

	OFFICE OF THE PRINCIPAL COMMISSIONER OF CUSTOMS CUSTOMS HOUSE, MP & SEZ MUNDRA, KUTCH-GUJARAT -370421 Email: Group4-mundra@gov.in	 सत्यमेव जयते
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A	फा .सं / .FILE NO.	CUS/APR/ASS/180/2026-Gr 4-O/o Pr Commr-Cus-Mundra
B	मूल आदेश सं. ORDER-IN-ORIGINAL NO.	MCH/ADC/ZDC/629/2025-26
C	द्वारा पारित किया गया PASSED BY	Dipak Zala Additional Commissioner of Customs Customs House, Mundra
D	आदेश की तिथि DATE OF ORDER	11-02-2026
E	जारी करने की तिथि DATE OF ISSUE	11-02-2026
F	कारण बताओ नोटिस सं एवं तिथि SCN NUMBER & DATE	IMPORTER REQUESTED FOR WAIVER in PH & SCN vide submission on 10.02.2026
G	नोटिसीपार्टी / आयातक/ NOTICEE/ PARTY/ IMPORTER	Om Drishian International Limited (IEC: 0501044825) SSI-58, Industrial Area, Near Jahangir Puri Metro Station, GT Karnal Road, Delhi-110033
H	डिन सं .DIN NUMBER	20260271MO0000008E2F

1. यह अपील आदेश संबन्धित को निःशुल्क प्रदान किया जाता है।

This Order - in - Original is granted to the concerned free of charge.

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

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

“सीमा शुल्क आयुक्त) अपील(, चौथी मंजिल, हुडको बिल्डिंग, ईश्वर भुवन रोड, नवरंगपुरा, अहमदाबाद **380009**”

“**The Commissioner of Customs (Appeals), Mundra, 4TH Floor, Hudco Building, Ishwar Bhuvan Road, Navrangpura, Ahmedabad-380009.**”

3. उक्त अपील यह आदेश भेजने की दिनांक से साठ 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 accompanied by –

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

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

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

7. अपील प्रस्तुत करते समय, सीमाशुल्क (अपील) नियम, 1982 और सीमा शुल्क अधिनियम, 1962 के सभी मामलों में पालन किया जाना चाहिए।

While submitting the appeal, the Customs (Appeals) Rules, 1982 and the Customs Act, 1962 should be adhered to in all respects.

8. इस आदेश के विरुद्ध अपील हेतु जहां शुल्क या शुल्क और जुर्माना विवाद में हो, अथवा दण्ड में, जहां केवल जुर्माना विवाद में हो, Commissioner (Appeals) 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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Brief Facts of the Case:

The importer, M/s OM DRISHIAN INTERNATIONAL LIMITED (IEC-0501044825) (hereinafter referred to as the 'Importer' for the sake of brevity) having address at SSI-58, INDUSTRIAL AREA Near Jahangir Puri Metro Station G T KARNAL ROAD 110033, has filed Bills of Entry No. 6609910 dt. 30.12.2025 , 6753950 dated 07.01.2026 and 7119223 dated 26.01.2026 (hereinafter referred to as the 'said BoEs' for the sake of brevity) for import of the goods "COLD ROLLED STAINLESS STEEL COIL GRADE J3 NON MAGNETIC" (hereinafter referred to as the 'said goods' for the sake of brevity) under Advance License at Mundra Port. The details of said BoEs are as under:

Table-I

Sr. No.	BE No. & Date	Declared CTH	Description of Goods	Gross Weight/ Net weight/ Pkg	Advance Authorization no.
1.	6609910 dt. 30.12.2025	72209090	COLD ROLLED STAINLESS STEEL COIL GRADE J3 (Size 525MM, 445MM, 465 MM)	56,004 KGS, 17 Pckgs	0511036087 dt. 04.11.2025
2.	6753950 dated 07.01.2026	72199090	COLD ROLLED STAINLESS STEEL COIL GRADE J3 (0.16 MM*600MM, 0.16MM* 730MM, 0.16MM*810,	56,123 Kgs, 17Pckgs	0511036087 dt. 04.11.2025

			0.16MM*780, 0.16MM*690MM)		
3.	7119223 Dated 26.01.2026	72199090	COLD ROLLED STAINLESS STEEL COIL GRADE J3 (0.16MM*780MM, 0.16MM*810MM, 0.16MM*730MM, 0.16MM*690MM, 0.16MM*605MM, 0.16MM*650MM, 0.16MM*610MM, 0.16MM*580MM	54,906 Kgs, 14 Pckgs,	0511036087 dt. 04.11.2025

SCRUTINY AND EXAMINATION

2. The said BoEs were marked for examination where Officers of the Docks, CH, Mundra carried out PMI test report and examination as per CAVR Order, 2023. The importer has uploaded the PMI test reports in e-sanchit.

