प्रधान आयुक्त का कार्यालय, सीमा शुल्क सदन, मुन्द्रा
OFFICE OF THE PRINCIPAL COMMISSIONER OF CUSTOMS
CUSTOM HOUSE, MUNDRA, KUTCH
MUNDRA PORT & SPL ECONOMIC ZONE, MUNDRA-370421
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A	फा .सं /.FILE NO.	CUS/APR/INV/691/2026-Gr 5-6
B	मूल आदेश सं. ORDER-IN-ORIGINAL NO.	MCH/ADC/ZDC/423/2026-27
C	द्वारा पारित किया गया PASSED BY	Dipak Zala Additional Commissioner of Customs, Custom House, Mundra
D	आदेश की तिथि DATE OF ORDER	22-10-2026
E	जारी करने की तिथि DATE OF ISSUE	22-10-2026
F	कारण बताओ नोटिस सं .एवं तिथि SCN NUMBER & DATE	SCN and PH waiver vide email dated 30.09.2026
G	नोटिसी/पार्टी / आयातक NOTICEE/ PARTY/ IMPORTER	M/s. Reegloriya E-Commerce Private Ltd. (IEC-AAPCR2233N), 778, 5th Floor, Shop No. 05, Nicholson Road, Kashmere Gate North, New Delhi-110006

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

2. यदि कोई व्यक्ति इस अपील आदेश से असंतुष्ट है तो वह सीमा शुल्क अपील नियमावली 1982 के नियम 6(1) के साथ पठित सीमा शुल्क अधिनियम 1962 की धारा 128 के अंतर्गत प्रपत्र सीए- 1 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 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 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 accompanied by –

5. उक्त अपील पर न्यायालय शुल्क अधिनियम के तहत 5/- रूपये कोर्ट फीस स्टाम्प जबकि इसके साथ संलग्न आदेश की प्रति पर अनुसूची- 1, न्यायालय शुल्क अधिनियम, 1870 के मदसं°-6 के तहत निर्धारित 0.50 पैसे की एक न्यायालय शुल्क स्टाम्प वहन करना चाहिए।
The appeal should bear Court Fee Stamp of Rs.5/- under Court Fee Act whereas the copy of this order attached with the appeal should bear a Court Fee stamp of Rs.0.50 (Fifty paisa only) as prescribed under Schedule-I, Item 6 of the Court Fees Act, 1870.

6. अपील ज्ञापन के साथ ड्यूटि/ दण्ड/ जुर्माना आदि के भुगतान का प्रमाण संलग्न किया जाना चाहिये।
Proof of payment of duty/fine/penalty etc. should be attached with the appeal memo.
7. अपील प्रस्तुत करते समय, सीमाशुल्क (अपील) नियम, 1982 और 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.

BRIEF FACTS OF THE CASE

1. Issue in Brief and Details of Bill of Entry:

M/s. Reegloriya E-Commerce Private Ltd. (IEC-AAPCR2233N), having its office at 778, 5th Floor, Shop No. 05, Nicholson Road, Kashmere Gate North, New Delhi-110006 (hereinafter referred to as "the Importer" for the sake of brevity), imported a consignment (hereinafter referred to as "the impugned goods") at Mundra Port vide Z-Type Bill of Entry No. 9973880 dated 19.06.2026 for warehousing at the SEZ Warehouse Unit M/s. Shoolin Trade Link LLP, Plot No. 11A, Block No. 11B, Sector-12S, Light Engineering Zone, East of JNK, APSEZ Mundra, Gujarat-370421. On the basis of specific intelligence, the consignment contained in Container No. TCNU8681415 was placed on hold for detailed examination with prior intimation to the Development Commissioner, APSEZ, Mundra. The examination was conducted on 11.07.2026 in the presence of Shri Pranjal Singh, authorised representative of the importer, the representative of the SEZ warehouse unit and the Panch witnesses. The goods declared in the Bill of Entry were as follows:

Table-I

Sr. No.	CTH	Description	Quantity	UQC
1	39239090	Plastic Empty Bottles	20,784	KGS

The authorised representative produced Bill of Entry No. 9973880 dated 19.06.2026, Invoice No. RE-26-27/016A dated 22.04.2026, Packing List and Bill of Lading No. 269217390 dated 06.05.2026. The supplier was M/s. Equilibrium Trade and Tech Limited, Hong Kong. The importer declared 1,040 packages, gross weight of 22,350 Kgs, assessable value of Rs.11,88,429/- and duty of Rs.4,45,304/-. The SEZ weighment slip reflected gross weight of 22,400 Kgs, resulting in a difference of 50 Kgs.

2. Examination of the goods:

The examination of the impugned goods stuffed in Container No. TCNU8681415 and covered under Z-Bill of Entry No. 9973880 dated 19.06.2026 was conducted under Panchnama dated 11.07.2026.

2.1 The container was identified and presented for examination. Seal No. CN6212778 was verified and found intact. The container was in sound condition and without external damage. The seal was cut open in the presence of the Panchas and the authorised representatives. The container was found fully stuffed with corrugated carton boxes, some wrapped in PP woven sheets of different colours.

2.2 The goods were de-stuffed into the warehouse, segregated according to carton size and examined item-wise. Physical counting and weight of each type of carton/package were recorded. A total of 1,027 corrugated carton boxes/packages containing 2,17,596 pieces/units and having aggregate recorded weight of 20,791.42 Kgs were found, against 1,040 packages and 20,784 Kgs declared. The item-wise inventory was as follows:

Table-II

Sr. No.	Description	Cartons/ Packages	Pieces	Weight (Kgs)
1	Fashionable Portable Straw Glass Cup	26	1,560	562.38
2	Rain Coat	20	4,000	574.60
3	Belt Buckle without strap	225	67,500	3,892.50
4	Automative Purge Control Valve	30	3,000	546.00
5	Ultra Braid-Colour	30	6,000	906.30
6	Empty Plastic Bottle	9	540	105.30
7	Hair Extension for Curley Hair	20	2,000	510.00

8	CNG/LPG Injector	60	3,000	1,754.40
9	Plastic Empty Bottle-2	24	1,152	130.32
10	Belt Buckle without strap	30	9,000	570.00
11	J Band Tap (Sanitaryware)	100	10,000	2,004.00
12	Easy Clip Hair Extension	23	4,600	849.39
13	Plastic Sipper Bottle	3	144	52.71
14	Power Window Switch (PWS-067C)	10	1,000	139.40
15	Power Window Switch (PWS-153C)	2	200	39.34
16	Power Window Switch (PWS-033C)	2	200	30.36
17	Power Window Switch (PWS-146C)	2	200	25.90
18	Power Window Switch (PWS-021C)	4	1,000	81.20
19	Power Window Switch (PWS-115C)	13	5,200	303.81
20	Power Window Switch-FD0118	1	200	17.69
21	Power Window Switch (PWS-042C)	12	6,000	156.36
22	Power Window Switch (PWS-008C)	10	5,000	228.20
23	Power Window Switch (PWS-009C)	2	1,000	42.20
24	Power Window Switch (PWS-081C)	2	200	24.30
25	Power Window Switch (PWS-034C)	2	200	39.16

26	Power Window Switch (PWS-154C)	1	100	13.94
27	Power Window Switch (PWS-103C)	1	100	12.12
28	Car AC Switch	8	2,000	134.24
29	Auto Electrical Part-Bearings	270	54,000	3,080.70
30	Buckle (MRK-24)	10	6,000	291.10
31	Belt Strap without Buckle	75	22,500	3,673.50
	TOTAL	1,027	2,17,596	20,791.42

2.3 The physical examination thus revealed 31 different descriptions/items against the sole declared description "Plastic Empty Bottles". Substantial quantities of Fashionable Portable Straw Glass Cups, Rain Coats, Belt Buckles, Automotive Purge Control Valves, Hair Extensions, CNG/LPG Injectors, Sanitaryware taps, Power Window Switches, Car AC Switches, Bearings, Belt Straps and other goods were not separately declared. The goods therefore did not correspond with the declaration in respect of description, particulars, quantity and classification.

