

	<p>कार्यालय: प्रधान आयुक्त सीमा शुल्क, मुन्द्रा, सीमा शुल्क भवन, मुन्द्रा बंदरगाह, कच्छ, गुजरात- 370421 OFFICE OF THE PRINCIPAL COMMISSIONER OF CUSTOMS, CUSTOM HOUSE, MUNDRA PORT, KUTCH, GUJARAT- 370421 PHONE:02838-271426/271423 FAX:02838-271425 Email: adj-mundra@gov.in</p>	
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DIN:- 20251271MO000000FA42

Show Cause Notice No.: 44/2025-26/COMM/N.S./Adjn/MCH

SHOW CAUSE NOTICE

[Issued under Section 28(4) read with 124 of the Customs Act, 1962]

Acting upon specific intelligence that some importers are importing the fabric from UAE by wrongly availing the benefits of India-UAE CEPA Notification No. 22/2022-Customs dated 30.04.2022 under Product Specific Rule, the investigation against M/s Kkrrafton Developers Limited(herein after referred as M/s KDL), M/s Gujarat Toolroom Limited(herein after referred as M/s GTL) and M/s Murae Organisor Limited (herein after referred as M/s MOL) was initiated. During preliminary scrutiny, significant discrepancies were noticed between the declarations made in the Bills of Entry and the information furnished in **Form-I** submitted for claiming preferential duty benefit under India-UAE CEPA Notification No.22/2022-Customs dated 30.04.2022. While the importers had declared that the originating raw materials used for manufacture were **Nylon/Polyamide**, however, as per the bill of entry declaration, the imported goods were composed of **Polyester**. Further, although the Form-I claimed that **staple fibre yarn** was used in the manufacturing process, the final product found in the imported consignment consisted of **filament yarn**, contradicting the disclosure under CAROTAR, Rule,2020 read with India-UAE CEPA Notification No.22/2022.

2. Examination of relevant Compliance with PSR Origin Criteria is as under

Under the India-UAE Comprehensive Economic Partnership Agreement (CEPA), preferential tariff treatment under Notification No. 22/2022-Customs is admissible only when the imported goods qualify as 'originating goods' in accordance with the India-UAE CEPA Rules of Origin notified vide Notification No. 38/2020-Cus (N.T.), and the procedural requirements prescribed under CAROTAR, 2020 are strictly complied with.

To qualify as originating, the goods must either be Wholly Obtained (WO) in the exporting country, or must satisfy the applicable Product Specific Rule (PSR), which generally requires a change in tariff heading/sub-heading (CTH/CTSH) and fulfilment of the prescribed minimum value addition, not less than 40%, as specified in the CEPA notification. Mere routing, repacking, labelling, or other minimal operations do not confer origin.

As per CEPA rule vide Notification 39/2022-Cus (N.T.) dated 30.04.2022, The CTH level change is mandatory for item of Chapter 60, which means the four digit level heading (for example 6006) must be changed for example, for eligibility for preferential rate of duty for fabric imported under CTH 6006XXXX, the raw material must be of CTH having four digit level heading other than 6006 by way of processing as mandated in CAROTAR.

Similarly, the CTSH level change is required for Chapter 54, which means the six-digit level must be changed for example, for eligibility for preferential rate of duty for fabric imported under CTH 540742XX, the raw material must be of CTH having six-digit level sub heading other than 540742XX, by way of processing as mandated in CAROTAR

Further, the supplier/exporter is required to actually carry out the declared manufacturing process in the exporting country and correctly declare the origin criteria, raw materials and production process in the Certificate of Origin (Form-I). Correspondingly, the importer is obligated to ensure correctness of the origin claim, possess supporting origin-related information, and produce the same to Customs on demand, as mandated under CAROTAR, 2020. Failure of either the supplier or the importer to meet these substantive and procedural requirements renders the goods ineligible for preferential tariff treatment under India-UAE CEPA.”

3. As per intelligence, the fabric import consignments imported by M/s Murae Organisr Limited (IEC - 0813001757) (**RUD-1**), having registered address at A-1311, Sun West Bank, Ashram Road, Ahmedabad, Gujarat – 380009 and branch address at A-1106, Empire Business Hub, Near AUDA Water Tank, Science City Road, Sola, Ahmedabad, Gujarat 380060, under Bills of Entry (BoE) No. 7515448 dated 29.12.2024 (Container No. ZGXU6115182), No. 7515434 dated 29.12.2024 (Container No. CHSU8041194), No. 7515447 dated 29.12.2024 (Container No. CAIU8237351), No. 7275863 dated 16.12.2024 (Container No. CSDU8858953) and No. 7275866 dated 16.12.2024 (Container No. BSIU8050941) by availing benefits of India-UAE CEPA Notification No. 22/2022-Customs dated 30.04.2022 are mis-declared and they are wrongly availing the benefit of subject notification; the subject containers pertaining to above mentioned BoEs were put on hold through email dated 03.01.2025 and dated 04.01.2025(**RUD-02**)

4. Whereas, examination of the two import containers of M/s Murae Organisr Limited, Bills of Entry (BoE) No. 7515448 dated 29.12.2024 (Container No. ZGXU6115182) & BoE No. 7515447 dated 29.12.2024 (Container No. CAIU8237351) was conducted at M/s Saurashtra Freight Pvt. Ltd., Bharat CFS-Zone-1, MPSEZ, Mundra Port, Gujarat-370421 and the proceedings of the examination were recorded under Panchnama dt.17.01.2025(**RUD-3**) in presence of Sh. Jignesh Singh Jadeja, Authorised Representative of the CHA, M/s World Cargo Logistics and Sh. Narendra Singh Jadeja, H-Card Holder of M/s World Cargo Logistics, CHA. Further, one person, Sh. Jadeja Krushnrajsinh Harisinh, Director of M/s MAA Marine Services Pvt. Ltd., also presented himself during the examination proceedings.

