	सीमा शुल्क के प्रधान आयुक्त का कार्यालय सीमा शुल्क सदन, मुंद्रा, कच्छ, गुजरात OFFICE OF THE PRINCIPAL COMMISSIONER OF CUSTOMS CUSTOMS HOUSE, MUNDRA PORT, KUTCH, GUJARAT-370421. **Email-** Group4-mundra@gov.in	

A	**FILE NO./**फ़ाइल संख्या	CUS/APR/INV/588/2026-Gr-4
B	**OIO NO./**आदेश संख्या	MCH/ADC/ZDC/311/2026-27
C	**PASSED BY/**जारीकर्ता	Dipak Zala, ADDITIONAL COMMISSIONER, Customs House, Mundra.
D	**DATE OF ORDER/**आदेश की तारीख	17.09.2026
E	**DATE OF ISSUE/**जारी करने की तिथि	17.09.2026
F	**SCN No. & Date/**कारण बताओ नोटिस क्रमांक	Importer requested for Waiver of PH & SCN vide letter dated 24.08.2026
G	**NOTICEE/ PARTY/ IMPORTER** नोटिसकर्ता/पार्टी/आयातक	M/s RSE India Private Limited (IEC-AAMCR3913Q), Property Bearing No-6/A, Kh. No-7/6, Nilothi Extension, New Delhi, Shri Ram Colony, New Delhi, West Delhi, Delhi-110041.

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 (मुंद्रा),
चौथी मंजिल, हुडको बिल्डिंग, ईश्वरभुवन रोड,
नवरंगपुरा,अहमदाबाद 380 009"

"THE COMMISSIONER OF CUSTOMS (APPEALS), MUNDRA 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.

BRIEF FACTS OF THE CASE

M/s RSE India Private Limited (IEC-AAMCR3913Q), having its registered office at Property Bearing No-6/A, Kh. No-7/6, Nilothi Extension, New Delhi, Shri Ram Colony, New Delhi, West Delhi, Delhi-110041 (hereinafter referred to as "the Importer" for sake of brevity) has imported a consignment as tabulated above (hereinafter referred to as "the impugned Goods") at Mundra Port vide Z-Bill of Entry No. 2365047 dated 07.07.2026. The goods pertaining to said BE was put on hold as per specific information

received from DRI and NCTC. The examination of the above said consignment was carried out by the officers of SIIB on 21.07.2026 in the presence of the importer's authorized representative under Panchnama dated 21.07.2026 drawn at the premises of M/s Shoolin Trade Link LLP, APSEZ, Mundra (Kachchh). The details of the goods as declared in the said Bill of Entry are as follows:

Table-I

Sr. No.	CTH	DESCRIPTION	QUANTITY	UQC
1	94021090	BARBAR CHAIR LIFTER	3500	PCS
2	94021090	BARBAR CHAIR LIFTER	1000	PCS
3	94021090	BARBAR CHAIR LIFTER	500	PCS
4	94039900	CHAIR PLATE	500	PCS
5	94039900	TABLE FRAM	50	PCS
6	94039900	TABLE FRAM	50	PCS
7	94039900	RECLINER KIT	200	SET
8	73170091	IRON PIN	1011.75	KGS
9	73170091	IRON PIN	2093.8	KGS
10	73170091	IRON PIN	2093.8	KGS
11	83024190	FURNITURE FITTING (CHANNEL)	4523.9	KGS
12	83021090	FURNITURE FITTING (HINGES)	1762.25	KGS
13	94032090	STOOL	300	PCS
14	94032090	STOOL	300	PCS
15	94032090	OFFICE CHAIR	10	PCS
16	94032090	OFFICE CHAIR	20	PCS
17	94032090	VISITOR CHAIR	60	PCS
18	94032090	VISITOR CHAIR	246	PCS

2. Weighment and Examination of the goods:

The officer of SIIB section, CH Mundra, conducted the examination of the impugned goods stuffed into the container no. MSBU8299164 covered under the Z-Bill of Entry No. 2365047 dated 07.07.2026 under Panchnama dated 21.07.2026. Before examination the weighment of the cargo was cross checked with weighment slip provided by the SEZ unit. The details of the weighment of the goods are as follows:

Table-II

Sr. No.	Bill of Entry no. and Date	Container No.	B/L weight (Kg)	Cargo Weight as per SEZ Unit weighment slip (Kg)
1	2365047 dated 07.07.2026 (Z type)	MSBU8299164	22540	24280

2.1. Thereafter, the officers verify the seal with import documents and found intact on said container. Then the seal was cut with the help of labour and it is noticed that the container was fully loaded with corrugated cartons. The goods were de-stuffed in warehouse. During the course of examination of the impugned goods, 3230 Corrugated Cartons/Boxes were found and same was declared in Bill of Entry. The complete details of the goods found during examination are as below:

Table-III

Sr. No.	Merit Description	CTN	KGs	Total Weight in KGs	No. of Pcs	Total No. of Pcs
1	BARBAR CHAIR LIFTER	100	9.030	903	10	1000
2	BARBAR CHAIR LIFTER	350	8.070	2824.5	10	3500
3	BARBAR CHAIR LIFTER	50	9.050	452.5	10	500
4	CHAIR PLATE	25	8.410	210.25	2	50
5	CHAIR PLATE	25	4.790	119.75	2	50
6	CHAIR PLATE	15	7.020	105.3	10	150
7	TABLE FRAME	-	-	-	-	-
8	RECLINER KIT (i) ANGLE ADJUSTER	4	19.870	79.48	50	200
	(ii) HAND CLASP BOX	2	6.050	12.1	100	200
	(iii) SPARE PARTS]	3* [JUTE BAGS]	3.790	11.37	-	-
	(iv) 5 HOLES SPRING CLIPS C5	200	6.190	1238	-	-
9	IRON PIN [N21]	400	6.010	2404	-	-
10	IRON PIN [1013J]	400	6.020	2408	-	-
11	FURNITURE FITTING [CHANNELS]	596	8.580	5113.7	30	
12	FURNITURE FITTING [HINGES]	200	9.970	1994	200	4000
13	FURNITURE FITTING [HOLDING STAND / STOOL LEG]	15	11.660	174.9	10	150
14	FURNITURE FITTING [ADVANCED MID LEVEL CHAIR	100	19.690	1969	5	500