3. Analysis of Mill Test Certificates

3.1. Mill Test Certificate of BoE No. 6609910 dt. 30.12.2025

The importer has uploaded the Test Certificate no. JYS112025233 dated 09.12.2025 in e-Sanchit for the goods imported under BoE No. 6609910 dt. 30.12.2025. The details of the chemical composition of all 17 pckgs is as below:

Table-II

Product			NON MAGNETIC STAINLESS STEEL COLD ROLLED COIL GRADE J3				Chemical Composition(%)							
Pallets	Coil no.	Heat no.	Specification		Quantity (kgs)	Length (m)	C	SI	Mn	P	S	NI	Cr	Cu
			WIDTH(mm)	THICKNESS(mm)										
1	2511-470	25120544	525		2872	/	0.124	0.427	9.523	0.0367	0.004	1.15	13.65	0.64
2	2511-470	25120544	525		2794	/	0.124	0.427	9.523	0.0367	0.004	1.15	13.65	0.64
3	2511-470	25120544	525		3140	/	0.124	0.427	9.523	0.0367	0.004	1.15	13.65	0.64
4	2511-488	25120545	445		3786	/	0.129	0.439	9.411	0.0311	0.006	1.12	13.54	0.63
5	2511-479	25120545	445		3724	/	0.129	0.439	9.411	0.0311	0.006	1.12	13.54	0.63
6	2511-491	25120544	525		2406	/	0.124	0.427	9.523	0.0367	0.004	1.15	13.65	0.64
7	2511-487	25120545	445		4630	/	0.129	0.439	9.411	0.0311	0.006	1.12	13.54	0.63
8	2511-487	25120545	445		4602	/	0.129	0.439	9.411	0.0311	0.006	1.12	13.54	0.63
9	2511-491	25120591	525		2652	/	0.131	0.455	9.461	0.037	0.005	1.01	14.11	0.63
10	2511-488	25120592	445		3288	/	0.135	0.445	9.468	0.041	0.006	1.02	14.12	0.62
11	2511-479	25120592	445		3672	/	0.135	0.445	9.468	0.041	0.006	1.02	14.12	0.62
12	2511-479	25120592	445		3776	/	0.135	0.445	9.468	0.041	0.006	1.02	14.12	0.62
13	2511-479	25120592	445		3664	/	0.135	0.445	9.468	0.041	0.006	1.02	14.12	0.62
14	2511-487	25120592	445		2770	/	0.135	0.445	9.468	0.041	0.006	1.02	14.12	0.62
15	2511-487	25120592	445		2792	/	0.135	0.445	9.468	0.041	0.006	1.02	14.12	0.62
16	2511-489	25120593	465		2766	/	0.133	0.461	9.398	0.044	0.006	1.04	14.14	0.65
17	2511-489	25120593	465		2670	/	0.133	0.461	9.398	0.044	0.006	1.04	14.14	0.65

3.2. Mill Test Certificate of BoE No. 6753950 dated 07.01.2026

The importer has uploaded the Test Certificate no. JX121525140-2 dated 15.12.2025 in e-Sanchit for the goods imported under BoE No. 6753950 dated 07.01.2026. The details of the chemical composition of all 17 pckgs is as below:

Table-III

ITEM	Coil no.	Hratn.	Specification		Quantity (kgs)	Finish	Length (m)	C	Si	Mn	P	S	Ni	Cr	Cu
			OD(mm)	WT(mm)											
1	2509-421	2512531	0.16*600		3010	/	/	0.125	0.457	9.405	0.031	0.003	1.07	14.06	0.59
2	2509-422	2512532	0.15*730		2300	/	/	0.147	0.399	9.504	0.025	0.004	1.03	13.57	0.67
3	2509-423	2512531	0.15*600		2960	/	/	0.125	0.457	9.405	0.031	0.003	1.07	14.06	0.59
4	2509-424	2512539	0.16*810		3110	/	/	0.128	0.398	9.515	0.034	0.004	1.08	13.91	0.62
5	2509-425	2512539	0.16*780		5130	/	/	0.128	0.398	9.515	0.034	0.004	1.08	13.91	0.62
6	2509-426	2512534	0.16*690		3530	/	/	0.132	0.459	9.536	0.041	0.004	1.05	14.12	0.64
7	2509-427	2512539	0.16*690		2805	/	/	0.128	0.398	9.515	0.034	0.004	1.08	13.91	0.62
8	2509-428	2512539	0.16*690		2595	/	/	0.128	0.398	9.515	0.034	0.004	1.08	13.91	0.62
9	2509-429	2512532	0.16*730		2600	/	/	0.147	0.399	9.504	0.025	0.004	1.03	13.97	0.67
10	2509-430	2512534	0.16*690		3580	/	/	0.137	0.452	9.501	0.031	0.005	1.07	14.12	0.65
11	2509-431	2512541	0.16*780		2890	/	/	0.125	0.407	9.406	0.034	0.004	1.01	13.98	0.64
12	2509-432	2512541	0.16*810		4258	/	/	0.125	0.407	9.406	0.034	0.004	1.01	13.98	0.64
13	2509-433	2512536	0.16*600		2235	/	/	0.127	0.471	9.432	0.034	0.003	1.09	14.07	0.63
14	2509-434	2512532	0.16*730		2470	/	/	0.147	0.399	9.504	0.025	0.004	1.03	13.97	0.67
15	2509-435	2512542	0.16*810		3210	/	/	0.134	0.427	9.502	0.041	0.003	1.05	14.04	0.63
16	2509-436	2512542	0.16*780		4840	/	/	0.134	0.427	9.502	0.041	0.003	1.05	14.04	0.63
17	2509-437	2512542	0.16*810		4600	/	/	0.134	0.427	9.502	0.041	0.003	1.05	14.04	0.63

3.3. Mill Test Certificate of BoE No. 7119223 Dated 26.01.2026

The importer has uploaded the Test Certificate for invoice no. SNJ20250718001-2 dated 29.12.2025 in e-Sanchit for the goods imported under BoE No. 7119223 Dated 26.01.2026. The details of the chemical composition of all 14 pckgs is as below:

Table-IV

MILL TEST CERTIFICATE

CUSTOMER		HONG KONG ZIYE METAL MATERIALS CO., LIMITED					ISSUE DATE:		DEC 29th, 2025		
CONSIGNEE:		OM DRISHIAN INTERNATIONAL LIMITED					INVOICE NO.		SNJ20250718001-2		
PRODUCT:		STAINLESS STEEL COILS GRADE J3/N7									
NO.	GRADE	FINISH	SPECIFICATION			NET WEIGHT (KGS)	CHEMICAL COMPOSITION %				
			Thickness (mm)	Width (mm)	Length (mm)		C%	Si%	Mn%	P%	
1	J3	2B	0.16	780	coil	4010	0.168	0.395	9.088	0.044	
2	J3	2B	0.16	810	coil	5236	0.168	0.395	9.088	0.044	
3	J3	2B	0.16	730	coil	4495	0.168	0.395	9.088	0.044	
4	J3	2B	0.16	730	coil	4424	0.168	0.395	9.088	0.044	
5	J3	2B	0.16	780	coil	2780	0.168	0.395	9.088	0.044	
6	J3	2B	0.16	780	coil	2630	0.168	0.395	9.088	0.044	
7	J3	2B	0.16	810	coil	3870	0.168	0.395	9.088	0.044	
8	J3	2B	0.16	690	coil	4185	0.168	0.395	9.088	0.044	
9	J3	2B	0.16	690	coil	4310	0.168	0.395	9.088	0.044	
10	J3	2B	0.16	605	coil	3724	0.168	0.395	9.088	0.044	
11	J3	2B	0.16	605	coil	3830	0.168	0.395	9.088	0.044	
12	J3	2B	0.16	650	coil	3711	0.168	0.395	9.088	0.044	
13	J3	2B	0.16	580	coil	3926	0.168	0.395	9.088	0.044	
14	J3	2B	0.16	610	coil	3775	0.168	0.395	9.088	0.044	
NO.	GRADE	CHEMICAL COMPOSITION %					TENSILE TEST			HARDNESS TEST	
		S%	Ni%	Cr%	Cu%	N%	0.2% Y.S (Mpa)	T.S (Mpa)	Elongation (%)		
1	J3	0.0018	0.97	13.08	0.69	0.11	-	-	-	240	
2	J3	0.0018	0.97	13.08	0.69	0.11	-	-	-	240	
3	J3	0.0018	0.97	13.08	0.69	0.11	-	-	-	240	
4	J3	0.0018	0.97	13.08	0.69	0.11	-	-	-	240	
5	J3	0.0018	0.97	13.08	0.69	0.11	-	-	-	240	
6	J3	0.0018	0.97	13.08	0.69	0.11	-	-	-	240	
7	J3	0.0018	0.97	13.08	0.69	0.11	-	-	-	240	
8	J3	0.0018	0.97	13.08	0.69	0.11	-	-	-	240	
9	J3	0.0018	0.97	13.08	0.69	0.11	-	-	-	240	
10	J3	0.0018	0.97	13.08	0.69	0.11	-	-	-	240	
11	J3	0.0018	0.97	13.08	0.69	0.11	-	-	-	240	
12	J3	0.0018	0.97	13.08	0.69	0.11	-	-	-	240	
13	J3	0.0018	0.97	13.08	0.69	0.11	-	-	-	240	
14	J3	0.0018	0.97	13.08	0.69	0.11	-	-	-	240	

