Z-Type Bill of Entry No. 9973891 dated 19.06.2026, filed by M/s. Reegloriya E-Commerce Private Limited (IEC No. AAPCR2233N), are liable to be rejected to the extent of the discrepancies noticed during examination, including the presence of multiple goods which were not separately declared in the said Bill of Entry;

(ii) The assessable value of the imported goods is liable to be re-determined, instead of the value declared in the Bill of Entry, under Rule 9 of the Customs Valuation (Determination of Value of Imported Goods) Rules, 2007, read with Section 14 of the Customs Act, 1962. The details are as under:

BE No. & Date	**Declared Value**	**Re-determined Value**
9973891 (Z-Type) dated 19.06.2026	Rs. 12,27,655/-	Rs. 21,15,682/-

(iii) The said Z-Type Bill of Entry No. 9973891 dated 19.06.2026 is liable to be re-assessed accordingly under Section 17(4) of the Customs Act, 1962;

(iv) The goods imported vide Z-Type Bill of Entry No. 9973891 dated 19.06.2026, mentioned at Sr. Nos. 8 to 15 of Table-D, are liable for confiscation under Sections 111(d), 111(l) and 111(m) of the Customs Act, 1962, on account of non-compliance with the applicable SIMS registration;

(v) The goods imported vide Z-Type Bill of Entry No. 9973891 dated 19.06.2026, except those mentioned at Sr. Nos. 8 to 15 of Table-D, which do not correspond with the declaration made in the Bill of Entry, in respect of their description, quantity and classification, are liable for confiscation under Sections 111(l) and 111(m) of the Customs Act, 1962;

(vi) The importer, M/s. Reegloriya E-Commerce Private Limited, appears liable for penalty under Sections 112(a)(i) (in respect of goods mentioned at Sr. No.8 to 15) and under Section 112(a)(ii) (in respect of all other goods) of the Customs Act, 1962;

(vii) The importer, M/s. Reegloriya E-Commerce Private Limited, appears liable for penalty under Section 114AA of the Customs Act, 1962.

10.1 Accordingly, an Investigation Report No. 184/2026-27 dated 05.10.2026 was issued by SIIB, Mundra Customs.

WRITTEN SUBMISSION AND PERSONAL HEARING

11. The importer, M/s. Reegloriya E-Commerce Private Limited, vide their letter dated 06.10.2026, has requested waiver of issuance of Show Cause Notice and grant of Personal Hearing in the matter and has requested to decide the matter on merits.

DISCUSSION AND FINDINGS

12. I have carefully gone through Investigation Report No. 184/2026-27 dated 05.10.2026 forwarded by SIIB, Custom House, Mundra, the relied upon documents and all other material available on record. Vide letter dated 06.10.2026, the importer requested waiver of the Show Cause Notice and Personal Hearing and asked that the matter be decided on merits. I am satisfied that the principles of natural justice have been complied with. The matter is accordingly being disposed of on merits under the first proviso to Section 124 of the Customs Act, 1962.

12.1 On a careful perusal of the Investigation Report and case records, I find that the following main issues arise for consideration and determination in this case:

(i) Whether the declared description, quantity and classification of the goods covered under Z-Bill of Entry No. 9973891 dated 19.06.2026 are liable to be rejected and re-determined, in view of the goods found during examination, including goods not declared in the Bill of Entry at all;

(ii) Whether the declared assessable value of Rs. 12,27,655/- (Rupees Twelve Lakh Twenty-Seven Thousand Six Hundred and Fifty-Five Only) is liable to be rejected under Rule 12 of the CVR, 2007 and re-determined as Rs. 21,15,682/- (Rupees Twenty-One Lakh Fifteen Thousand Six Hundred and Eighty-Two Only)

under Rule 9 ibid, as per CE Report No. AYK:VAL:03011:2026 dated 20.08.2026;

(iii) Whether the Bill of Entry is liable to be re-assessed under Section 17(4) of the Customs Act, 1962;

(iv) Whether the goods imported vide Z-Type Bill of Entry No. 9973891 dated 19.06.2026, mentioned at Sr. Nos. 8 to 15 of Table-D, are liable for confiscation under Sections 111(d), 111(l) and 111(m) of the Customs Act, 1962, on account of non-compliance with the applicable SIMS registration;

(v) Whether the goods imported vide Z-Type Bill of Entry No. 9973891 dated 19.06.2026, except those mentioned at Sr. Nos. 8 to 15 of Table-D, which do not correspond with the declaration made in the Bill of Entry, in respect of their description, quantity and classification, are liable for confiscation under Sections 111(l) and 111(m) of the Customs Act, 1962;

(vi) Whether penalty is imposable on the importer under Sections 112(a)(i), 112(a)(ii) and 114AA of the Customs Act, 1962.