3. Re-determined Classification and quantity of Goods:

The importer declared only Plastic Empty Bottles under CTH 39239090. However, examination revealed 31 different descriptions/items. On the basis of the physical nature and function of the goods and the CTH working placed on record, the descriptions and classifications were re-determined as follows:

Table-III

Sr. No.	Goods found during examination	Declared CTH	Re-determined CTH	Quantity
1	Fashionable Portable Straw Glass Cup	39239090	70133700	1,560 PCS
2	Rain Coat	Not Declared	39262099	4,000 PCS
3	Belt Buckle without strap	Not Declared	83089019	67,500 PCS
4	Automative Purge Control Valve	Not Declared	84818090	3,000 PCS

5	Ultra Braid-Colour	Not Declared	67041990	6,000 PCS
6	Empty Plastic Bottle	39239090	39233090	540 PCS
7	Hair Extension for Curley Hair	Not Declared	67041990	2,000 PCS
8	CNG/LPG Injector	Not Declared	84099930	3,000 PCS
9	Plastic Empty Bottle-2	39239090	39233090	1,152 PCS
10	Belt Buckle without strap	Not Declared	83089019	9,000 PCS
11	J Band Tap (Sanitaryware)	Not Declared	84818010	10,000 PCS
12	Easy Clip Hair Extension	Not Declared	67041990	4,600 PCS
13	Plastic Sipper Bottle	Not Declared	39233090	144 PCS
14	Power Window Switch (PWS-067C)	Not Declared	85365090	1,000 PCS
15	Power Window Switch (PWS-153C)	Not Declared	85365090	200 PCS
16	Power Window Switch (PWS-033C)	Not Declared	85365090	200 PCS
17	Power Window Switch (PWS-146C)	Not Declared	85365090	200 PCS
18	Power Window Switch (PWS-021C)	Not Declared	85365090	1,000 PCS
19	Power Window Switch (PWS-115C)	Not Declared	85365090	5,200 PCS
20	Power Window Switch-FD0118	Not Declared	85365090	200 PCS
21	Power Window Switch (PWS-042C)	Not Declared	85365090	6,000 PCS
22	Power Window Switch (PWS-008C)	Not Declared	85365090	5,000 PCS

23	Power Window Switch (PWS-009C)	Not Declared	85365090	1,000 PCS
24	Power Window Switch (PWS-081C)	Not Declared	85365090	200 PCS
25	Power Window Switch (PWS-034C)	Not Declared	85365090	200 PCS
26	Power Window Switch (PWS-154C)	Not Declared	85365090	100 PCS
27	Power Window Switch (PWS-103C)	Not Declared	85365090	100 PCS
28	Car AC Switch	Not Declared	85365090	2,000 PCS
29	Auto Electrical Part-Bearings	Not Declared	84821090	54,000 PCS
30	Buckle (MRK-24)	Not Declared	83089019	6,000 PCS
31	Belt Strap without Buckle	Not Declared	62171090	22,500 PCS

3.1 Fashionable Portable Straw Glass Cups are glassware of a kind used for table or kitchen purposes and are appropriately classifiable under CTH 70133700. Rain Coats made of plastics are classifiable under CTH 39262099. Belt Buckles are base metal clasps/buckles classifiable under CTH 83089019. Automotive Purge Control Valves and J Band Taps are appropriately classifiable under CTH 84818090 and 84818010 respectively.

3.2 Ultra Braid-Colour and Hair Extensions are articles of synthetic textile materials used as hair extensions and are classifiable under CTH 67041990. Empty Plastic Bottles and Plastic Sipper Bottles are appropriately classifiable under CTH 39233090. CNG/LPG Injectors are parts suitable for use with engines and are classifiable under CTH 84099930. Power Window Switches and Car AC Switch are electrical switches classifiable under CTH 85365090.