	CHASIS / TOCHAN BAR]					
15	STOOL	662 [600 stools + 30 bags comprise 10 each of stool seat with foam and stool seat with holes (plastic) + 2 Jute Bags Having Spare Parts	1.460	876		600
15.1	STOOL SEAT [FOAM]		0.630	189		300
15.2	STOOL SEAT WITH HOLES [PLASTIC]		0.300	90		300
15.3	STOOL SPARE PARTS		3.800	7.6		2
16	OFFICE CHAIR	10	36.610	366.1	1	10
16.1	OFFICE CHAIR	20	39.950	799	1	20
17	VISITOR CHAIR	41	36.86	1511.26	6	246
17.1	VISITOR CHAIR	12	35.11	421.32	5	60
		3230		24280		

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

The importer has declared 18 items in the said BE. However, during the course of examination, some of the goods found mis-declared in terms of description and quantity. Item No. 5 & 6 of B/E was not found on the examination. Some of the undeclared goods were also found. The declared CTH of all the goods needs to be re-determined.

The details of all the goods with Re-determined CTH, Description and quantity as below:

Table-IV

Sr. No.	Declared Description	Re-determined Description	Declared CTH	Re-determined CTH	Re-determined Quantity in Kgs/Pcs
1	BARBAR CHAIR LIFTER	BARBAR CHAIR LIFTER	94021090	94021090	1000
2	BARBAR CHAIR LIFTER	BARBAR CHAIR LIFTER	94021090	94021090	3500
3	BARBAR CHAIR LIFTER	BARBAR CHAIR LIFTER	94021090	94021090	500
4	CHAIR PLATE	CHAIR PLATE	94039900	94039900	50
5	CHAIR PLATE	CHAIR PLATE	94039900	94039900	50

6	CHAIR PLATE	CHAIR PLATE	94039900	94039900	150
7	RECLINER KIT ANGLE ADJUSTER	RECLINER KIT ANGLE ADJUSTER	94039900	94019900	79.48
8	RECLINER KIT HAND CLASP BOX	RECLINER KIT HAND CLASP BOX	-	94019900	12.1
9	RECLINER KIT SPARE PARTS	RECLINER KIT SPARE PARTS	-	94019900	11.37
10	RECLINER KIT 5 HOLES SPRING CLIPS C5	RECLINER KIT 5 HOLES SPRING CLIPS C5	-	94019900	1238
11	IRON PIN [N21]	Staple PIN [N21]	73170091	83052000	2404
12	IRON PIN [1013J]	Staple PIN [1013J]	73170091	83052000	2408
13	FURNITURE FITTING [CHANNELS]	Telescopic Drawer Slide	83024190	83024190	5113.7
14	FURNITURE FITTING [HINGES]	FURNITURE FITTING [HINGES]	83021090	83021090	1994
15	FURNITURE FITTING [HOLDING STAND / STOOL LEG]	FURNITURE FITTING [HOLDING STAND / STOOL LEG]	-	94019900	174.9
16	FURNITURE FITTING [ADVANCED MID LEVEL CHAIR CHASIS / TOCHAN BAR]	FURNITURE FITTING [ADVANCED MID LEVEL CHAIR CHASIS / TOCHAN BAR]	-	94019900	1969
17	STOOL	STOOL	94032090	94032090	600
18	STOOL SEAT [FOAM]	STOOL SEAT [FOAM]	-	94019900	300
19	STOOL SEAT WITH HOLES [PLASTIC]	STOOL SEAT WITH HOLES [PLASTIC]	-	94019900	300
20	STOOL SPARE PARTS	STOOL SPARE PARTS	-	94019900	2
21	OFFICE CHAIR	OFFICE CHAIR	94032090	94017900	10

22	OFFICE CHAIR	OFFICE CHAIR	94032090	94017900	20
23	VISITOR CHAIR	VISITOR CHAIR	94032090	94017900	246
24	VISITOR CHAIR	VISITOR CHAIR	94032090	94017900	60

Valuation of the Goods:

4. Further, as goods found during examination in the subject Bill of Entry were mis-declared in terms of Description, quantity and classification. Therefore, value of the goods needs to be determined.

4.1. **Rejection of declared value & Redetermination of Assessable Value:** 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. 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 the 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.

4.3. 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 un-declared/mis-declared by means of description, the value of contemporaneous imports of identical and similar goods of same quality and composition was not found. 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 values 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.

4.4. 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:"*

4.5. 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 by Shri Anwar Y. Kukad, Chartered Engineer & Government approved valuer, who submitted his Valuation report vide reference No. AYK:VAL:02997:2026 dated 13.08.2026 wherein, he has reported the value of the cargo as tabulated below:

Table-V

Sr. no.	**Item**	**Unit**	**Quantity found on examination**	**Suggestive value per Kgs/Pcs in USD**	**Suggestive Present CIF value in USD**	**Suggestive Present CIF value in INR (1 USD= 95.2 INR)**
1	BARBAR CHAIR LIFTER	Pcs	1000	0.85	850	80920
2	BARBAR CHAIR LIFTER	Pcs	3500	0.85	2975	283220
3	BARBAR	Pcs	500	0.85	425	40460

	CHAIR LIFTER					
4	CHAIR PLATE	Pcs	50	3	150	14280
5	CHAIR PLATE	Pcs	50	3	150	14280
6	CHAIR PLATE	Pcs	150	3	450	42840
7	RECLINER KIT ANGLE ADJUSTER	Kgs	79.48	2	158.96	15133
8	RECLINER KIT HAND CLASP BOX	Kgs	12.1	2	24.2	2304
9	RECLINER KIT SPARE PARTS	Kgs	11.37	2	22.74	2165
10	RECLINER KIT 5 HOLES SPRING CLIPS C5	Kgs	1238	0.1	123.8	11786
11	Staple PIN [N21]	Kgs	2404	0.65	1562.6	148760
12	Staple PIN [1013J]	Kgs	2408	0.65	1565.2	149007
13	Telescopic Drawer Slide	Kgs	5113.7	1.5	7670.55	730236
14	FURNITURE FITTING [HINGES]	Kgs	1994	2.95	5882.3	559995
15	FURNITURE FITTING [HOLDING STAND / STOOL LEG]	Kgs	174.9	1.1	192.39	18316
16	FURNITURE FITTING [ADVANCED MID LEVEL CHAIR CHASIS /	Kgs	1969	1.1	2165.9	206194