13. FIRST ISSUE — DESCRIPTION, QUANTITY AND CLASSIFICATION:

13.1 I find that M/s. Reegloriya E-Commerce Private Limited filed Z-Bill of Entry No. 9973891 dated 19.06.2026 at M/s. Shoolin Trade Link LLP (SEZ Warehouse Unit), APSEZ, Mundra. The BE declared a single item, “Empty Plastic Bottles”, under CTH 39239090, with a quantity of 21,470 KGS in 1,084 packages at USD 0.60/kg and an assessable value of Rs. 12,27,655/-. The goods were shipped in Container No. TCKU7328271 against Invoice No. RE-26-27/01AS dated 22.04.2026 issued by M/s. Equilibrium Trade and Tech Limited, Hong Kong.

13.2 I find that the goods were examined under Panchnama dated 11.07.2026. The container was found to hold 1,067 cartons/bundles, weighing 22,871.14 kgs in aggregate and containing 11,11,108 pieces. Against the single declared description, fifteen distinct items were found, as detailed in Table-D, above:

Sr. Nos. (Table-D)	**Goods**	**Cartons**	**Weight (Kgs)**	**Status vis-à-vis BE**
1 – 3	Empty plastic bottles (small, sipper, water)	133	1,867.32	Declared, but under incorrect CTH and in a

				quantity different from that declared
4 – 7	Small light bulbs, make-up sponges, belts with buckle	403	6,778.66	Not declared
8 – 15	S.S. extensions (1" to 6") and Iron Hex-30 Gm	531	14,225.16	Not declared
	Total	**1,067**	**22,871.14**	

13.3 I find that empty plastic bottles made up only about 8% of the consignment by weight. More than 90% of the goods by weight were never declared in the Bill of Entry at all. The importer has offered no explanation for this. Goods of entirely different natures — electrical lamps, cosmetic accessories, belts and steel pipe fittings — were packed together with a small quantity of plastic bottles, and the whole lot was declared as plastic bottles. I find that this cannot be attributed to an inadvertent error. The declared description and quantity are therefore liable to be rejected.

13.4 I find that Plastic bottles are specifically covered under sub-heading 3923 30 (“Carboys, bottles, flasks and similar articles”). The residual entry 3923 90 cannot apply to them. The goods at Sr. Nos. 1 to 3 are therefore correctly classifiable under CTH 39233090, instead of the declared CTH 39239090. I accept the classification of the undeclared goods at Sr. Nos. 4 to 15 as re-determined in Table-D, which the importer has not disputed.

13.5 I accordingly reject the declared description, quantity and classification. I hold that the goods are correctly described, quantified and classified as detailed in Table-D of the brief facts.

14. SECOND ISSUE — REJECTION OF DECLARED VALUE AND RE-DETERMINATION OF ASSESSABLE VALUE:

14.1 I find that the declared value of Rs. 12,27,655/- related only to “Empty Plastic Bottles”. It did not cover the undeclared goods at Sr. Nos. 4 to 15, which form the major part of the consignment. The declared value therefore does not represent the price actually paid or payable for the goods actually imported, and it cannot be accepted as the transaction value under Rule 3(1) of the CVR,

2007. In view of the mis-declaration and non-declaration of goods, there is reasonable doubt about the truth and accuracy of the declared value. The importer has produced no evidence in support of the declared value and has instead accepted the CE's valuation. I accordingly reject the declared value under Rule 12 of the CVR, 2007.

14.2 The consignment is a mixed lot of fifteen unrelated items, most of which were not declared. Contemporaneous import data for identical or similar goods of the same description and quality was not available, so the value could not be determined under Rules 4 and 5 of the CVR, 2007. There was also no data on deductive value or cost of production, so the value could not be determined under Rules 7 and 8 ibid. The value is therefore required to be determined under Rule 9 (Residual Method) ibid.