4.1 Whereas, during the examination of Container ZGXU6115182 BoE 7515448 dated 29.12.2024 (declared goods - Other Knitted or Crocheted Fabrics, of Unbleached or Bleached Synthetic Fibers n.e.s. (Man Made 100% Polyester knitted fabric **grey** undyed), the same was placed in sealed condition with two seals, one yellow coloured bottle seal and one silver coloured seal (of Sharjah Customs), having numbers “H208186” and “3821679” respectively.

4.2 Whereas, the container was opened and then the unloading/de-stuffing of the goods was started for further examination of the goods and sample drawing. After unloading the said container, it was found that the goods were fabric and packed in the form of rolls. Each roll had two labels mentioning Roll number, Net weight, Gross Weight, Sq. meter, Quality (100% Polyester) and Manufacturer (Majestic Ecopolyfab (FZC), Sharjah, UAE) Country of Origin, Buyer etc. The sample labelling is as under –

ROLL NO.	93
NET WEIGHT	24' 300
GROSS WEIGHT	24' 300
SQ. MTR	97' 20
QUALITY	100% POLYSTER

Image I

MANUFACTURER:- MAJESTIC ECOPOLYFAB (FZC) SHARJAH UAE	
COUNTRY OF ORIGIN :- SHARJAH U.A.E	
BUYER	MURAE ORGANISOR LIMITED

Image II

4.3 Further, during the examination, it was observed that certain fabric rolls were found bearing additional over-labels indicating the exporter as *M/s Rawat Garments* and the consignee as *M/s KRV General Trading LLC*, which were inconsistent with the particulars declared in the import documents.

Photo of one such label is reproduced below: -



Image III

Further, during the examination, the goods were segregated as per the physical appearance of fabric rolls (Lot 1 to Lot 3), and inventory was prepared as tabulated below:

Table - I

Sr. No.	No. of Rolls	Color found as per examination	Size of Fabric found on examination	Weight of one role (random basis)	Weight as per label over the respective package
LOT 1	10	Off White	1.8 * 180 Meter	25.110 Kgs	25.100
LOT 2	10	Off White	1.5 * 150 Meter	25.980 Kgs	26.100
LOT 3	599	Off White	1.5 * 135 Meter	24.570 Kgs	23.700

4.4 Whereas, to determine the exact contents of the fabric rolls, 02 representative samples from all the 3 types of fabrics rolls Lot (samples marked as 1A, 1B, 2A, 2B and 3A, 3B) were drawn as categorized in the table above.

4.5 Thereafter, the examination of the container bearing number CAIU8237351 BoE No. 7515447 dated 29.12.2024 (Declared goods - Other Knitted or Crocheted Fabrics, of Unbleached or Bleached Synthetic Fibers n.e.s. (Man Made 100% Polyster knitted fabric grey undyed)) was started. It was observed that the container was having two seals, one yellow coloured bottle seal and one silver coloured seal (of Sharjah Customs) having numbers “5714” and “3821923” respectively.

4.6 Thereafter, both the seals were cut down and the container was opened and goods were unloaded and de-stuffed for further examination and sample drawing. After unloading the said container, it was found that the goods were fabric and packed in PP bags in the form of rolls.

4.7 Upon examination, it was noticed that PP packing bag had two labels mentioning Roll number, Net weight, Gross Weight, and Sq. meter, Quality and Manufacturer (Majestic

Ecopolyfab (FZC), Sharjah, UAE) Country of Origin, Buyer etc. Various other packages were without labels also. The sample labelling is as under –