	TOCHAN BAR]					
17	STOOL	Pcs	600	2.4	1440	137088
18	STOOL SEAT [FOAM]	Pcs	300	0.4	120	11424
19	STOOL SEAT WITH HOLES [PLASTIC]	Pcs	300	0.6	180	17136
20	STOOL SPARE PARTS	Pcs	2	1.1	2.2	209
21	OFFICE CHAIR	Pcs	10	25	250	23800
22	OFFICE CHAIR	Pcs	20	28	560	53312
23	VISITOR CHAIR	Pcs	246	5.5	1353	128806
24	VISITOR CHAIR	Pcs	60	7.5	450	42840
Total					**28723.84**	**27,34,510/-**

4.6. Whereas, it appears that, the assessable value of Rs. 10,90,326/- declared by the importer in the Z-Bill of Entry No. 2365047 dated 07.07.2026 is liable to be rejected in terms of Rule 12 of the CVR, 2007. Whereas, further it appears that, the assessable value of the cargo covered under said Bill of Entry is required to be taken as Rs. 27,34,510/- on the basis of valuation report submitted by the CE for the purpose of valuation under provisions of Rule 9 of the CVR, 2007 read with note 2 of the interpretative notes for Rule 9 of the CVR, 2007.

5. **Importability and Policy Compliance:**

5.1. The goods mentioned at Sr. No. 13 of table-IV above are falls under mandatory compliance of BIS as per Telescopic Ball Bearing Drawer Slide (Quality Control) Order, 2024. Further, the importer has also not provided the BIS certificate for the imported goods. Accordingly, the goods are become restricted for import and the same are become prohibited for import due to non-compliance of BIS. By this act of omission and commission the importer made the goods liable for confiscation under Section 111(d), 111(l) and 111(m) of the Customs Act, 1962.

5.2. The goods mentioned at Sr. No. 14 of table-IV above are falls under mandatory compliance of BIS as per Hinges (Quality Control) Order, 2025.

The goods also restricted if the CIF value of the goods is less than Rs. 280/Kgs as per Notification No. 14/2025-26 dated 26.05.2025. In the instant case the importer has imported the goods at Rs. 49.70/Kgs, so the goods become restricted as per above said notification. Further, the importer has also not provided the BIS certificate for the imported goods. Accordingly, the goods are become restricted for import and the same are become prohibited for import due to non-compliance of BIS and MIP. By this act of omission and commission the importer made the goods liable for confiscation under Section 111(d), 111(l) and 111(m) of the Customs Act, 1962.

5.3. The goods mentioned at Sr. No. 17, 21-24 of table-IV above are falls under mandatory compliance of BIS as per Furniture (Quality Control) Order, 2025. However, the Government of India has provided exemption of the BIS implementation on the goods where purchase order was placed before the implementation date of the order as per Furniture (Quality Control) Second Amendment Order, 2026. The importer has produced Sales Contract No. CN-SC/2026/RSE-018 dated 21.01.2026 i.r.o. Purchase Order No. PO-RSE-028 dated 20.01.2026 for the imported goods.

6. **Re-determination of Applicable Duty:**

On the basis of re-determined value of the goods in above Table-V, duty leviable on goods imported vide B/E No. 2365047 dated 07.07.2026 is being re-calculated for the goods which will be released for Home Consumption. The re-calculated leviable duty is as under: -

Table-VI

Sr. No.	Item Description	Unit	Total Qty found during examination	Total Value in USD	Suggestive Present CIF value (as per CE) in Rs.	BCD @ 20/15/10 %	SWS @ 10%/AIDC @5%	IGST @ 18	Total applicable Duty in Rs.
1	BARBAR CHAIR LIFTER	Pcs	1000	850	80920	8092	809	16168	25069
2	BARBAR CHAIR LIFTER	Pcs	3500	2975	283220	28322	2832	56587	87742
3	BARBAR CHAIR LIFTER	Pcs	500	425	40460	4046	405	8084	12535
4	CHAIR PLATE	Pcs	50	150	14280	2856	714	3213	6783
5	CHAIR PLATE	Pcs	50	150	14280	2856	714	3213	6783
6	CHAIR PLATE	Pcs	150	450	42840	8568	2142	9639	20349
7	RECLINER	Kgs	79.48	158.96	15133	3027	757	3405	7188

	KIT ANGLE ADJUSTER								
8	RECLINER KIT HAND CLASP BOX	Kgs	12.1	24.2	2304	461	115	518	1094
9	RECLINER KIT SPARE PARTS	Kgs	11.37	22.74	2165	433	108	487	1028
10	RECLINER KIT 5 HOLES SPRING CLIPS C5	Kgs	1238	123.8	11786	2357	589	2652	5598
11	Staple PIN [N21]	Kgs	2404	1562.6	148760	29752	2975	32668	65395
12	Staple PIN [1013J]	Kgs	2408	1565.2	149007	29801	2980	32722	65503
13	Telescopic Drawer Slide	Kgs	5113.7	7670.55	730236	0	0	0	0
14	FURNITURE FITTING [HINGES]	Kgs	1994	5882.3	559995	0	0	0	0
15	FURNITURE FITTING [HOLDING STAND / STOOL LEG]	Kgs	174.9	192.39	18316	3663	916	4121	8700
16	FURNITURE FITTING [ADVANCED MID LEVEL CHAIR CHASIS / TOCHAN BAR]	Kgs	1969	2165.9	206194	41239	10310	46394	97942
17	STOOL	Pcs	600	1440	137088	27418	6854	30845	65117
18	STOOL SEAT [FOAM]	Pcs	300	120	11424	2285	571	2570	5426
19	STOOL SEAT WITH HOLES [PLASTIC]	Pcs	300	180	17136	3427	857	3856	8140
20	STOOL SPARE PARTS	Pcs	2	2.2	209	42	10	47	99
21	OFFICE CHAIR	Pcs	10	250	23800	4760	1190	5355	11305
22	OFFICE CHAIR	Pcs	20	560	53312	10662	2666	11995	25323
23	VISITOR CHAIR	Pcs	246	1353	128806	25761	6440	28981	61183

24	VISITOR CHAIR	Pcs	60	450	42840	8568	2142	9639	20349
Total				28723.84	27,34,510/-	248396	47097	313159	6,08,651/-

The total re-determined value of the goods releasable for Home Consumption comes to Rs. 14,44,279/- and the total re-determined Duty for the said releasable goods comes to Rs. 6,08,651/- instead of the declared duty for the same i.e. Rs. 2,91,592/-. The differential duty of said releasable goods comes to Rs. 3,17,059/-. The duty of item no. 13 & 14 was not calculated due to non-compliance of BIS.