3.4. From above MTC certificates issued by the supplier, it clearly appears that the Chromium content percentage ranges between **13.08-14.14**, Nickel content percentage ranges between **0.97 to 1.150** and Manganese content percentage

ranges between **9.088 to 9.602** for all coils imported under the said BoEs.

4. PMI Test Report Analysis:

As per the instruction of First Check, PMI tests were conducted by the Docks Officer on randomly selected coils imported under said BoEs. The importer had uploaded the test reports of such tests conducted in e-Sanchit. The details of the chemical composition as per PMI for the imported goods is as below:

4.1. PMI Test Report For BoE No. 6609910 dt. 30.12.2025

Table-V

Element	Cont no. IAAU2943060				Cont no . IAAU2905517			
	1		2		3		4	
	%	+/-	%	+/-	%	+/-	%	+/-
Fe	74.41	0.220	74.40	0.220	74.49	0.220	74.79	0.224
Si	0.56	0.029	0.76	0.032	0.58	0.030	0.46	0.029
Cr	13.51	0.088	13.13	0.087	13.31	0.087	13.05	0.088
Mn	9.85	0.080	9.97	0.080	10.05	0.081	10.18	0.083
Ni	0.90	0.032	1.01	0.034	0.79	0.031	0.97	0.035
Cu	0.53	0.022	0.51	0.021	0.57	0.023	0.41	0.020
V	0.11	0.013	0.13	0.014	0.09	0.013	0.10	0.014
P	0.05	0.007	-	-	0.04	0.009	-	-

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4.2. PMI Test Report For BoE No. 6753950 dated 07.01.2026

Table-VI

Element	Cont no. WHSU0241880				Cont no . WHSU0088744			
	1		2		3		4	
	%	+/-	%	+/-	%	+/-	%	+/-
Fe	75.49	0.221	75.28	0.220	75.64	0.220	75.27	0.221
Si	0.74	0.032	0.84	0.033	0.62	0.030	0.81	0.033
Cr	12.75	0.085	12.94	0.086	12.48	0.084	12.81	0.086
Mn	9.32	0.078	9.40	0.078	9.61	0.079	9.54	0.079
Ni	1.01	0.035	0.82	0.032	0.95	0.034	0.91	0.033
Cu	0.49	0.021	0.49	0.021	0.44	0.021	0.45	0.021
V	0.12	0.013	0.14	0.014	0.08	0.013	0.11	0.013
P	0.04	0.008	0.04	0.008	-	-	0.03	0.008

4.3. PMI Test Report For BoE No. 7119223 Dated 26.01.2026

Table-VII

Element	Cont no. OOLU703124				Cont no. TEMU3519844			
	1		2		3		4	
	%	+/-	%	+/-	%	+/-	%	+/-
Fe	74.87	0.221	75.29	0.222	75.07	0.219	74.34	0.221
Si	0.73	0.032	0.76	0.032	0.90	0.035	0.59	0.030
Cr	13.47	0.088	13.38	0.088	13.06	0.086	13.44	0.088
Mn	8.57	0.074	8.68	0.075	8.07	0.076	8.93	0.076
Ni	1.39	0.040	1.17	0.036	1.32	0.036	1.27	0.038
Cu	0.10	0.009	0.48	0.021	0.58	0.023	0.53	0.022
V	0.13	0.014	0.13	0.014	0.13	0.014	0.10	0.011
P	-	-	0.04	0.008	0.04	0.008	0.04	0.008

4.4. From above PMI Test Report issued by the supplier it clearly appears that the Chromium content percentage ranges between **12.75 to 13.51**, Nickel content percentage ranges between **0.79 to 1.39** and Manganese content percentage ranges between **9.32 to 10.18** for all coils in the said BoEs.

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Overview of Different Grades of Stainless Steel

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5.1. The stainless Steel are broadly categorized in five categories namely Austenitic, Ferritic, Martensitic, duplex and Precipitation hardening stainless steel grade. These categories are defined based on the atomic structure and alloying elements resulting in range of properties required for various end use. Austenitic is the most widely used type of stainless steel. It has excellent corrosion and heat resistance with good mechanical properties over a wide range of temperatures.