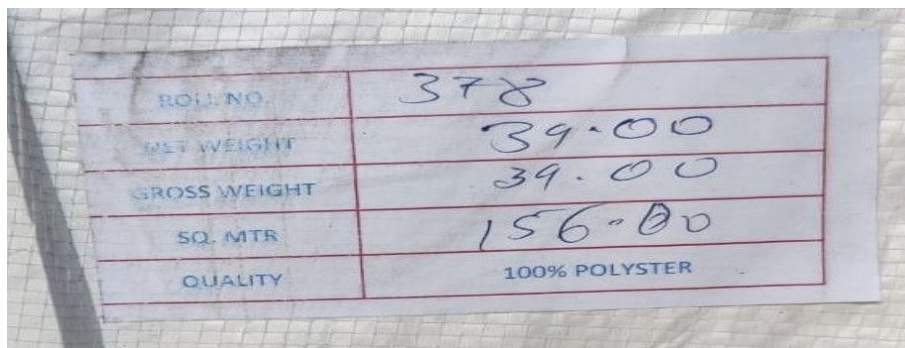


Image IV

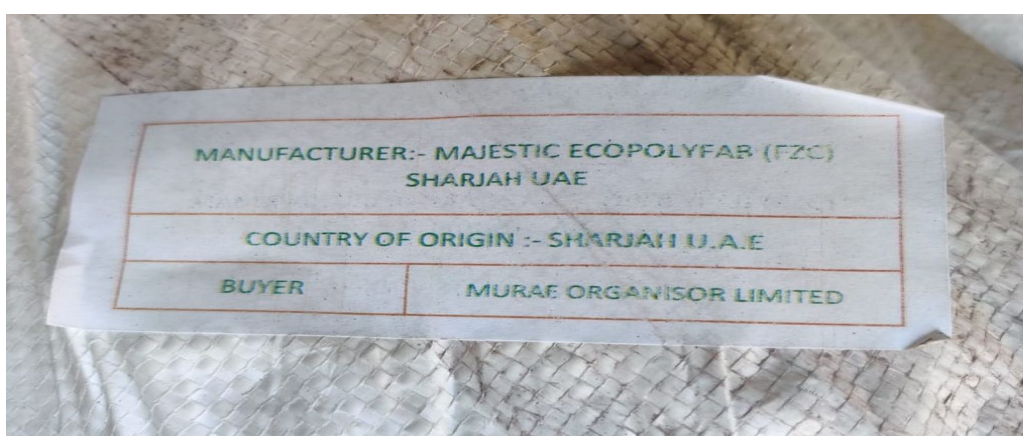


Image V

4.8 Thereafter, the goods were segregated as per the physical appearance of fabric rolls (Lot 4 to Lot 16) and the inventory of goods was prepared as tabulated below:

Table - II

Sr. No.	Quantit y of Rolls (Nos.)	Total Weight of the Lot (Kgs)	Color/ appearance found as per examination	Weight of one role (random basis) in Kgs	Weight as per label over the respective package in Kgs
LOT 4	276	8036	White	43.900 Kgs	36.900
LOT 5	15	606	Off White	8.670 Kgs	No label available on the package
LOT 6	40	1506	Off White	30.090 Kgs	No label available on the package
LOT 7	22	824	White (net fabric)	5.370	No label available on the package

LOT 8	3	65	White	20.100	20.300
LOT 9	38	1865	Off White	41.000	42.700
LOT 10	15	718	Off White	47.500	39.00
LOT 11	7	288	Off White	41.000	41.400
LOT 12	8	326	Off White	27.300	28.000
LOT 13	1	30.97	Grey	30.970	31.200
LOT 14	1	15.54	Off White	15.540	No label available on the package
LOT 15	4	126	White (Woven appearance)	41.300	41.700
LOT 16	1	12	Off White, (Printed)	12	No label available on the package
	431 Rolls	14418.51 Kgs			

4.9 Whereas, to determine the exact contents of the fabric rolls, 02 representative sample were drawn, each from all the 13 types of fabrics roll Lots (samples marked as 4A, 4B to 16A, 16B) as categorized in table above and all the representative samples were properly sealed in separate green colour envelopes.

5. EXAMINATION OF CONTAINER NO. CHSU8041194 (BE No.7515434 dt. 29.12.2024)

Whereas, examination of the import container of M/s Murae Organisator Limited, Bills of Entry (BoE) No. 7515434 dated 29.12.2024 (Container No. CHSU8041194) (Other Knitted or Crocheted Fabrics, of Unbleached or Bleached Synthetic Fibers n.e.s. (Man Made 100% Polyester knitted fabric **grey** undyed) was conducted at M/s Transworld Terminals Pvt. Ltd., Unit-2, Sector-11A, Bharat CFS Zone-1, A.P., Mundra Port, Gujarat-370421 and the proceedings of the examination were recorded under Panchnama dt.18.01.2025(**RUD-4**) in presence of Sh. Jignesh Singh Jadeja, Authorised Representative of the CHA, M/s World Cargo Logistics and Sh. Narendra Singh Jadeja, H-Card Holder of M/s World Cargo Logistics, CHA. Further, one person, Sh. Jadeja Krushnrajsinh Harisinh, Director of M/s MAA Marine Services Pvt. Ltd., also presented himself during the examination proceedings

5.1 During examination, it was found that container No. CHSU8041194 was bearing two intact seals, namely one yellow-coloured bottle seal and one silver-coloured seal affixed by Sharjah Customs, bearing seal numbers “4601” and “3821330” respectively.

5.2 Then, the container was opened and the goods were unloaded and de-stuffed for examination and sample drawing. After unloading the said container, it was found that the goods were fabric and packed in the form of rolls.

5.3 Thereafter, the goods were segregated as per the physical appearance of fabric rolls (Lot 1 to Lot 4) and inventory of goods was prepared as tabulated below:

Table - III

Sr. No.	Total No. of Rolls per Lot	Colour found as per examination	Weight of one role (random basis) in Kgs	Weight as per label over the respective package in Kgs
LOT 1	294	Off White	26.100	26.000
LOT 2	87	Off White	25.980	26.100
LOT 3	22	Off White	23.880	24.000
LOT 4	267	Off White	28.400	28.700

5.4 During of examination, one roll (Roll No. 118) from Lot-1 was randomly selected and weighed, and its weight was found to be 26.100 kg, broadly matching the declared weight of 26 kg as per the label; however, the actual quantity measured was 208 SQM, which was in excess of the declared quantity of 104 SQM. Similarly, one roll (Roll No. 308) from Lot-2 was randomly selected and weighed and was found to be 25.500 kg as against the declared weight of 25.300 kg; however, the actual quantity measured was 340 SQM, which was substantially higher than the declared quantity of 104 SQM.