3.3 Auto Electrical Part-Bearings are ball bearings and are appropriately classifiable under CTH 84821090. Belt Straps without Buckles are made-up clothing accessories classifiable under CTH 62171090. Accordingly, I find that the re-determined descriptions and classifications shown in Table-III correctly represent the goods actually found during examination.

4. Valuation of the Goods:

As the goods found during examination were substantially mis-declared/non-declared in respect of description, quantity and classification, the truth and accuracy of the declared value became doubtful and the fair value of the goods was required to be determined on the basis of their actual description, quantity and classification.

4.1 Rejection of declared value & Redetermination of Assessable Value: Rule 3 of the Customs Valuation (Determination of Price of Imported Goods) Rules, 2007 provides that, subject to Rule 12, the value of imported goods shall be the transaction value adjusted in accordance with Rule 10. Rule 3(4) states that if value cannot be determined under sub-rule (1), it shall be determined by proceeding sequentially through Rules 4 to 9. In view of reasonable doubt regarding the truth and accuracy of the declared value, the same appeared liable to rejection under Rule 12.

4.2 The value could not be determined under Rules 4 and 5 as reliable contemporaneous imports of identical or similar goods of the same quality and composition were not available. The requisite data for determination under Rules 7 and 8 was also not available. Recourse was therefore taken to Rule 9, which permits determination using reasonable means consistent with the principles and general provisions of the Rules and data available in India. Shri Anwar Y. Kukad, Chartered Engineer & Government approved valuer, inspected the goods and furnished Valuation Report No. AYK:VAL:02969:2026 dated 20.08.2026, digitally signed on 07.09.2026.

Table-IV

Sr. No.	Description	Qty/Weight (Kgs)	Total CIF (USD)	Total CIF (INR)
1	Fashionable Portable Straw Glass Cup	562.38	366	34,837
2	Rain Coat	574.60	1,437	136,898
3	Belt Buckle without strap	3,892.50	973	92,739
4	Automative Purge Control Valve	546.00	1,092	104,068
5	Ultra Braid-Colour	906.30	770	73,415
6	Empty Plastic Bottle	105.30	126	12,042
7	Hair Extension for Curley Hair	510.00	689	65,614
8	CNG/LPG Injector	1,754.40	3,947	376,187
9	Plastic Empty Bottle-2	130.32	156	14,903
10	Belt Buckle without strap	570.00	143	13,580
11	J Band Tap (Sanitaryware)	2,004.00	401	38,196

12	Easy Clip Hair Extension	849.39	382	36,426
13	Plastic Sipper Bottle	52.71	53	5,023
14	Power Window Switch (PWS-067C)	139.40	105	9,964
15	Power Window Switch (PWS-153C)	39.34	30	2,812
16	Power Window Switch (PWS-033C)	30.36	23	2,170
17	Power Window Switch (PWS-146C)	25.90	19	1,851
18	Power Window Switch (PWS-021C)	81.20	61	5,804
19	Power Window Switch (PWS-115C)	303.81	228	21,715
20	Power Window Switch-FD0118	17.69	13	1,264
21	Power Window Switch (PWS-042C)	156.36	117	11,176
22	Power Window Switch (PWS-008C)	228.20	171	16,311
23	Power Window Switch (PWS-009C)	42.20	32	3,016
24	Power Window Switch (PWS-081C)	24.30	18	1,737
25	Power Window Switch (PWS-034C)	39.16	29	2,799
26	Power Window Switch (PWS-154C)	13.94	10	996
27	Power Window Switch (PWS-103C)	12.12	9	866
28	Car AC Switch	134.24	268	25,586
29	Auto Electrical Part-Bearings	3,080.70	10,012	954,170