5.2. Austenitic Stainless Steel refers to a type of Non-Magnetic alloy of Iron. It has Face Centered Cubic crystal structure which is formed at elevated temperature above 723° C and below 1493 ° C. Further, to stabilize Austenitic Stainless-Steel at room temperature, it is alloyed with other elements like Nickel and Chromium. The addition of these elements further divided Austenitic Steel in to two subgroups i.e. 200 and 300 series (International Grade) which are non-magnetic in nature. The main difference is that the 300 series stainless steel has *higher nickel content*, providing superior corrosion resistance and durability, while the 200 series (of which 201 grade is a subtype having stainless steel grade J3) replaces much of the nickel with manganese and nitrogen to lower cost, resulting in lower corrosion resistance and suitability for less demanding applications. Composition of different grades of Austenitic Steel with respect to different alloying elements as specified in IS 6911:2017 are as follows **(RUD-1)** :

Table-VIII

Table 1 Chemical Composition
(Clauses 7.1 and 7.2)

IS 6911 : 1992

Grade Designation		C	Si Max	Mn	Ni	Cr	Mo	S Max	P Max	Others
Letter Symbol [see IS 1762 (Part 1)]	Numerical Symbol ISS	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
(1)	(2)									
Ferrite Steels										
X 04Cr12	405	0.08 Max	1.0	1.0 Max	—	11.5-13.5	—	0.030	0.040	Al 0.10-0.30
X 07Cr17	430	0.12 Max	1.0	1.0 Max	0.50 Max	16.0-18.0	—	0.030	0.040	
Martensite Steel										
X 12Cr12	410	0.08-0.15	1.0	1.0 Max	1.0 Max	11.5-13.5	—	0.030	0.040	
X 20Cr13	420 S1	0.16-0.25	1.0	1.0 Max	1.0 Max	12.0-14.0	—	0.030	0.040	
X 30Cr13	420 S2	0.26-0.35	1.0	1.0 Max	1.0 Max	12.0-14.0	—	0.030	0.040	
X 40Cr13	420 S3	0.35-0.45	1.0	1.0 Max	1.0 Max	12.0-14.0	—	0.030	0.040	
X 15Cr16Ni2	431	0.10-0.20	1.0	1.0 Max	1.25-2.50	15.0-17.0	—	0.030	0.045	
X 108Cr17Mo	440	0.95-1.20	1.0	1.0 Max	0.50 Max	16.0-18.0	0.75 Max	0.030	0.045	
Austenitic Steels										
X 10Cr17Mn6Ni4N20	201	0.20 Max	1.0	4.0-8.0	3.5-5.5	16.0-18.0	—	0.030	0.045	N 0.05-0.20
X 07Cr17Mn12Ni4	201 A	0.12 Max	1.0	10.0-14.0	3.5-5.5	16.0-18.0	—	0.030	0.045	
X 10Cr18Mn9Ni5	202	0.15 Max	1.0	8.0-10.0	4.0-6.0	17.0-19.0	—	0.030	0.045	
X 10Cr17Ni7	301	0.15 Max	1.0	2.0 Max	6.0-8.0	16.0-18.0	—	0.030	0.045	
X 07Cr18Ni9	302	0.15 Max	1.0	2.0 Max	8.0-10.0	17.0-19.0	—	0.030	0.045	
X 04Cr19Ni9	304 S1	0.08 Max	1.0	2.0 Max	8.0-10.0	17.5-20.0	—	0.03	0.045	

In view of the above, it is clearly evident that the Austenitic Stainless-Steel grades have essentially content by weight (%) of alloying elements Chromium (Cr) and Nickel (Ni) as per table below:

Table-IX

Subgroups of Austenitic stainless steel	Minimum-Maximum range of Nickel (Ni) (% by weight)	Minimum-Maximum range of Chromium (Cr) (% by weight)
300 Series	6 - 21	16 - 25
200 Series	3.5 - 6	16-19

6.1. **Evolution of Stainless Steel Grade and Uses:**

Jindal Stainless Limited (JSL), a major Indian stainless steel producer, commercially introduced and popularized the family of low-nickel 200-series stainless steels — including grades such as J1, J2, J3, and J4 — in the late 1980s. According to the company's historical timeline, in 1988 Jindal Stainless overcame a severe nickel shortage in India and launched its own low-nickel 200-series grades, which include J1, J2, J3 and J4 becoming one of the first in the world to do so. These grades were widely adopted and remain in use today. They are not formal international standards like ASTM/EN, but are widely recognized commercially.

The J-series designations (J1, J2, J3, J4, etc.) are enterprise/supplier

grade names devised by Jindal Stainless (and later used more broadly in the Indian stainless market) to classify different compositions within the 200-series austenitic stainless steels (especially 201).