5.5 Further, as observed certain fabric rolls were found bearing additional over-labels indicating the exporter as *M/s Rawat Garments* and the consignee as *M/s KRV General Trading LLC*, which were inconsistent with the particulars declared in the import documents.

5.6 Further, 02 representative samples were drawn from all the 4 types of fabrics rolls Lot (samples marked as 1A, 1B, 2A, 2B, 3A, 3B and 4A, 4B)

6. TESTING OF SAMPLES PERTAINING TO CONTAINER ZGXU6115182, CAIU8237351 & CHSU8041194:

6.1 Whereas the sample drawn during the examination of Container No. ZGXU6115182 (Marked 1A to 3A) pertaining to BoE No.7515448 dt. 29.12.2024 & CAIU8237351 (Marked 4A to 16A) pertaining to BoE 7515447 dt. 29.12.2024 under Panchnama dt.17.01.2025 & container no. CHSU8041194 pertaining to Bill of Entry No.7515434 dt.29.12.2024 were sent to Central Revenue Control Laboratory (CRCL), New Delhi vide Letter dt.24.01.2025(**RUD-5**).

6.2 Whereas, the Central Revenue Control Laboratory (CRCL), New Delhi vide their letter dt.07.02.2025 & dt.13.02.2025(**RUD-6**) submitted the test report in respect of both the container as per the details given below:

The above subject shipment, vide BoE No. 7515448 dated 29.12.2024, No. 7515434 dated 29.12.2024, No. 7515447 dated 29.12.2024 having declared item “60063100 - Other Knitted or Crocheted Fabrics, of unbleached or bleached synthetic Fibers, N.E.S.” having declared value Rs. 15465564.23/-, Rs. 17871293.99/- and Rs. 14556053.23/- respectively, which are

found to be mis-declared as per the respective test reports as it was found to be various distinct types of fabric instead of declaration. The details of mis-declaration / mis-classification noticed so far are tabulated as under –

Table -IV

1. BoE- No. 7515447 dated 29.12.2024				
CTH & Description as per BOE/FOR M-I	GSM as per declaration in BoE	Details of the originating material declared in Form-I (manufacturing process)	Item actually found as per Test Report along with GSM	Proper CTH
60063100 - Other Knitted or Crocheted Fabrics, of unbleached or bleached synthetic Fibers, N.E.S.	250	Containing 85 % or more by weight of staple fiber of nylon or other polyamides : single yarn (circular knitting, product is obtained by knitting of polyester yarn of different quality to obtain the product)	Cut piece of white knitted fabric, Wholly made of polyester, filament yarn , bleached - (GSM – 173.97)	60063100
			Cut piece of white knitted designed fabric, Wholly made of polyester, filament yarn , bleached (GSM – 179.76)	60063100
			Cut piece of white knitted designed fabric, Wholly made of polyester, filament yarn , bleached - (GSM – 230.96)	60063100
			Cut piece of white knitted fabric (net type), Wholly made of polyester, filament yarn , bleached -- (GSM – 62.08)	60063100
			Cut piece of white knitted fabric having napped surface on one side , Wholly made of polyester, filament yarn , bleached -- (GSM – 240.36)	60063100
			Cut piece of white knitted fabric, Wholly made of nylon, filament yarn , bleached --(GSM – 40.03)	60063100
			Cut piece of white knitted fabric, Wholly made of polyester, filament yarn , bleached --(GSM – 307.07)	60063100
			Cut piece of white knitted fabric having cut piles on one side, Wholly made of polyester, filament yarn, bleached -- (GSM – 196.97)	60019200
			Cut piece of special type of white fabric made of two layers of knitted fabric having vertical monofilament yarn linking both layers (wrap) , made up of polyethylene=53.73%, nylon=31.25% and polyester=15.02%, mono and multifilament yarn, bleached -- (GSM – 383.54)	60063100
			Cut piece of knitted fabric, Wholly	60063200

			made of polyester, filament yarn, dyed - (GSM – 306.99)	
			Cut piece of special type of white fabric made of two layers of knitted fabric having vertical multi filament yarn linking both layers (wrap) , Wholly made of polyester, filament yarn, bleached - (GSM – 632.57)	60063100
			Cut piece of white woven fabric , Wholly made of polyester, filament yarn, Textured, bleached -- (GSM – 148.98)	54075129
			Cut piece of white designed woven fabric , Wholly made of polyester, filament yarn, Textured on one side, bleached, coated yarn on one side --(GSM – 82.75)	54075129

2. BE No. 7515448 dated 29.12.2024

CTH & Description as per BOE/FORM-I	GSM as per declaration in BoE	Details of originating material declared in Form-I (manufacturing process)	Item actually found as per Test Report along with GSM	Proper CTH
60063100 - Other Knitted or Crocheted Fabrics, of unbleached or bleached synthetic Fibers, N.E.S. (man made 100% polyester fabric Grey undyed)	250	Containing 85 % or more by weight of staple fiber of nylon or other polyamides: single yarn (circular knitting, product is obtained by knitting of polyester yarn of different quality to obtain the product)	Cut piece of white knitted fabric, Wholly made of polyester, spun and filament yarn, bleached (GSM – 155.20)	60063100
			Cut piece of white knitted fabric, Wholly made of polyester, filament yarn, bleached (GSM – 117.93)	60063100
			Cut piece of white knitted fabric, Wholly made of polyester, filament yarn, bleached - (GSM – 120.12)	60063100