30	Buckle (MRK-24)	291.10	73	6,936
31	Belt Strap without Buckle	3,673.50	1,469	140,034
	TOTAL		23,222.82	22,13,135

4.3 The Chartered Engineer suggested total CIF value of USD 23,222.82, equivalent to Rs.22,13,134.89, rounded off to Rs.22,13,135/-, at the applicable exchange rate of Rs.95.30 per USD. The importer accepted the Chartered Engineer's valuation vide email dated 30.09.2026. Accordingly, the declared assessable value of Rs.11,88,429/- is liable to be rejected under Rule 12 and the assessable value is liable to be re-determined at Rs.22,13,135/- under Rule 9 read with Note 2 of the Interpretative Notes to Rule 9 and Section 14 of the Customs Act, 1962.

5. Importability and Policy Compliance:

All the goods found during examination are freely importable on payment of applicable Customs duty.

6. Re-determination of Applicable Duty:

On the basis of the re-determined value of the goods in Table-IV, the duty leviable on the goods imported vide Z-Bill of Entry No. 9973880 dated 19.06.2026 was re-calculated as follows:

Table-V

Sr.	Description	CTH	Assessable Value (Rs.)	BCD Rate (%)	Total Duty (Rs.)
1	Fashionable Portable Straw Glass Cup	70133700	34,837	20	15,314
2	Rain Coat	39262099	136,898	15	51,296
3	Belt Buckle without strap	83089019	92,739	10	28,730
4	Automative Purge Control Valve	84818090	104,068	7.5	28,863
5	Ultra Braid-Colour	67041990	73,415	10	22,744
6	Empty Plastic Bottle	39233090	12,042	15	4,512

7	Hair Extension for Curley Hair	67041990	65,614	10	20,327
8	CNG/LPG Injector	84099930	376,187	15	140,957
9	Plastic Empty Bottle-2	39233090	14,903	15	5,584
10	Belt Buckle without strap	83089019	13,580	10	4,207
11	J Band Tap (Sanitaryware)	84818010	38,196	7.5	10,594
12	Easy Clip Hair Extension	67041990	36,426	10	11,285
13	Plastic Sipper Bottle	39233090	5,023	15	1,882
14	Power Window Switch (PWS-067C)	85365090	9,964	10	3,087
15	Power Window Switch (PWS-153C)	85365090	2,812	10	871
16	Power Window Switch (PWS-033C)	85365090	2,170	10	672
17	Power Window Switch (PWS-146C)	85365090	1,851	10	574
18	Power Window Switch (PWS-021C)	85365090	5,804	10	1,798
19	Power Window Switch (PWS-115C)	85365090	21,715	10	6,727
20	Power Window Switch-FD0118	85365090	1,264	10	392
21	Power Window Switch (PWS-042C)	85365090	11,176	10	3,462
22	Power Window Switch (PWS-008C)	85365090	16,311	10	5,053
23	Power Window Switch (PWS-009C)	85365090	3,016	10	934

24	Power Window Switch (PWS-081C)	85365090	1,737	10	538
25	Power Window Switch (PWS-034C)	85365090	2,799	10	867
26	Power Window Switch (PWS-154C)	85365090	996	10	309
27	Power Window Switch (PWS-103C)	85365090	866	10	268
28	Car AC Switch	85365090	25,586	10	7,927
29	Auto Electrical Part-Bearings	84821090	954,170	10	264,639
30	Buckle (MRK-24)	83089019	6,936	7.5	2,149
31	Belt Strap without Buckle	62171090	140,034	10	61,559
	TOTAL		22,13,135		7,08,122

6.1 The assessable value was re-determined at Rs.22,13,135/- and the Customs duty at applicable rates thereon was calculated at Rs.7,08,122/-, comprising BCD of Rs.2,38,642/-, SWS of Rs.23,864/- and IGST of Rs.4,45,615/-. Against the declared duty of Rs.4,45,304/-, the Investigation Report calculated differential duty of Rs.2,62,818/- for the complete consignment.