7. **Outcome of the Investigation:**

The investigation conducted by the Special Intelligence and Investigation Branch (SIIB), Customs House, Mundra, based on the special intelligence, revealed significant irregularities in the import consignment of M/s. RSE India Private Limited, Property Bearing No-6/A, Kh. No-7/6, Nilothi Extension, New Delhi, Shri Ram Colony, New Delhi, West Delhi, Delhi-110041 (IEC: AAMCR3913Q), under Z-Bill of Entry No. 2365047 dated 07.07.2026, covering container no. MSBU8299164. The examination conducted on 21.07.2026, which uncovered deliberate mis-declaration, undervaluation, and non-compliance with regulatory requirements, indicating an intent to evade Customs duties and violate import regulations. The outcomes of the investigation are as follows:

7.1**. Examination of the Goods:**

The officer of SIIB section, CH Mundra, conducted the examination of the impugned goods stuffed into the container no. MSBU8299164 covered under the Z-Bill of Entry No. 2365047 dated 07.07.2026 under Panchnama dated 21.07.2026. During the course of examination of the impugned goods, after complete de-stuffing, 3230 Corrugated Boxes. Further, on examination of the goods, the officer prima facie noticed that the goods are mis-declared and mis-classified.

7.2**. Re-determined description, quantity and Classification of the Goods:**

Sr. No.	Declared Description	Re-determined Description	Declared CTH	Re-determined CTH	Re-determined Quantity in Kgs/Pcs
1	BARBAR CHAIR LIFTER	BARBAR CHAIR LIFTER	94021090	94021090	1000

2	BARBAR CHAIR LIFTER	BARBAR CHAIR LIFTER	94021090	94021090	3500
3	BARBAR CHAIR LIFTER	BARBAR CHAIR LIFTER	94021090	94021090	500
4	CHAIR PLATE	CHAIR PLATE	94039900	94039900	50
5	CHAIR PLATE	CHAIR PLATE	94039900	94039900	50
6	CHAIR PLATE	CHAIR PLATE	94039900	94039900	150
7	RECLINER KIT ANGLE ADJUSTER	RECLINER KIT ANGLE ADJUSTER	94039900	94019900	79.48
8	RECLINER KIT HAND CLASP BOX	RECLINER KIT HAND CLASP BOX	-	94019900	12.1
9	RECLINER KIT SPARE PARTS	RECLINER KIT SPARE PARTS	-	94019900	11.37
10	RECLINER KIT 5 HOLES SPRING CLIPS C5	RECLINER KIT 5 HOLES SPRING CLIPS C5	-	94019900	1238
11	IRON PIN [N21]	Staple PIN [N21]	73170091	83052000	2404
12	IRON PIN [1013J]	Staple PIN [1013J]	73170091	83052000	2408
13	FURNITURE FITTING [CHANNELS]	Telescopic Drawer Slide	83024190	83024190	5113.7
14	FURNITURE FITTING [HINGES]	FURNITURE FITTING [HINGES]	83021090	83021090	1994
15	FURNITURE FITTING [HOLDING STAND / STOOL LEG]	FURNITURE FITTING [HOLDING STAND / STOOL LEG]	-	94019900	174.9
16	FURNITURE FITTING [ADVANCED MID LEVEL CHAIR CHASIS / TOCHAN BAR]	FURNITURE FITTING [ADVANCED MID LEVEL CHAIR CHASIS / TOCHAN BAR]	-	94019900	1969
17	STOOL	STOOL	94032090	94032090	600
18	STOOL SEAT [FOAM]	STOOL SEAT [FOAM]	-	94019900	300

19	STOOL SEAT WITH HOLES [PLASTIC]	STOOL SEAT WITH HOLES [PLASTIC]	-	94019900	300
20	STOOL SPARE PARTS	STOOL SPARE PARTS	-	94019900	2
21	OFFICE CHAIR	OFFICE CHAIR	94032090	94017900	10
22	OFFICE CHAIR	OFFICE CHAIR	94032090	94017900	20
23	VISITOR CHAIR	VISITOR CHAIR	94032090	94017900	246
24	VISITOR CHAIR	VISITOR CHAIR	94032090	94017900	60

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 are required to be re-determined under Rule 9 ibid, i.e. as per the residual method. Whereas, the impugned goods were inspected by Shri Anwar Y. Kukad, Chartered Engineer & Government approved valuer, who submitted his Valuation report vide reference No. AYK:VAL:02997:2026 dated 13.08.2026. It appears that, the assessable value of Rs. 10,90,326/- declared by the importer in the Z-Bill of Entry No. 2365047 dated 07.07.2026 is liable to be rejected in terms of Rule 12 of the CVR, 2007. Whereas, further it appears that, the assessable value of the cargo covered under said Bill of Entry is required to be taken as Rs. 27,34,510/- on the basis of valuation report submitted by the CE for the purpose of valuation under provisions of Rule 9 of the CVR, 2007 read with note 2 of the interpretative notes for Rule 9 of the CVR, 2007.

7.4. **Re-determination of Duty:**

The total re-determined value of the goods releasable for Home Consumption comes to Rs. 14,44,279/- and the total re-determined Duty for the said releasable goods comes to Rs. 6,08,651/- instead of the declared duty for the same i.e. Rs. 2,91,592/-. The differential duty of said releasable goods comes to Rs. 3,17,059/-.

7.5. **Importability and Policy Compliance:**

7.5.1. The goods mentioned at Sr. No. 13 of table-IV above are falls under mandatory compliance of BIS as per Telescopic Ball Bearing Drawer Slide (Quality Control) Order, 2024. Further, the importer has also not provided the BIS certificate for the imported goods. Accordingly, the goods are become restricted for import and the same are become prohibited for import due to non-compliance of BIS. By this act of omission and commission the importer

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

7.5.2. The goods mentioned at Sr. No. 14 of table-IV above are falls under mandatory compliance of BIS as per Hinges (Quality Control) Order, 2025. The goods also restricted if the CIF value of the goods is less than Rs. 280/Kgs as per Notification No. 14/2025-26 dated 26.05.2025. In the instant case the importer has imported the goods at Rs. 49.70/Kgs, so the goods become restricted as per above said notification. Further, the importer has also not provided the BIS certificate for the imported goods. Accordingly, the goods are become restricted for import and the same are become prohibited for import due to non-compliance of BIS and MIP. By this act of omission and commission the importer made the goods liable for confiscation under Section 111(d), 111(l) and 111(m) of the Customs Act, 1962.