3. BE No. 7515434 dated 29.12.2024

CTH & Description as per BOE/FORM-I	GSM as per declaration in BoE	Details of originating material declared in	Item actually found as per Test Report along with GSM	Proper CTH
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		Form-I (manufacturing process)		
60063100 - Other Knitted or Crocheted Fabrics, of unbleached or bleached synthetic Fibers, N.E.S. (Man made 100 % polyester knitted fabric grey undyed)	250	Containing 85 % or more by weight of staple fiber of nylon or other polyamides : single yarn (circular knitting, product is obtained by knitting of polyester yarn of different quality to obtain the product)	Cut piece of white knitted fabric, Wholly made of polyester, filament yarn, bleached- (GSM – 154.32)	60063100
			Cut piece of white tubular knitted fabric, wholly made of polyester, spun yarn, bleached-- (GSM – 91.67)	60063100
			Cut piece of white knitted fabric, Wholly made of polyester, filament yarn, bleached-- (GSM – 169.52)	60063100
			Cut piece of white knitted fabric, made of polyester = 96.93% and elastomeric yarn =3.07%, filament yarn, bleached (GSM – 255.54)	60063100

6.3 Further, Container No.CSDU8858953 pertaining to BOE No.7275863 dt.16.12.2024 and Container No.BSIU8050941 pertaining to BoE No.7275866 dt.16.12.2024 having declared item”54077400-Woven Fabric, Containing 85% or more by weight of synthetic Filament, Printed and having declared Value Rs.36353964.13/- and Rs.36348853.93/- were already examined by the customs officer and goods in respect of said containers are found to be mis-declared as per the respective test reports **(RUD-7)**. The details of the mis-declaration/ mis-classification as per test report vis a vis declared goods is as under:

Table -V

4. BE No. 7275863 dated 16.12.2024				
CTH & Description as per BOE/FORM-I	GSM as per declaration in BoE	Originating material declared in Form-I (manufacturing process)	Item actually found as per Test Report	Proper CTH

54077400 - Woven Fabric, containing 85% or more by weight of synthetic Filament, Printed	197.01	Containing 85 % or more by weight of staple fiber of nylon or other polyamides: single yarn (it is weft knitted fabric knitted with one row of niddle)	Cut piece of dyed (blue coloured) woven fabric, composed of polyester filament yarn (textured) together with lycra on both sides, GSM (as such) = 136.6 , width (selvedge to selvedge) = 149 cm , polyester = 95.54%, Lycra = 4.46%	54075290
			Cut piece of dyed (black coloured) woven fabric having lamination (translucent film) on one side , base material composed of polyester filament yarn (textured) and laminated material is composed of polyurethane, GSM (as such) = 129.3 , width (selvedge to selvedge) = 147 cm , polyester = 90.62%, laminating material = 9.38%	59032090

Table -VI

5. BE No. 7275866 dated 16.12.2024				
CTH & Description as per BOE/Form-I	GSM as per declaration in BoE	Details of originating material declared in Form-I (manufacturing process)	Item actually found as per Test Report	Proper CTH
54077400 - Woven Fabric, containing 85% or more by weight of synthetic Filament, Printed	191.75	Containing 85 % or more by weight of staple fiber of nylon or other polyamides: single yarn (it is weft knitted fabric knitted with one row of niddle)	Cut piece of dyed (black) coloured woven fabric, composed of polyester filament yarn (textured) together with lycra on both sides, GSM (as such) = 131.13 , width= 147 cm, polyester= 95.97%, lycra = 4.03%	54075290

6.4 In view of the above, it is specifically observed that the importer had declared the goods under CTH 60063100 & 54077400; however, upon examination and laboratory testing, the goods were found to be appropriately classifiable under CTH 60019200, 60063200, 54075129, 54075290, 59032090 and 60063100.

The goods were predominantly found to be white/bleached or dyed, whereas the importer declared the goods as grey, establishing mis-declaration of colour and description. The wide variation in GSM, coupled with physical examination and roll-wise verification has clearly established that the declaration in the Bill of Entry was factually incorrect.

Thus, the findings from the examination, panchnama proceedings and CRCL test reports have conclusively established that the subject goods were mis-declared in respect of description, colour, GSM, quantity in SQM and tariff classification, as the declared particulars in the Bills of Entry and supporting documents were found to be inconsistent with the actual nature of the goods.

Such incorrect and inconsistent declarations strike at the root of the eligibility conditions prescribed under the India–UAE CEPA, as preferential rate of tariff is eligible only when, the declaration is correct in terms of classification, accurate description and truthful declaration of goods. The importer has failed to satisfy the obligations for availing preferential duty benefits under the India–UAE CEPA, and therefore the said benefit is liable to be denied in respect of the subject imports.

6.5 Further, as per FORM I submitted by the importer for claiming preferential duty, the supplier had declared that the originating raw materials used for manufacture were **Nylon/Polyamide**; however, laboratory test revealed that the imported goods were composed of **Polyester**. Moreover, although the Form-I claimed that **staple fibre yarn** was used in the manufacturing process, the final product found in the imported consignment consisted of **filament yarn**, contradicting the disclosure under CAROTAR, 2020.