7. Outcome of the Investigation:

7.1 Investigation revealed substantial discrepancies between the declaration and the goods actually found. Against the sole declared description "Plastic Empty Bottles" weighing 20,784 Kgs, 31 different descriptions/items contained in 1,027 packages, comprising 2,17,596 pieces/units and weighing 20,791.42 Kgs, were found. The goods were mis-declared/non-declared in respect of description, quantity, classification and value.

7.2 On the basis of the Chartered Engineer's report accepted by the importer, the declared assessable value of Rs.11,88,429/- appeared liable to rejection and re-determination at Rs.22,13,135/-. The self-assessment was consequently liable to rejection and reassessment under Section 17(4) of the Customs Act, 1962.

7.3 The mis-declared/non-declared goods appeared liable to confiscation under Sections 111(l) and 111(m). The importer appeared liable to penal action under Sections 112(a)(ii) and 114AA of the Customs Act, 1962.

8. RELEVANT LEGAL PROVISIONS

(A) RELEVANT PROVISIONS OF SEZ ACT, 2005:

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

……..

(o) "**import**" means—

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

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

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

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

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

3. *Every officer or agency authorised under sub-section (2) shall have all the corresponding powers of investigation, inspection, search or seizure as is provided under the relevant Central Act in respect of the notified offences.*

Section 22: Investigation, inspection, search or seizure —

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

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

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

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

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

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

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

(B) RELEVANT PROVISIONS OF CUSTOMS ACT, 1962:

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

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

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

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

Section 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:-*

(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 appeared that -

(i) The declared particulars, description, quantity and classification in Z-Bill of Entry No. 9973880 dated 19.06.2026 were liable to be rejected to the extent of the discrepancies noticed during examination and re-determined in accordance with Table-III above;

(ii) The declared assessable value of Rs.11,88,429/- was liable to be rejected under Rule 12 and re-determined at Rs.22,13,135/- under Rule 9 of the Customs Valuation (Determination of Value of Imported Goods) Rules, 2007 read with Section 14 of the Customs Act, 1962;

(iii) The Bill of Entry was liable to be re-assessed under Section 17(4) on the basis of the re-determined description, classification, quantity, value and applicable duty;

(iv) The goods, which did not correspond with the entry in respect of description, quantity, classification, value or other particulars, appeared liable to confiscation under Sections 111(l) and 111(m) of the Customs Act, 1962;

(v) The importer appeared liable to penalty under Section 112(a)(ii) in respect of the dutiable goods; and

(vi) The importer appeared liable to penalty under Section 114AA of the Customs Act, 1962.

10. WAIVER OF NOTICE AND PERSONAL HEARING

10.1 The importer, vide email dated 30.09.2026, accepted the valuation suggested in Chartered Engineer Report No. AYK:VAL:02969:2026 dated 20.08.2026, digitally signed on 07.09.2026, waived issuance of Show Cause Notice and personal hearing, and requested that the matter be decided on merits.

DISCUSSION AND FINDINGS

11. I have carefully gone through the records of the case, Investigation Report

No.185/2026-27, Chartered Engineer Valuation Report No. AYK:VAL:02969:2026 dated 20.08.2026, digitally signed on 07.09.2026, and the importer's email dated 30.09.2026. I note that the importer accepted the value determined by the Chartered Engineer and expressly waived issuance of Show Cause Notice and personal hearing, requesting decision on merits. I therefore proceed to decide the case on the basis of the available records and the importer's written submissions.

11.1 The issues for determination are: (i) correctness of the declared description, classification and quantity; (ii) rejection and re-determination of assessable value; (iii) re-assessment and duty consequences; (iv) confiscability of goods under Sections 111(l) and 111(m); and (v) penal liability under Sections 112(a)(ii) and 114AA.