Further, 200-series, (of which 201 grade is a subtype having stainless steel grades J1,J2,J3,J4 variants), are chromium-manganese-nickel alloys designed to reduce the amount of expensive nickel used in 300-series grades, by substituting manganese (and sometimes nitrogen) while retaining an austenitic structure. As J1,J2,J3,J4 steel is lower in nickel than 300 series such as SS304, it makes it more cost-effective than 300 series. Further, J1,J2,J3,J4 steel, is generally softer and more formable than higher carbon variants but with moderate corrosion resistance.

On account of its lower cost, formability, strength, and corrosion performance, Grades J1,J2,J3,J4 finds application in areas such as Utensils & kitchenware / sinks, light structural components and mechanical fabrication where deep corrosion resistance is not a pressing requirement, mid-strength fabricated parts, decorative trims, tubing/sheet for appliances and indoor fittings, etc.

6.2. **Chemical Composition of Austenitic Steel grade 200 series as per IS 6911:2017 :**

The importer has declared their goods i.e. Stainless steel Coils of J3 grade which falls under 200 series of Austenitic stainless steel. Thus, the chemical composition of Austenitic Steel 200 series grade within which J3 grade falls as per IS 6911:2017 is reproduced here for ease of reference: -

Table-X

S I. N o .	Grade Designation	Numerical Symbol	C M ax	Si, M ax	Mn	N i	Cr	M o	S, M ax	P, M ax	N	Othe rs
ii	Austenitic Steel											
	X 10Cr17Mn6 Ni4N20	201	0.15, M ax	1.00	5.5 - 7.5	3.5	16.0 - 18.0	-	0.030	0.060	0.25, M ax	-
	X 07Cr17Mn12Ni4	201 A	0.12, M ax	1.00	10.0 - 14.0	3.5	16.0 - 18.0	-	0.030	0.090	0.25, M ax	-
	X 10Cr18Mn9Ni5	202	0.15, M ax	1.00	7.5 - 10.0	4.0 - 6.0	17.0 - 19.0	-	0.030	0.060	0.25, M ax	-

be prescribed. The said act of omission and commission on the part of the importer has made the imported goods vide above said BoEs liable for confiscation under Section 111 (d) and 111(m) of the Customs Act, 1962 *ibid* and has also rendered themselves liable for penal action under Section 112 (a)(i) of the Customs Act, 1962.

9. Relevant Legal Provisions:

(A) RELEVANT PROVISIONS OF CUSTOMS ACT, 1962:

As per **Section 2 (33)** of the Customs Act, 1962 '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.*

As per 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 46 of the Act, prescribes that 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, and such other documents relating to the imported goods as may be prescribed.

Further, **Section 111** of the Act, prescribes the Confiscation of improperly imported goods, etc. as under

The following goods brought from a place outside India shall be liable for 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 transshipment, with the declaration for transshipment referred to in the proviso to sub-section (1) of section 54.

Further, Section 112 of the Act provides the penal provisions for improper importation of goods, etc. which read as under:

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:

Provided that where such duty as determined under sub-section (8) of section 28 and the interest payable thereon under section 28AA is paid within thirty days from the date of communication of the order of the proper officer determining such duty, the amount of penalty liable to be paid by such person under this section shall be twenty-five per cent. of the penalty so determined;]

(iii) in the case of goods in respect of which the value stated in the entry made under this Act or in the case of baggage, in the declaration made under section 77 (in either case hereafter in this section referred to as the declared value) is higher than the value thereof, to a penalty not exceeding the difference between the declared value and the value thereof or five thousand rupees], whichever is the greater;

(iv) in the case of goods falling both under clauses (i) and (iii), to a penalty not exceeding the value of the goods or the difference between the declared value and the value thereof or five thousand rupees], whichever is the highest;

(v) in the case of goods falling both under clauses (ii) and (iii), to a penalty not exceeding the duty sought to be evaded on such goods or the difference between the declared value and the value thereof or five thousand rupees, whichever is the highest.

Section 124 prescribes the mandatory issuance of show cause notice before confiscation of goods, which read as under:

No order confiscating any goods or imposing any penalty on any person shall be made under this Chapter unless the owner of the goods or such person -

- a. is given a notice in writing with the prior approval of the officer of Customs not below the rank of an Assistant Commissioner of Customs, informing him of the grounds on which it is proposed to confiscate the goods or to impose a penalty;
- b. is given an opportunity of making a representation in writing within such reasonable time as may be specified in the notice against the grounds of confiscation or imposition of penalty mentioned therein; and

(c) is given a reasonable opportunity of being heard in the matter:

Provided that the notice referred to in clause (a) and the representation referred to in clause (b) may, at the request of the person concerned be oral.