6.6 In view of the fact that the importer has explicitly claimed fulfilment of the Product Specific Rules (PSR) under the India–UAE CEPA and has submitted Form-I accordingly, the discrepancies revealed in the CRCL Test Report—pertaining to composition of fibre (Polyester instead of declared Nylon/Polyamide), nature of yarn (filament yarn instead of declared staple fibre), GSM variation, and mismatch in classification (CTH 60019200, 60063200, 54075129, 54075290, 59032090 and 60063100 instead of declared CTH 60063100 & 54077400)—establish that the product does not meet the mandatory origin criteria stipulated under the Agreement. These material deviations between declared originating materials/processes and the actual characteristics of the imported goods conclusively indicate non-compliance with the PSR requirements. Hence, it appears that the importer is not eligible for availing preferential duty benefit under the India–UAE CEPA for the subject import consignments.

7. Whereas, the importer (M/s MOL) had been availing the benefit of Notification No. 22/2022-Customs dated 30.04.2022, which allows for NIL Basic Customs Duty (BCD) on certain goods imported from the UAE under the said India-UAE Comprehensive Economic

Partnership Agreement (CEPA). Provided that the exemption shall be available only if the importer proves that the goods in respect of which the benefit of this exemption is claimed are of the origin of the United Arab Emirates, in terms of rules as provided under Notification No.39/2022 dt.30.04.2022 (effective from 01.05.2022), read with Customs Administration of Rules of Origin under Trade Agreements) Rules, 2020 (hereinafter referred to as “CAROTAR Rules, 2020”). Therefore, for further investigation with respect to the eligibility of the Country-of-Origin benefit under India UAE CEPA Agreement as per notification number 22/2022 – Customs, the necessary verification of the import documents was initiated. As per the provisions of the CAROTAR Rules, 2020, it is obligatory for the importer to be in possession of all origin-related information and supporting documents prescribed under Form-I, corresponding to each import bill of entry/ transaction claiming preferential duty benefit. The importer is required to maintain such information and must furnish the same to the proper officer within 10 working days from the date of communication, whenever such information is sought by the authority for verification of the declared Country of Origin.

7.1 Furthermore, the CAROTAR Rules, 2020 place a statutory responsibility upon the importer to exercise reasonable care to ensure the accuracy and authenticity of the origin documents and to substantiate the fulfilment of the Product Specific Rules (PSR) and other conditions stipulated under the respective Trade Agreement. Failure to provide the required information within the prescribed time, or inability to demonstrate compliance with the applicable origin criteria, renders the claim for preferential tariff treatment liable for rejection in accordance with Rule 7 and Rule 8 of CAROTAR, 2020.

7.2 The relevant provision of the CAROTAR 2020 are reproduced under: -

Rule 4. Origin related information to be possessed by importer. -

The importer claiming preferential rate of duty shall-

(a) possess information, as indicated in Form I, to demonstrate the manner in which country of origin criteria, including the regional value content and product specific criteria, specified in the Rules of Origin, are satisfied, and submit the same to the proper officer on request.

(b) keep all supporting documents related to Form I for at least five years from date of filing of bill of entry and submit the same to the proper officer on request.

(c) exercise reasonable care to ensure the accuracy and truthfulness of the aforesaid information and documents.

Rule 5. Requisition of information from the importer. -

*(1) Where, during the course of customs clearance or thereafter, the proper officer has reason to believe that origin criteria prescribed in the respective Rules of Origin have not been met, **he may seek information and supporting documents, as may be deemed necessary, from the importer** in terms of rule 4 to ascertain correctness of the claim.*

(2) Where the importer is asked to furnish information or documents, he shall provide the same to the proper officer within ten working days from the date of such information or documents being sought.

(3) Where, on the basis of information and documents received, the proper officer is satisfied that the origin criteria prescribed in the respective Rules of Origin have been met, he shall accept the claim and inform the importer in writing within fifteen working days from the date of receipt of said information and documents.

*(4) **Where the importer fails to provide requisite information and documents by the prescribed due date or where the information and documents received from the importer are found to be insufficient to conclude that the origin criteria prescribed in the respective Rules of Origin have been met, the proper officer shall forward a verification proposal in terms of rule 6 to the nodal officer nominated for this purpose. (mention rule 6,7 and 8)***

Therefore, in view of above, as mandated under CAROTAR Rules 2020, the information was sought from the importer for verification of origin criteria vide letter dated 13.02.2025 (**RUD-8**), in respect of relevant import shipments, however, no response was received from the importer.

7.3 Whereas a letter dated 13.02.2025 (RUD-8) was issued to the importer to provide information pertaining to Cost of raw materials, production process carried out, including production costs (i.e other than the cost of raw materials), such as Labour Cost and Overhead Cost as mentioned in the Form-I/COO certificate, but the importer failed to provide the same. Also, the said letters were returned by the postal authorities with the remark 'Left', however, the same were also delivered through the designated emails of the importer to ensure proper and timely service. Further, the test reports in respect of Bill of Entry (BoE) No.7515448 dt.29.12.2024, Bill of Entry No.7515434 dt.29.12.2024 and Bill of Entry No.7515447 dt.29.12.2024 were also forwarded to the designated emails of the importer for their information.