14.3 I find that Shri Anwar Y. Kukad, Chartered Engineer & Government Approved Valuer, inspected the goods on 29.07.2026. Vide Report No. AYK:VAL:03011:2026 dated 20.08.2026 , he determined the item-wise CIF value of the goods at USD 22,200.23, equivalent to Rs. 21,15,682/- at the exchange rate of Rs. 95.30 per USD, as detailed in Table-E of the brief facts. The importer has accepted this valuation without any objection.

14.4 I accordingly reject the declared assessable value of Rs. 12,27,655/- under Rule 12 of the CVR, 2007. I re-determine the assessable value at Rs. 21,15,682/- under Rule 9 of the CVR, 2007 read with Section 14 of the Customs Act, 1962. The item-wise values are as per Table-E.

15. THIRD ISSUE — RE-ASSESSMENT:

15.1 On the basis of the re-determined classification and assessable value, I find that the Customs duty leviable works out to Rs. 7,05,261/-, as detailed item-wise in the table at para 6.1 of the brief facts. In summary:

Sr. Nos.	Assessable Value (Rs.)	Duty (Rs.)
1 – 7	8,44,479	3,11,442
8 – 15	12,71,203	3,93,819
Totla	**21,15,682**	**7,05,261**

15.2 I find that the importer had self-assessed duty of Rs. 4,60,002/- in the Bill of Entry. The differential duty accordingly works out to **Rs. 2,45,259/-** (Rupees Two Lakh Forty-Five Thousand Two Hundred and Fifty-Nine Only).

15.3 I accordingly order re-assessment of Z-Bill of Entry No. 9973891 dated 19.06.2026 under Section 17(4) of the Customs Act, 1962, with the correct description, quantity, classification, assessable value and duty as discussed above.

16. FOURTH & FIFTH ISSUE — CONFISCATION OF IMPORTED GOODS:

16.1 I find that the goods at Sr. Nos. 8 to 15 of Table-D — S.S. extensions and Iron Hex — are articles of iron or steel falling under Chapter 73 of the Customs Tariff. Under the import policy notified by the DGFT, import of such goods is "Free" subject to the condition of compulsory registration under the Steel Import Monitoring System (SIMS), and the registration must be obtained **before** the goods are imported. An import made without fulfilling this policy condition is an import contrary to a restriction imposed under the Foreign Trade (Development and Regulation) Act, 1992. Under Section 2(33) of the Customs Act, 1962, "prohibited goods" means goods whose import is subject to any prohibition under the Customs Act or any other law for the time being in force.

16.2 The importer did not declare these goods in the Bill of Entry and did not hold SIMS registration for them at the time of import. The importer obtained SIMS Registration No. MOSSIMS190926690405 dated 19.09.2026 and SIMS Registration No. MOSSIMS190926690422 dated 19.09.2026 only after the goods had arrived, been placed on hold and been examined by the department. A registration obtained after the event does not cure the contravention committed at the time of import. I therefore hold that the goods at Sr. Nos. 8 to 15 of Table-D, having a re-determined value of Rs. 12,71,203/-, were imported contrary to the restriction in force.

16.3 I also note that the quantities covered by the subsequent SIMS registrations (9.825 MT and 4.399 MT) match the weights of the goods found at Sr. Nos. 8 to 14 (9,825.19 kgs) and Sr. No. 15 (4,399.97 kgs) respectively. The

goods are thus now covered by a valid registration. I take this into account when deciding whether to allow redemption.

16.4 I find that The goods at Sr. Nos. 1 to 7 of Table-D are freely importable, and no prohibition or restriction applies to their import.

16.5 I find that the imported goods are liable for confiscation on the following grounds:

(a) **Sr. Nos. 1 to 3 (Empty plastic bottles), value Rs. 68,399/-:** These goods were declared, but under an incorrect CTH, and the declared quantity and value do not correspond with the goods actually found. They are liable for confiscation under **Section 111(m)** of the Customs Act, 1962.

(b) **Sr. Nos. 4 to 7 (Light bulbs, make-up sponges and belts), value Rs. 7,76,080/-:** These are dutiable goods which were not included in the entry made under the Act. They are liable for confiscation under **Section 111(l)** and, as the consignment as a whole does not correspond with the entry in respect of description and value, also under **Section 111(m)** of the Customs Act, 1962.