7.5.3. The goods mentioned at Sr. No. 17, 21-24 of table-IV above are falls under mandatory compliance of BIS as per Furniture (Quality Control) Order, 2025. However, the Government of India has provided exemption of the BIS implementation on the goods where purchase order was placed before the implementation date of the order as per Furniture (Quality Control) Second Amendment Order, 2026. The importer has produced Sales Contract No. CN-SC/2026/RSE-018 dated 21.01.2026 i.r.o. Purchase Order No. PO-RSE-028 dated 20.01.2026 for the imported goods.

7.6. **Confiscation of Goods and Penal Action:**

In view of the above, it is evident that the importer, M/s. RSE India Private Limited, has imported the goods covered under Bill of Entry No. 2365047 dated 07.07.2026 in violation of the BIS and MIP. The importer also mis-declared the goods in term of Description, quantity and classification. Therefore, the goods mentioned at Sr. No. 13 & 14 of Table-IV are liable for confiscation under Sections 111(d), 111(l) and 111(m) of the Customs Act, 1962 due to being for non-compliance of BIS and BIS/MIP. The goods mentioned at Sr. No. 17, 21-24 of Table-IV are liable for confiscation under Section 111(m) of the Customs Act, 1962 due to not corresponding to the declared value. The goods mentioned at Sr. No. 7-10, 15 & 16 of Table-IV are liable for confiscation under Section 111(l) & 111(m) of the Customs Act, 1962 due to not corresponding to the declared value and quantity. The rest of goods of Table-IV are liable for confiscation under Section 111(m) of the Customs Act, 1962 due to not corresponding to the declared value. The importer's actions indicate an intent to evade customs duty, violating Section 46(4) of the Customs Act, 1962 (false declaration in Bill of Entry). Consequently, the importer is liable for penalties under

Sections 112(a)(i), 112(a)(ii) and 114AA of the Customs Act, 1962, for knowingly submitting false documents and attempting to evade duties.

8. <u>RELEVANT LEGAL PROVISIONS</u>:

(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 (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.*
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 [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 7. Deductive value.-
(1) Subject to the provisions of rule 3, if the goods being valued or identical or similar imported goods are sold in India, in the condition as imported at or about the time at which the declaration for determination of value is presented, the value of imported goods shall be based on the unit price at which the imported goods or identical or similar imported goods are sold in the greatest aggregate quantity to persons who are not related to the sellers in India, subject to the following deductions : -
(i) either the commission usually paid or agreed to be paid or the additions usually made for profits and general expenses in connection with sales in India of imported goods of the same class or kind;

(ii) the usual costs of transport and insurance and associated costs incurred within India;

(iii) the customs duties and other taxes payable in India by reason of importation or sale of the goods.

(2) If neither the imported goods nor identical nor similar imported goods are sold at or about the same time of importation of the goods being valued, the value of imported goods shall, subject otherwise to the provisions of sub-rule (1), be based on the unit price at which the imported goods or identical or similar imported goods are sold in India, at the earliest date after importation but before the expiry of ninety days after such importation.

(3) (a) If neither the imported goods nor identical nor similar imported goods are sold in India in the condition as imported, then, the value shall be based on the unit price at which the imported goods, after further processing, are sold in the greatest aggregate quantity to persons who are not related to the seller in India.

(b) In such determination, due allowance shall be made for the value added by processing and the deductions provided for in items (i) to (iii) of sub-rule (1).

Rule 8. Computed value.-

Subject to the provisions of rule 3, the value of imported goods shall be based on a computed value, which shall consist of the sum of:-

(a) the cost or value of materials and fabrication or other processing employed in producing the imported goods;

(b) an amount for profit and general expenses equal to that usually reflected in sales of goods of the same class or kind as the goods being valued which are made by producers in the country of exportation for export to India;

(c) the cost or value of all other expenses under sub-rule (2) of rule 10.

Rule 9. Residual method:-

(1) Subject to the provisions of rule 3, where the value of 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;

Provided that the value so determined shall not exceed the price at which such or like goods are ordinarily sold or offered for sale for delivery at the time and place of importation in the course of international trade, when the seller or buyer has no interest in the business of other and price is the sole consideration for the sale or offer for sale.

(2) No value shall be determined under the provisions of" this rule on the basis of –
(i) the selling price in India of the goods produced in India;
(ii) a system which provides for the acceptance for customs purposes of the highest of the two alternative values;
(iii) the price of the goods on the domestic market of the country of exportation; (iv) the cost of production other than computed values which have been determined for identical or similar goods in accordance with the provisions of rule 8;
(v) the price of the goods for the export to a country other than India;
(vi) minimum customs values; or
(vii) arbitrary or fictitious values.
***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. **In view of the above facts and discussion, it appears that –**

i. The declared description, quantity, weighment, no. of items and classification of the goods imported vide Z-Bill of Entry No. 2365047 dated 07.07.2026, filed by the Importer M/s. RSE India Private Limited, are liable to be rejected and the same needs to be re-determined as per Tables II and IV.

ii. The total declared assessable value of Rs. 10,90,326/- for the goods under Z-Bill of Entry No. 2365047 dated 07.07.2026 is liable to be rejected and re-determined as Rs. 27,34,510/- under Rule 9 of the Customs Valuation (Determination of Value of Imported Goods) Rules, 2007.

iii. The Bill of Entry no. 2365047 dated 07.07.2026 need to be re-assessed under Section 17(4) of The Customs Act, 1962 with re-determined duty, quantity, classification, weighment, no. of items and description as discussed in above paras.

iv. The goods imported vide Bill of Entry no. 2365047 dated 07.07.2026 mentioned at Sr. No. 7-10, 15 & 16 of the Table-IV having re-determined value of Rs. 2,55,897/- are liable for confiscation under Sections 111(l) & 111(m) of the Customs Act, 1962.

v. The goods imported vide Bill of Entry no. 2365047 dated 07.07.2026 mentioned at Sr. No. 13 & 14 of the Table-IV having re-determined value of Rs. 12,90,231/-, for being prohibited in absence of BIS and BIS/MIP are liable for confiscation under Sections 111(d), 111(l), and 111(m) of the Customs Act, 1962.

vi. The goods imported vide Bill of Entry no. 2365047 dated 07.07.2026 except mentioned at Sr. No. 7-10 & 13-16 of the Table-IV having re-determined value of Rs. 11,88,382/- are liable for confiscation under Sections 111(m) of the Customs Act, 1962.

vii. The importer, M/s. RSE India Private Limited (IEC: AAMCR3913Q), is liable for penalties under Sections 112(a)(i), 112(a)(ii), and 114AA of the Customs Act, 1962.