8. Follow-up Search at the premises of the Importer: A-1311, Sun West Bank, Ashram Road, Ahmedabad, Gujarat-380009 & A-1106, Empire Business Hub, Near AUDA Water Tank, Science City Road, Sola, Ahmedabad, Gujarat-380060.

8.1 Whereas, this office vide letter dated 14.02.2025 (**RUD-9**) requested DRI, Ahmedabad, to conduct a follow-up at the above-mentioned registered premises of M/s Murae Organisr Limited.

8.2 The officers of the DRI Ahmedabad visited the premises A-1106, Empire Business Hub, Near AUDA Water Tank, Science City Road, Sola, Ahmedabad, Gujarat-380060 on 20.02.2025 and the proceedings of the same were recorded under Visit Note dt.20.02.2025 (**RUD-10**). During the course of the visit, it was observed that boards of firm M/s El-Faro Venture Limited, M/s Patron Exim Limited, M/s EVOQ Remedies Limited and M/s Recurso Wellness Private Limited were affixed near the gate of the premises.

8.3 Whereas, 1 person, namely Sh. Digvijay Chouhan met the officers and introduced himself as the accountant of all the firms, namely, M/s El-Faro Venture Limited, M/s Patron Exim Limited, M/s EVOQ Remedies Limited and M/s Recurso Wellness Private Limited. On being asked about M/s Murae Organisr Limited, he submitted that the said firm is not working from the said premises currently; however, the said firm was earlier operating from said premises with its former name as M/s Earum Pharmaceuticals Limited and Sh. Bhumishth Patel was the Director of the firm.

8.4 Whereas, after some time Sh. Bhumishth Patel joined the proceedings and submitted that he was the director till August 2023 and left the directorship of the firm after handing over the firm to Sh. Manthan Tilva. He further submitted that he along with his family members and 8 other employees, left M/s Earum Pharmaceuticals Limited on 08.08.2023 and submitted documents in this regard (**RUD-11**). He further informed that the premises are in the name of his wife Ms. Payal Bhumishth Patel, and after consent from his wife, M/s Earum Pharmaceuticals Limited used these premises as an Additional Place of business till he and other persons mentioned earlier resigned from the firm. However, he was not aware that the said premises is still being shown as premises of M/s Earum Pharmaceuticals (new name M/s Murae Organisr Limited). Further, he informed that the current Managing Director of M/s Murae Organisr Limited is Sh. Nitin Tomar.

8.5 Whereas, the officer of DRI Ahmedabad, visited the other premises of the Importer: A-1311, Sun West Bank, Ashram Road, Ahmedabad, Gujarat-380009 on 21.02.2025 and the proceedings of the same were recorded under visit note dt.21.02.2025 (**RUD-12**). During the visit, the said premises was found locked and no name plate of any firm was affixed on the board of the premises. However, a message "Murae Organisr Limited * Office Shifted* with contact and email id" was found written on a paper affixed on the board.

8.6 Whereas, repeated attempts were made to contact the concerned person on the mobile number affixed on the board; however, the calls were deliberately not responded to. Further, the son of the premises owner arrived and introduced himself as Sh. Kamal Panjwani son of Mrs Bharti Motiram Panjwani, the premises owner. He informed that the said premises were rented to a person namely Sh. Sanket Ladani from M/s Murae Organisr Limited in February -2024 upto January-2025, and the firm has not been working since then.

9. Summons and communications issued for further investigation in respect of verification mandated under CAROTAR Rule, 2020 & for confrontation of available facts & evidences:

9.1 In view of the above, summons dated 19.02.2025 was issued to the importer (M/s MOL), however, the same was returned undelivered by the postal authorities with remarks 'Left'. Further, summons dated 13.03.2025 were issued in the name of Sh. Nitin Tomar & Sh. Manthan Tilva, MD of the importing firm, however, the same were also returned by the postal authorities with the remark 'Left'. However, the same were also delivered through the designated emails of the importer.

9.2 Whereas, the importer had failed to furnish the required information to this office in response to this office letter dated 13.02.2025, a reminder letter dated 04.03.2025 (**RUD-13**) to the importer was again sent reiterating the requirement to submit the complete set of origin-related documents/information as indicated in respective Form-I of the import documents necessary for verification of the preferential tariff claim under the India-UAE CEPA Agreement. Despite such reminder, no satisfactory response was received from the importer within the stipulated time period, therefore, the above-mentioned consignments were seized vide seizure memo dt. 04.04.2025 (**RUD-14**), and the same was delivered through speed post as well as email.

10. Whereas, during the investigation, searches under the provisions of the Customs Act were carried out on the premise of another importing firm **M/s. Kkrrafton Developers Limited, & its related premise** at Ahmedabad, under the Panchnama dt. 31.12.2024 (**RUD-15**). During the search it was revealed that the said firm was under control of Anil Kumar Runthala and Ashok Kumar Sewda; and the subject two persons are also concerned in the instant importing firm M/s MOL, these findings indicate that the importer firm M/s GTL, M/s KDL, & M/s MOL were being run through different persons, but overall managed by Anil Kumar Runthala and Ashok Kumar Sewda. Further, statements dated 31.12.2024 of Shri Kirtan Limabasiya and Sh. Diwakar Sharma, were also recorded under section 108 of the Customs Act, 1962 (**RUD-15**), which also revealed that Anil Kumar Runthala and Shri Ashok Kumar Sewda were the relevant person in these three importing firms (M/s GTL, M/s KDL and M/s MOL); Sh. Diwakar Sharma has also admitted the presence of documents related to M/s MOL at subject premise which was related to M/s KDL.