(c) **Sr. Nos. 8 to 15 (S.S. extensions and Iron Hex), value Rs. 12,71,203/-:** These goods were imported contrary to the SIMS restriction, and they were not included in the entry. They are liable for confiscation under **Sections 111(d), 111(l) and 111(m)** of the Customs Act, 1962.

16.6 Accordingly, I find that the entire consignment of 1,067 cartons/bundles (22,871.14 kgs) covered under Z-Bill of Entry No. 9973891 dated 19.06.2026, in Container No. TCKU7328271, lying at M/s. Shoolin Trade Link LLP (SEZ Warehouse Unit), APSEZ, Mundra, having a total re-determined value of Rs. 21,15,682/-, is liable for confiscation as above.

16.7 Redemption:

16.7.1 As the impugned goods are found liable for confiscation under Sections 111(d), 111(l) and 111(m) of the Customs Act, 1962, I find it necessary to consider whether redemption fine under Section 125 of the Customs Act, 1962 is liable to be imposed in lieu of confiscation. Section 125 reads as under:

> ***"Section 125. Option to pay fine in lieu of confiscation.—*** *(1) Whenever confiscation of any goods is authorised by this Act, the officer*

adjudging it may, in the case of any goods, the importation or exportation whereof is prohibited under this Act or under any other law for the time being in force, and shall, in the case of any other goods, give to the owner of the goods [or, where such owner is not known, the person from whose possession or custody such goods have been seized,] an option to pay in lieu of confiscation such fine as the said officer thinks fit."

(a) I find that the goods at Sr. Nos. 1 to 7 are freely importable and are not prohibited goods. In the case of non-prohibited goods, Section 125(1) mandates that the adjudicating authority shall give the owner an option to pay a fine in lieu of confiscation. I accordingly give M/s. Reegloriya E-Commerce Private Limited, an option to redeem the said goods on payment of redemption fine under Section 125(1) of the Customs Act, 1962.

(b) I find that The goods at Sr. Nos. 8 to 15 are prohibited goods due to non-compliance of mandatory SIMS registration. As the goods were actually not declared in the subject Bill of entry and later after the goods were found in examination, the importer has provided the SIMS registration of later date i.e. after the date of inward date. In this case, the option to redeem is discretionary under Section 125(1) ibid. I note the following:

- the goods are not inherently dangerous or prohibited absolutely;
- the restriction is a monitoring requirement;
- the importer has since obtained SIMS registration covering the same goods and quantities.

The requirement of prior registration under the Steel Import Monitoring System (SIMS) is primarily a regulatory monitoring mechanism rather than an outright trade ban. While the importer delayed compliance, obtaining the SIMS registration after the inward, such procedural lapse, while actionable under penal provisions, does not permanently taint the goods or render them unfit for domestic entry. In these circumstances, and in view of the settled position that discretion under Section 125 is to be exercised judiciously, I consider it appropriate to allow redemption of these goods as well. The redemption fine is set at a higher level to reflect the contravention.

18. SIXTH ISSUE — PENALTIES:

18.1 Penalty under Section 112(a)(i) of the Customs Act, 1962: The importer imported the goods at Sr. Nos. 8 to 15 without SIMS registration and without declaring them in the Bill of Entry. By these acts and omissions, the importer rendered these prohibited goods liable for confiscation under Sections 111(d), 111(l) and 111(m) ibid. M/s. Reegloriya E-Commerce Private Limited is accordingly liable for penalty under **Section 112(a)(i)** of the Customs Act, 1962 in respect of these goods.

18.2 Penalty under Section 112(a)(ii) of the Customs Act, 1962: In respect of the dutiable, non-prohibited goods at Sr. Nos. 1 to 7, the importer:

- mis-declared the description, quantity and classification of the plastic bottles;
- did not declare the goods at Sr. Nos. 4 to 7 at all; and
- undervalued the consignment.

These acts contravene Sections 46(4) and 46(4A) of the Customs Act, 1962. They rendered the goods liable for confiscation under Sections 111(l) and 111(m) ibid and contributed to a short levy of duty of Rs. 2,45,259/-. M/s. Reegloriya E-Commerce Private Limited is accordingly liable for penalty under **Section 112(a)(ii)** of the Customs Act, 1962.