Provided further that notwithstanding issue of notice under this section, the proper officer may issue a supplementary notice under such circumstances and in such manner as may be prescribed.

10. In view of the above, facts and discussions, it clearly appears that the importer has tried to clear restricted goods by the way of mis declaration of the grade in order to bypass the compliance of Steel and Steel Products Quality Control Order, 2024. The importer has imported the restricted goods which are allowed for import only after proper BIS authorization. The SECTION 46 of the Customs Act, 1962 prescribes that 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, and such other documents relating to the imported goods as may be prescribed. The said act of omission and commission on the part of the importer has made the imported goods liable for confiscation under Section 111 (d) and 111(m) of the Customs Act, 1962 *ibid* and has also rendered themselves liable for penal action under Section 112 (a)(i) of the Customs Act, 1962.

11. Waiver of SCN and PH

The importer M/s. Om Drishian International Limited (IEC: 0501044825), vide letter dated 10.02.2026 submitted that by mistake their supplier has dispatched Coils of 'N7' Grade instead of 'J3' Grade. Importer has also requested for the amendment in the said Bills of Entry and clear the goods as they have advance licence issued by DGFT for Grade N7 also. Vide the said letter, they have also requested for the waiver of SCN and PH in the matter.

12. Discussion and Findings:

I have carefully gone through the facts of the case and records & evidences submitted before me and I find that the importer vide letter dated 10.02.2026, have requested for the waiver of the Personal Hearing & Show Cause Notice in the matter, therefore, I find that the principle of natural justice as provided in section 122 A of the Customs Act, 1962, have been completed. Hence, I proceed to decide the case on the basis of the documentary evidence available on records. The issues to be decided by me are:

- I. Whether the declared grades of the said goods imported vide filed Bills of Entry No. 6609910 dt. 30.12.2025, 6753950 dated 07.01.2026 and 7119223 dated 26.01.2026 should not be rejected and same needs to be re-determined as per above discussion.
- II. Whether the said goods imported vide filed Bills of Entry No. 6609910 dt. 30.12.2025, 6753950 dated 07.01.2026 and 7119223 dated 26.01.2026

N7	0.14	1.0	9.0-11.5	0.20-0.95	13.5-16.0	0.030	0.10	0.4-0.8	0.10-0.25
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16. Therefore, from the above, it appears that goods are of Grade "N7". In view of the above, the declared grades "J3" of the said goods imported vide filed Bills of Entry No. 6609910 dt. 30.12.2025, 6753950 dated 07.01.2026 and 7119223 dated 26.01.2026 should not be rejected and same needs to be re-determined Grade N7.

17. Regarding the second issue, I find that consequent upon amendment to the Section 17 of the Customs Act, 1962 vide Finance Act, 2011, 'Self-Assessment' has been introduced in Customs. Section 17 of the Customs Act, effective from 08.04.2011, provides for self assessment of duty on imported goods by the importer himself by filing a Bill of Entry, in the electronic form. Self-assessment is supported by Section 17 and 46 of the Customs Act, 1962 and the Bill of Entry (Electronic Declaration) Regulation, 2011. Section 46 of the Customs Act, 1962 makes it mandatory for the importer to make entry for the imported goods by presenting a Bill of Entry electronically to the Proper Officer. Thus, under self-assessment, it is the importer who has to ensure that he declares the correct description, value, classification, Notification No., if any, in respect of the imported goods while presenting the Bill of Entry. Self -Assessment can result in assured facilitation for compliant importers. However, delinquent importers would face penal action on account of wrong self-assessment made with intent to evade duty or avoid compliance of conditions of Notifications, Foreign Trade Policy or any other provisions under the Customs Act, 1962 or the allied Acts. In this regard, in the instant case, As the importer has the advance licence for the Grade "N7", therefore the goods are not restricted. Therefore, goods are not liable for confiscation under section 111(d) of the Customs Act, 1962. However, I find that by reason of mis-declaration of description of goods under import by the importer, the goods rendered liable for confiscation under the provisions of Section 111(m) of the Customs Act, 1962.

18. Regarding the Third issue, I observe that Section 17 of the Customs Act, 1962, governs self assessment and casts a statutory obligation on the importer to correctly assess and discharge customs duty. This responsibility is not contingent upon departmental intervention. In addition, Section 46(4) of the Act specifically mandates that an importer, while presenting a Bill of Entry, shall make and subscribe to a declaration as to the truth of the contents. Therefore, any misrepresentation or suppression in the declaration, especially with regard to classification, directly attracts penal consequences under the Act. In the present case, the importer, by mis declaring the goods under inapplicable Advance Licence at the time of filing of said Bill of Entry, failed in their legal responsibility. This act of omission and commission on the part of importer has made these goods liable for confiscation under Section 111(m) of the Customs

Act, 1962 and this act of importer of mis-declaring the freely importable dutiable goods has rendered themselves liable for penal action under Section 112 (a) (ii) of the Customs Act, 1962.