10. The importer vide email dated 17.08.2026 has requested for waiver of SCN and PH in the instant case and accepted the CE valuation. The importer has also produced SIMS certificate No. MOSSIMS070726608066 dated 07.07.2026 for the said goods. But the SIMS certificate was produced after inward date which is in non-compliance of the SIMS policy.

DISCUSSION AND FINDINGS

10. I have carefully gone through the records of the case, Investigation Report No. 147/2026-27 dated 21.08.2026 and the applicable provisions of law. The importer i.e. M/s RSE India Private Limited vide email dated 24.08.2026 requested for waiver of Show Cause Notice and Personal Hearing. Further, vide letter dated 28.08.2026, the importer requested permission to re-export the Channels and Hinges. Now, I proceed to decide the case on the basis of documentary evidence available on record, statutory provisions and findings contained in the Investigation Report. I find that the following issues arise for determination in this adjudication: -

i. Whether the declared description, quantity, weighment, number of items and classification of the goods mentioned in Bill of Entry No. 2365047 dated 07.07.2026 are liable for rejection or otherwise;

ii. Whether the declared assessable value of the goods imported under Bill of Entry No. 2365047 dated 07.07.2026, i.e. Rs. 10,90,326/-, is liable for rejection under Rule 12 of the Customs Valuation (Determination of Value of Imported Goods) Rules, 2007 and required to be re-determined as Rs. 27,34,510/- under Rule 9 of the said Rules;

iii. Whether the impugned goods are liable for confiscation under Sections 111(d), 111(l) and 111(m) of the Customs Act, 1962, as applicable or otherwise; and

iv. Whether the importer is liable to penalty under Sections 112(a)(i), 112(a)(ii) and 114AA of the Customs Act, 1962.

11. After having identified and framed the main issues to be decided, I now proceed to deal with each of the issues individually for analysis in light of the facts, submissions, circumstances of the case, provisions of the Customs Act, 1962 and the findings contained in the Investigation Report.

12. Regarding the first issue of the case, I find that M/s RSE India Private Limited has filed Z-Bill of Entry No. 2365047 dated 07.07.2026 at APSEZ for clearance of various furniture items, furniture fittings and related goods as detailed in Table-I above. On the basis of specific information received from DRI and NCTC, the subject consignment was put on hold by SIIB, Mundra. The goods were examined by the officers of SIIB, Mundra in the presence of the authorised representative of the importer under Panchnama dated 21.07.2026 drawn at the premises of M/s Shoolin Trade Link LLP, APSEZ, Mundra.

12.1 I notice that the weighment of the cargo was cross checked with weighment slip provided by the SEZ unit wherein weighment of the goods found 24280 Kg instead of declared in the Bill of lading as 22540 Kg. During the course of examination, the container was completely de-stuffed and 3230 corrugated cartons/boxes were found. The importer has declared 18 items in the said B/E. However, during the course of examination, some of the goods found mis-declared in terms of description and quantity. Item No. 5 & 6 of B/E declared as “Table Fram” were not found on the examination. Some of the undeclared goods were also found. Goods found during the examination as detailed in the **Table-III** above.

12.2 I find that the goods actually found during examination did not correspond with the declaration made by the importer in respect of their description, quantity and certain goods were also found to be undeclared in the Bill of Entry. Consequently, the declared classification and quantity of the goods is not found to be appropriate in respect of such goods. Accordingly, the CTH and quantity of the impugned goods is liable to be re-determined on the basis of their actual description, quantity and nature as found during examination. Re-determined quantity and CTH is as per below table: -

Table-IV

Sr. No.	Declared Description	Re-determined Description	Declared CTH	Re-determined CTH	Re-determined Quantity in Kgs/Pcs
1	BARBAR CHAIR LIFTER	BARBAR CHAIR LIFTER	94021090	94021090	1000
2	BARBAR CHAIR LIFTER	BARBAR CHAIR LIFTER	94021090	94021090	3500
3	BARBAR CHAIR LIFTER	BARBAR CHAIR LIFTER	94021090	94021090	500
4	CHAIR PLATE	CHAIR PLATE	94039900	94039900	50
5	CHAIR PLATE	CHAIR PLATE	94039900	94039900	50
6	CHAIR PLATE	CHAIR PLATE	94039900	94039900	150
7	RECLINER KIT ANGLE ADJUSTER	RECLINER KIT ANGLE ADJUSTER	94039900	94019900	79.48
8	RECLINER KIT HAND CLASP BOX	RECLINER KIT HAND CLASP BOX	-	94019900	12.1
9	RECLINER KIT SPARE PARTS	RECLINER KIT SPARE PARTS	-	94019900	11.37
10	RECLINER KIT 5 HOLES SPRING CLIPS C5	RECLINER KIT 5 HOLES SPRING CLIPS C5	-	94019900	1238
11	IRON PIN [N21]	Staple PIN [N21]	73170091	83052000	2404
12	IRON PIN [1013J]	Staple PIN [1013J]	73170091	83052000	2408
13	FURNITURE FITTING [CHANNELS]	Telescopic Drawer Slide	83024190	83024190	5113.7
14	FURNITURE FITTING [HINGES]	FURNITURE FITTING [HINGES]	83021090	83021090	1994
15	FURNITURE FITTING [HOLDING STAND / STOOL LEG]	FURNITURE FITTING [HOLDING STAND / STOOL LEG]	-	94019900	174.9
16	FURNITURE FITTING	FURNITURE FITTING	-	94019900	1969