18.3 Penalty under Section 114AA of the Customs Act, 1962: The importer filed the Bill of Entry themselves, without a Customs Broker. They made, signed and used Z-Bill of Entry No. 9973891 dated 19.06.2026 and the supporting invoice and packing list, all of which described the entire consignment as “Empty Plastic Bottles”. In fact, the consignment contained fifteen distinct items, and more than 90% of it by weight comprised goods of entirely different nature that were not declared at all. These included steel pipe fittings requiring SIMS registration. A declaration that leaves out fourteen of fifteen items, including restricted goods, cannot be inadvertent. I find that the false declaration was made knowingly and intentionally in the transaction of business for the purposes of the Customs Act, 1962. M/s. Reegloriya E-Commerce Private Limited is accordingly liable for penalty under **Section 114AA** of the Customs Act, 1962.

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

ORDER

(i) I reject the declared description, quantity and classification of the goods covered under Z-Bill of Entry No. 9973891 dated 19.06.2026. I order their re-determination as detailed in Table-D above.

(ii) I reject the declared assessable value of **Rs. 12,27,655/-** (Rupees Twelve Lakh Twenty-Seven Thousand Six Hundred and Fifty-Five Only) under Rule 12 of the Customs Valuation (Determination of Value of Imported Goods) Rules, 2007. I re-determine the assessable value at **Rs. 21,15,682/-** (Rupees Twenty-One Lakh Fifteen Thousand Six Hundred and Eighty-Two Only) under Rule 9 of the CVR, 2007 read with Section 14 of the Customs Act, 1962.

(iii) I order re-assessment of Z-Bill of Entry No. 9973891 dated 19.06.2026 under Section 17(4) of the Customs Act, 1962, as discussed above.

(iv) I order confiscation of the goods at **Sr. Nos. 1 to 7 of Table-D**, having a re-determined value of Rs. 8,44,479/-, under Sections 111(l) and 111(m) of the Customs Act, 1962. However, I give M/s. Reegloriya E-Commerce Private Limited an option to redeem the said goods on payment of a Redemption Fine of Rs. **85,000/- (Rupees Eighty-Five Thousand Only)** under Section 125(1) of the Customs Act, 1962.

(v) I order confiscation of the goods at **Sr. Nos. 8 to 15 of Table-D**, having a re-determined value of Rs. 12,71,203/-, under Sections 111(d), 111(l) and 111(m) of the Customs Act, 1962. However, I give M/s. Reegloriya E-Commerce Private Limited an option to redeem the said goods on payment of a Redemption Fine of **Rs. 1,20,000/- (Rupees One Lakh Twenty Thousand Only)** under Section 125(1) of the Customs Act, 1962.

(vi) I impose a penalty of **Rs. 60,000/- (Rupees Sixty Thousand Only)** on M/s. Reegloriya E-Commerce Private Limited (IEC: AAPCR2233N) under Section 112(a)(i) of the Customs Act, 1962.

(vii) I impose a penalty of **Rs. 24,000/- (Rupees Twenty-Four Thousand Only)** on M/s. Reegloriya E-Commerce Private Limited (IEC: AAPCR2233N) under Section 112(a)(ii) of the Customs Act, 1962.

(viii) I impose a penalty of **Rs. 10,000/- (Rupees Twenty-Five Thousand Only)** on M/s. Reegloriya E-Commerce Private Limited (IEC: AAPCR2233N) under Section 114AA of the Customs Act, 1962.

20. This Order-in-Original is issued without prejudice to any other action that may be taken against M/s. Reegloriya E-Commerce Private Limited or any other person under the provisions of the Customs Act, 1962, or any rules, regulations or notifications made thereunder, or under any other law for the time being in force.

Digitally signed by
Dipakbhai Zala
Date: 16-10-2026
18:11:12

(DIPAK ZALA)
Additional Commissioner of Customs,
Mundra Customs

To,
M/s. Reegloriya E-Commerce Private Limited (IEC: AAPCR2233N)
778, 5th Floor, Shop No. 05, Nicholson Road,
Kashmere Gate North, New Delhi – 110006

Copy to:

1. The Additional Commissioner (SIIB), Custom House, Mundra
2. The Dy./Asstt. Commissioner (RRA/TRC), Custom House, Mundra
3. The Dy./Asstt. Commissioner (EDI), Custom House, Mundra