19. However, at the time of filing of Bill of Entry, Importer does have advance licence 0511036087 dt. 04.11.2025 for “Non-Magnetic Stainless Steel Cold Rolled Coils Grade-J3” and further got the said Advance Licences amended for the “Prime/Secondary Stainless Steel Sheet Cutting/Coils/Strips/Plates of relevant grade and thickness - Grade -J3, N7, N1, J1 and J2” for the clearance of mis-declared goods. So, it appears that Importer does not have mala fide intention and therefore, I take the lenient view on the matter.

20. I find that the importer, along with SCN and PH waiver letter, submitted amended Advance Licence No. 0511036087 dt. 04.11.2025 to include “Prime/Secondary Stainless Steel Sheet Cutting/Coils/Strips/Plates of relevant grade and thickness - Grade -J3, N7, N1, J1 and J2” for import of the same, while the goods had not been cleared for home consumption and still in Customs area. However, at the time of filing of Bills of Entry No. 6609910 dt. 30.12.2025, 6753950 dated 07.01.2026 and 7119223 dated 26.01.2026, importer did not have “Grade -J3, N7, N1, J1 and J2” included in the said Advance Licence.

21. Further, on perusal of the past Bill of Entries, contemporary data available in EDI system and NIDB data, the value declared by the importer seems fair. Duty calculation of the goods imported vide Bills of Entry No. 6609910 dt. 30.12.2025, 6753950 dated 07.01.2026 and 7119223 dated 26.01.2026:

Table-XIII

Sr. No.	Bill of Entry No.	Bill of Entry Date	Grade of the goods	Assessable value	Duty (BCD+SWS +IGST=27.735%)
1.	6609910	30.12.2025	Grade N7	6643475	18,42,568
2.	6753950	07.01.2026	Grade N7	6599279	18,30,310
3.	7119223	26.01.2026	Grade N7	6008913	16,66,572
Total				1,92,51,667	53,39,450

Therefore, the Duty involved in the above mentioned 03 Bills of Entry amounts to Rs. 53,39,450/- (Rs. Fifty Three Lakh Thirty Nine Thousand Four Hundred Fifty Only).

22. I find that in view of the Policy Circular No. 02/2025-26 dated 22.07.2025, the importer obtained the advance authorization for import of “Stainless Steel Sheet Cutting/Coils/Strips/Plates of relevant grade and thickness - Grade - N7” and the said goods may be cleared against the above advance authorization.

23. In view of the foregoing discussion and findings, I pass the following Order.

ORDER

- i. I order to reject the description of the goods imported vide Bills of Entry No. 6609910 dt. 30.12.2025, 6753950 dated 07.01.2026 and 7119223 dated 26.01.2026 and order to change the description of the goods to "Cold Rolled Stainless Steel Coil Grade N7".
 - ii. I order to confiscate the mis-declared goods "COLD ROLLED STAINLESS STEEL COIL GRADE J3" against Bills of Entry No. 6609910 dt. 30.12.2025, 6753950 dated 07.01.2026 and 7119223 dated 26.01.2026, having assessable value as Rs. 1,92,51,667/- under 111(m) of the Customs Act, 1962, However, I give an option to the importer to redeem the same on payment of **Redemption Fine of Rs.4,00,000 /- (Rupees Four Lakh only** in lieu of confiscation under Section 125 of the Customs Act, 1962.
 - iii. I also impose a Penalty of **Rs.1,00,000/- (Rupees One Lakh Only) on M/s Om Drishian International Limited (IEC- 0501044825)** under Section 112(a)(ii) of the Customs Act, 1962.
24. This order is issued without prejudice to any other action which may be required to be taken against any person as per the provision of the Customs Act, 1962 or any other law for the time being in force.

**Additional Commissioner of Customs
(Import Assessment)
Custom House Mundra**

To,

**M/s Om Drishian International Limited (IEC- 0501044825)
SSI-58, Industrial Area Near Jahangir Puri Metro Station
G T Karnal Road 110033.**

Copy to:

1. The DC/AC of Customs (RRA), Custom House, Mundra.
2. The DC/AC of Customs (EDI), Custom House, Mundra.
3. CB M/s Citi Logistics Pct Ltd.
4. Guard File