11.2 Examination established that 31 different descriptions/items were found against the sole declared description "Plastic Empty Bottles". The inventory included Fashionable Portable Straw Glass Cups, Rain Coats, Belt Buckles, Automotive Purge Control Valves, Hair Extensions, CNG/LPG Injectors, J Band Taps, Power Window Switches, Car AC Switches, Bearings and Belt Straps, which were not separately declared. I therefore uphold the re-determined descriptions, classifications and quantities in Table-III.

12. The discrepancies in description, classification, number of items and quantity furnish sufficient reason to doubt the truth and accuracy of the declared value. Reliable data required for Rules 4 to 8 was not available. The Chartered Engineer assessed the CIF value of the goods actually found at USD 23,222.82, equivalent to Rs.22,13,134.89, and the importer accepted the valuation. I accordingly reject the declared assessable value of Rs.11,88,429/- under Rule 12 and re-determine it at Rs.22,13,135/- under Rule 9 read with Section 14 of the Customs Act, 1962.

13. Since the self-assessment did not correspond with the goods actually imported, re-assessment under Section 17(4) is warranted. On the basis of the re-determined classification, quantity and value, the Investigation Report calculated total duty of Rs.7,08,122/- against declared duty of Rs.4,45,304/-, resulting in differential duty of Rs.2,62,818/- for the entire consignment, as detailed below:

Table-VI

Sr.	Commodity	CTH	Originally Assessed Duty (Rs.)	Re-determined Duty (Rs.)	Differential Duty (Rs.)
1	Fashionable Portable Straw Glass Cup	70133700	7,010*	15,314	8,304
2	Rain Coat	39262099	27,545*	51,296	23,751
3	Belt Buckle without strap	83089019	18,660*	28,730	10,070

4	Automative Purge Control Valve	84818090	20,939*	28,863	7,924
5	Ultra Braid-Colour	67041990	14,772*	22,744	7,972
6	Empty Plastic Bottle	39233090	2,423*	4,512	2,089
7	Hair Extension for Curley Hair	67041990	13,202*	20,327	7,125
8	CNG/LPG Injector	84099930	75,692*	140,957	65,265
9	Plastic Empty Bottle-2	39233090	2,999*	5,584	2,585
10	Belt Buckle without strap	83089019	2,732*	4,207	1,475
11	J Band Tap (Sanitaryware)	84818010	7,685*	10,594	2,909
12	Easy Clip Hair Extension	67041990	7,329*	11,285	3,956
13	Plastic Sipper Bottle	39233090	1,011*	1,882	871
14	Power Window Switch (PWS-067C)	85365090	2,005*	3,087	1,082
15	Power Window Switch (PWS-153C)	85365090	566*	871	305
16	Power Window Switch (PWS-033C)	85365090	437*	672	235
17	Power Window Switch (PWS-146C)	85365090	372*	574	202
18	Power Window Switch (PWS-021C)	85365090	1,168*	1,798	630
19	Power Window Switch (PWS-115C)	85365090	4,369*	6,727	2,358
20	Power Window Switch-FD0118	85365090	254*	392	138
	Power Window				

21	Switch (PWS-042C)	85365090	2,249*	3,462	1,213
22	Power Window Switch (PWS-008C)	85365090	3,282*	5,053	1,771
23	Power Window Switch (PWS-009C)	85365090	607*	934	327
24	Power Window Switch (PWS-081C)	85365090	350*	538	188
25	Power Window Switch (PWS-034C)	85365090	563*	867	304
26	Power Window Switch (PWS-154C)	85365090	200*	309	109
27	Power Window Switch (PWS-103C)	85365090	174*	268	94
28	Car AC Switch	85365090	5,148*	7,927	2,779
29	Auto Electrical Part-Bearings	84821090	1,91,988*	2,64,639	72,651
30	Buckle (MRK-24)	83089019	1,396*	2,149	753
31	Belt Strap without Buckle	62171090	28,176*	61,559	33,383
	TOTAL		4,45,304	7,08,122	2,62,818

* The Bill of Entry declared the entire consignment under the single description "Plastic Empty Bottles" under CTH 39239090 with aggregate originally assessed duty of Rs.4,45,304/-, without separate values for the 31 descriptions subsequently found on examination. For like-for-like comparison, the originally assessed duty has been apportioned in the ratio of the respective Chartered Engineer values. Item-wise figures are shown on a proportionate basis; the aggregate figure governs the demand.