	[ADVANCED MID LEVEL CHAIR CHASIS / TOCHAN BAR]	[ADVANCED MID LEVEL CHAIR CHASIS / TOCHAN BAR]			
17	STOOL	STOOL	94032090	94032090	600
18	STOOL SEAT [FOAM]	STOOL SEAT [FOAM]	-	94019900	300
19	STOOL SEAT WITH HOLES [PLASTIC]	STOOL SEAT WITH HOLES [PLASTIC]	-	94019900	300
20	STOOL SPARE PARTS	STOOL SPARE PARTS	-	94019900	2
21	OFFICE CHAIR	OFFICE CHAIR	94032090	94017900	10
22	OFFICE CHAIR	OFFICE CHAIR	94032090	94017900	20
23	VISITOR CHAIR	VISITOR CHAIR	94032090	94017900	246
24	VISITOR CHAIR	VISITOR CHAIR	94032090	94017900	60

12.3 In view of the above, I find that the goods imported under the subject Bill of Entry did not correspond with the declaration made by the importer in respect of description, quantity, number of items and classification. Therefore, the declared description, quantity, weighment, number of items and classification are liable to be rejected and re-determined as per Table-IV of the Investigation Report.

13. Regarding the second issue of the case, I find that the physical examination of the import consignment showed substantial discrepancies between the goods declared in the Bill of Entry and the goods actually found during examination. As a result, the declared assessable value of the goods cannot be considered as correctly representing the goods actually imported. Therefore, I find sufficient reasons to reject the declared assessable value of Rs. 10,90,326/- under Rule 12 of the Customs Valuation (Determination of Value of Imported Goods) Rules, 2007.

13.1 I find that, in view of the mis-declaration of description, quantity and classification of the goods, the transaction value of the impugned goods cannot be accepted as declared under Rule 3 of the CVR, 2007. 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".

13.2 I find that the value of the impugned goods could not be determined under Rule 4 and 5 ibid since the goods have been un declared/mis-declared by means of description, the value of contemporaneous imports of identical and similar goods of same quality and composition was not found. 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 values 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.

13.3 I find 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:"

Hence, valuation of the goods is to be determined under residual method of valuation provided under Rule 9 of the Customs Valuation Rules ibid.

13.4 I noticed that Chartered Engineer in its report vide ref no. AYK:VAL:02997:2026 dated 13.08.2026 has suggested the valuation of the imported goods as Rs. 27,34,510/- (Rupees Twenty-Seven Lakh Thirty-Four Thousand Five Hundred and Ten only) whereas importer declared it as Rs. 10,90,326/-. By considering the value as determined by Chartered Engineer, assessable value of the subject goods is required to be re-determined under Section 14 of the Customs Act, 1962 and re-assessment is required to be done as per section 17(4) of the Customs Act, 1962.

13.5 I, therefore, conclude that the Investigation Report has rightly proposed rejection of the declared assessable value and re-determination thereof as Rs. 27,34,510/- under Rule 9 of the Customs Valuation (Determination of Value of Imported Goods) Rules, 2007. Consequently, the Bill of Entry is required to be re-assessed under Section 17(4) of the Customs Act, 1962 on the basis of the re-determined description, quantity, classification and valuation. The total re-determined duty on the goods releasable for Home Consumption is Rs. 6,08,651/- as against the declared duty of Rs. 2,91,592/-, resulting in differential duty of Rs. 3,17,059/-. Accordingly, the differential duty of Rs. 3,17,059/- is recoverable from the importer along with applicable interest in accordance with law.

14. Regarding the third issue of the case in respect of confiscation, I find that different categories of goods are liable for confiscation for different reasons. I find that the goods mentioned at Sr. No. 13 of Table-IV i.e. "Telescopic Drawer Slide", fall under mandatory compliance of the Telescopic Ball Bearing Drawer Slide (Quality Control) Order, 2024. The importer has not provided the required BIS certificate for the said goods. Accordingly, the goods are non-compliant with the applicable BIS requirement and are liable for confiscation under Section 111(d) of the Customs Act, 1962. Since the goods also do not correspond with the declaration made in the Bill of Entry, the same are also liable for confiscation under Sections 111(l) and 111(m) of the Customs Act, 1962.

14.1 I further find that the goods mentioned at Sr. No. 14 of Table-IV i.e. "Furniture Fitting [Hinges]", fall under mandatory compliance of the Hinges (Quality Control) Order, 2025. Further, as per Notification No. 14/2025-26 dated 26.05.2025, the goods are restricted where the CIF value is below Rs. 280/- per Kg. In the present case, the goods were imported at a value of Rs. 49.70 per Kg. and the importer has also not produced the requisite BIS certificate. Therefore, the goods are non-compliant with BIS and MIP requirements and are liable for confiscation under Sections 111(d), 111(l) and 111(m) of the Customs Act, 1962.

14.2 I also find that the goods mentioned at Sr. Nos. 17, 21 to 24 of Table-IV are covered under the Furniture (Quality Control) Order, 2025. However, the Investigation Report records that the importer produced Sales Contract No. CN-SC/2026/RSE-018 dated 21.01.2026 corresponding to Purchase Order No. PO-RSE-028 dated 20.01.2026. Since the purchase order was placed prior to the implementation of the relevant BIS requirement, the said goods are covered by the exemption provided under the Furniture (Quality Control) Second Amendment Order, 2026. Therefore, I find that the said goods are not liable for confiscation on account of BIS non-compliance.

However, the said goods are liable for confiscation under Section 111(m) of the Customs Act, 1962 to the extent they do not correspond with the declaration made in the Bill of Entry in respect of value and other particulars.

14.3 I find that the goods mentioned at Sr. Nos. 7 to 10, 15 and 16 of Table-IV were either not properly declared or did not correspond with the declaration in respect of quantity and other particulars. In particular, certain recliner kit components and furniture fittings were found during examination which were not correctly declared in the Bill of Entry. Therefore, the said goods are liable for confiscation under Sections 111(l) and 111(m) of the Customs Act, 1962.

14.4 In respect of the remaining goods covered under Table-IV, I find that the goods found during examination did not correspond with the declaration made in the Bill of Entry in respect of value and/or other particulars. The importer, being responsible for the correctness and completeness of the declaration made in the Bill of Entry, has failed to fulfil the obligation of making a true and correct declaration. Accordingly, such goods are liable for confiscation under Section 111(m) of the Customs Act, 1962.

14.5 The importer has also submitted SIMS Certificate No. MOSSIMS070726608066 dated 07.07.2026 for the subject goods. However, the said certificate was obtained after the inward date of the goods. Since SIMS registration is not required for the goods under the re-determined CTH, the issue of the date of the SIMS certificate is not relevant to the present case.

15. Regarding the fourth issue relating to imposition of penalty, I find that the evidence on record clearly establishes that the importer filed the Bill of Entry with incorrect particulars relating to description, quantity, classification and value of the imported goods. Further, goods covered under Sr. Nos. 13 of Table-IV were imported without compliance of applicable BIS and goods mentioned at Sr. No. 14 of Table-IV were imported without compliance of applicable BIS and MIP requirements. Accordingly, the goods became liable for confiscation under Sections 111(d), 111(l) and 111(m) of the Customs Act, 1962. Therefore, the importer has rendered itself liable to penalty under Section 112(a)(i) of the Customs Act, 1962 in respect of the prohibited goods. Therefore, the proposal for imposition of penalty under Section 112(a)(i) is correct and sustainable in law

15.1 Further, in respect of the remaining goods, I find that penalty under Section 112(a)(ii) of the Customs Act, 1962 is attracted where the acts or

omissions of the importer have rendered dutiable goods liable to confiscation under Section 111 of the Act. In the present case, the discrepancies in quantity CTH and valuation were detected during examination and were not correctly declared by the importer at the time of filing the Bill of Entry. Accordingly, I hold that the importer is liable to penalty under Section 112(a)(ii) of the Customs Act, 1962, and the imposition of such penalty is justified and sustainable in law.

15.2 I further find that the importer furnished declarations in the Bill of Entry which were found to be incorrect in material particulars during the course of investigation. The importer mis-declared the description, quantity, classification and value of the goods and attempted to clear goods which were not in conformity with the declaration and, in respect of Sr. Nos. 13 and 14, were not compliant with applicable BIS/MIP requirements. These acts of omission and commission on the part of the importer made the provisions of Section 114AA invokable. Therefore, I agree with the proposal of imposition of penalty on the importer u/s. 114AA *ibid*.

16. In view of the above facts of the case and findings on record, I pass the following order: -

ORDER

i. I order to reject the declared description, quantity, weighment, number of items and classification of the goods imported under Z-Bill of Entry No. 2365047 dated 07.07.2026 and order to re-determine the same as per Table-IV of the Investigation Report.

ii. I reject the declared assessable value of the goods covered under Z-Bill of Entry No. 2365047 dated 07.07.2026, i.e. Rs. 10,90,326/- (Rupees Ten Lakh Ninety Thousand Three Hundred and Twenty-Six only), under Rule 12 of the Customs Valuation (Determination of Value of Imported Goods) Rules, 2007 and order to re-determine the same as Rs. 27,34,510/- (Rupees Twenty-Seven Lakh Thirty-Four Thousand Five Hundred and Ten only) under Rule 9 of the said Rules.

iii. I order to re-assess Z-Bill of Entry No. 2365047 dated 07.07.2026 on the basis of the re-determined description, quantity, classification and valuation as discussed above. I order to recover the re-determined duty arrived on re-assessment of bill of entry along with applicable interest.

iv. I order to confiscate the impugned goods mentioned at Sr. Nos. 13 and 14 of Table-IV, having a total re-determined value of **Rs. 12,90,231/-** (Rupees Twelve Lakh Ninety Thousand Two Hundred and Thirty-One

only), under Sections 111(d), 111(l) and 111(m) of the Customs Act, 1962 for non-compliance of BIS and BIS/MIP respectively. However, I give an option to the importer to redeem the said goods for **re-export only** on payment of Redemption Fine of **Rs. 1,25,000/- (Rupees One Lakh Twenty-Five Thousand Only)** under Section 125 of the Customs Act, 1962, subject to compliance with other applicable provisions.

v. I order to confiscate the goods mentioned at Sr. Nos. 7 to 10, 15 and 16 of Table-IV, having a total re-determined value of **Rs. 2,55,897/-** (Rupees Two Lakh Fifty-Five Thousand Eight Hundred and Ninety-Seven only), under Sections 111(l) and 111(m) of the Customs Act, 1962. I give an option to the importer to redeem the said goods for home consumption on payment of Redemption Fine of **Rs. 25,000/- (Rupees Twenty-Five Thousand only)** under Section 125 of the Customs Act, 1962, subject to payment of applicable duty and compliance with other applicable requirements.

vi. I order to confiscate the remaining goods covered under Table-IV, having a total re-determined value of **Rs. 11,88,382/-** (Rupees Eleven Lakh Eighty-Eight Thousand Three Hundred and Eighty-Two only), under Section 111(m) of the Customs Act, 1962. I give an option to the importer to redeem the said goods for home consumption on payment of Redemption Fine of **Rs. 1,15,000/- (Rupees One Lakh Fifteen Thousand only)** under Section 125 of the Customs Act, 1962, subject to payment of applicable duty and compliance with other applicable requirements.

vii. I impose a penalty of **Rs. 65,000/- (Rupees Sixty-Five Thousand only)** on the importer, M/s RSE India Private Limited, under Section 112(a)(i) of the Customs Act, 1962.

viii. I impose a penalty of **Rs. 30,000/- (Rupees Thirty-Thousand only)** on the importer, M/s RSE India Private Limited, under Section 112(a) (ii) of the Customs Act, 1962.

ix. I impose a penalty of **Rs. 25,000/- (Rupees Twenty-Five Thousand only)** on the importer, M/s RSE India Private Limited, under Section 114AA of the Customs Act, 1962.

x. This order is issued without prejudice to any other action which may be contemplated against the importer or any other person under the provisions of the Customs Act, 1962 and rules/regulations framed

thereunder or under any other law for the time being in force in the Republic of India.

Digitally signed by Dipakbhai Zala
Date: 17-09-2026 17:57:52

Dipak Zala,
Additional Commissioner,
Custom House, Mundra.

By Speed Post/Regd. Post/E-mail/Hand Delivery
CUS/APR/INV/588/2026-Gr-4

To,

M/s. RSE India Private Limited,
No-6/A, Kh. No-7/6, Nilothi Extension,
Shri Ram Colony, New Delhi,
West Delhi, Delhi-110041.

Copy to:

1. The DC/AC, RRA/SIIB/TRC/EDI, Mundra Customs.
2. Notice Board/Guard File.