Accordingly, the aggregate originally assessed duty is Rs.4,45,304/-, whereas the re-determined duty is Rs.7,08,122/-. The differential duty payable is therefore Rs.2,62,818/-.

14. I find that the goods did not correspond with the entry in respect of description, classification, quantity and value to the extent recorded above and are liable to confiscation under Sections 111(l) and/or 111(m), as applicable. Since they are otherwise freely importable, an option for redemption for Home Consumption under Section 125 is appropriate on payment of applicable re-assessed duty and

redemption fine.

15. The importer was obligated under Section 46(4A) to ensure the accuracy and completeness of the declaration. The acts and omissions which rendered the goods liable to confiscation attract penalty under Section 112(a)(ii) in relation to the dutiable goods. The incorrect material declarations in the Bill of Entry were within the importer's knowledge and control and were used for Customs purposes; Section 114AA is therefore attracted. The importer's acceptance of the Chartered Engineer's valuation and waiver of notice and hearing are mitigating factors relevant to quantum, but do not extinguish liability.

ORDER

(i) I order amendment/re-determination of the description, classification and quantity of the goods covered under Z-Bill of Entry No. 9973880 dated 19.06.2026 in accordance with Table-III above;

(ii) I reject the declared assessable value of Rs.11,88,429/- under Rule 12 of the Customs Valuation (Determination of Value of Imported Goods) Rules, 2007 and re-determine the assessable value at Rs.22,13,135/- (Rupees Twenty Two Lakh Thirteen Thousand One Hundred Thirty Five only) under Rule 9 of the said Rules read with Section 14 of the Customs Act, 1962;

(iii) I reject the self-assessment and order re-assessment of Z-Bill of Entry No. 9973880 dated 19.06.2026 under Section 17(4) of the Customs Act, 1962. I determine duty at Rs.7,08,122/- against originally assessed duty of Rs.4,45,304/- and confirm differential duty of Rs.2,62,818/-, as detailed in Table-VI;

(iv) I order confiscation of the goods, having aggregate re-determined value of Rs.22,13,135/-, under Sections 111(l) and 111(m) of the Customs Act, 1962, as applicable. I, however, give an option to redeem the said goods for Home Consumption under Section 125 on payment of redemption fine of Rs. 2,00,000/- (Rupees Two Lakh only);

(v) I impose a penalty of Rs. 25,000/- (Rupees Twenty Five Thousand only) on M/s. Reegloriya E-Commerce Private Ltd. under Section 112(a)(ii) of the Customs Act, 1962 in respect of the dutiable goods;

(vi) I impose a penalty of Rs.10,000/- (Rupees Ten Thousand only) on M/s. Reegloriya E-Commerce Private Ltd. under Section 114AA of the Customs Act, 1962.

18. This order is issued without prejudice to any other action that may be taken against the importer or any other person under the Customs Act, 1962 or any other law for the time being in force.

Digitally signed by Dipakbhai Zala
Date: 22-10-2026 13:30:15

(Zala Dipakbhai Chimanbhai)

Additional Commissioner of Customs
Custom House, Mundra

To,
M/s. Reegloriya E-Commerce Private Ltd.
778, 5th Floor, Shop No. 05, Nicholson Road,
Kashmere Gate North, New Delhi-110006

Copy to:

1. The Deputy/Assistant Commissioner, SIIB, Customs House, Mundra
2. The Deputy Commissioner, Review, Customs House, Mundra
3. The Deputy Commissioner, TRC, Customs House, Mundra
4. The Deputy Commissioner, EDI, Customs House, Mundra
5. The Deputy Commissioner, APSEZ, Mundra
6. Guard File