10.1 Further, during the search at premise of M/s Bharat Global Developers ltd. (Formerly known as M/s Kkrrafton Developers Ltd., G-block, Uniza Corporate Office, Premchand Nagar Road, Opposite Krishna Complex, Satellite, Ahmedabad, Gujarat-380009 proceedings under Panchnama dt.03.01.2025 (**RUD-16**) it was noticed that documents related to M/s MOL were also being managed **from the subject premise and the concerned persons also admitted that the work of M/s GTL, M/s KDL and M/s MOL are centrally managed from the subject premise.**

10.2 Whereas, it was gathered that the documents related to import consignment of the importer (M/s MOL) as well as supplier's end were being prepared/managed by one employee namely Sh. Gaurav Chakrawarti of the importing firm. During the investigation of one related case booked by this office against M/s Kkrrafton Developer Limited, **Statement**

dated 03.01.2025 of Shri Gaurav Chakrawarti, (Con. 7984265777, 9919106969) S/o Sh. Virendra Prajapati was recorded under section 108 of the Customs Act, 1962, **(RUD-17)** wherein, he inter alia stated that : -

- He is handling Import and Export related documentation, coordination between importer, Supplier and Clearing agent for M/s Kkrafton Developer Limited, M/s Gujarat Toolroom Limited and M/s Murae Organisor Limited.
- He gets **directions from Shri Ashok Kumar Sewda**, Director M/s KDL and Shri Shrikant Sharma, contact person/Manager of M/s Suchi Textile, Sharjah, UAE and M/s Shukran Textiles, UAE.
- For any import of container he used to get documents from the supplier like Shuchi Textiles, Shukran Textiles, Majestic Ecopolyfab (FZC), on email (account@kkraftondevelopersltd.com)/[whatsapp-7984265777](https://www.whatsapp.com/business/profile/7984265777)); that he usually got Commercial Invoice, Packing List, COO, Bill of Lading. In addition of this, the supplier also used to provide the Suppliers side Customs clearance documents, Form-I. Then, he coordinated with forwarder/CHA and provide the import documents to them, CHA then prepares the checklist on the basis of import documents, and sent the same for verification to the company email (account@kkraftondevelopersltd.com) or sometime on his whatsapp (7984265777), then on being verified by him in supervision of Shri Ashok Sewda, the CHA used to file the BoE with customs. Duty payment was managed by Shri Ashok Sewda in coordination with CHA.
- He was asked to open the mail id's where he used to get the documents from the supplier's end, however he didn't open the same mentioning the reason of server issue.
- During the examination of his mobile phone under the statement, a proforma Invoice having Invoice No. 24-25/SEG/01 dated 17.06.2024 issued by M/s Shiva Exports (H.K.) Limited, Kowloon, Hong Kong, to M/s Gujarat Toolroom Limited, was recovered in the whatsapp chat of Shrikant Sharma Dubai (+971569489571, name saved as Shrikant Sharmaji Dubai-KDL).
- Further, his mobile phone was checked for verification of communication with the supplier or handlers of the importing firms, and on which various documents were found relevant to the investigation were printed. Details of the said documents are as under: -
 - Form-I certificate issued by Majestic Ecopolyfab (FZC), to M/s MOL, Ahmedabad and its relevant Bill of Lading having No.CIAJEMUN2401757.
 - Invoice having No.24-25/SEG/04 dt.24.06.2024 issued by M/s Shiva Exports (H.K.) Limited, Kowloon, Hongkong, to M/s Murae Organisor Limited, found in the whatsapp chat of Shrikant Sharma Dubai(+971569489571, saved as Shrikant Sharmaji Dubai-KDL).

- Further subsequent to the said chat communication of above documents, dated 30.10.20224 one voice note was found in the same chat held at 11:29 AM which is 17 seconds long and same is reproduced as below:

“अभी ‘यूजीटी’ चेंज करके और ये वाली डिटेल डालनी है तो फिर भी कुछ कन्फ्यूजन है तो एक बार अशोक जी से बात कर लो ...समझ लो... तो कोई अपन से मिस्टेक नहीं होगी”

(from the above voice note, it appears that documents of supplier's end were being modified/manipulated/edited by the Gaurav Chakrawarti).

- Further, his mobile phone One plus Nord CE3 Lite 5G, Model – CPH2467 was resumed for further investigation.

11 Statement of CHA M/s World Cargo Logistics of the Importer to confront test reports and misdeclaration:

11.1 Whereas, summonses dt. 06.04.2025 were again issued to key persons as per the details of IEC namely, Sh. Manthan Tilva & Mr Nitin Tomar, Managing Director of M/s Murae Organisr Limited, however, none of them appeared to tender their statement. Accordingly, summons dt. 21.04.2025 was issued to the M/s World Cargo Logistics, CHA of the importer, to tender and submit documents in respect of the ongoing inquiry.

11.2 In response to the said summons, Sh. Jignesh Singh Chandubha Jadeja, authorized signatory, appeared before the competent authority and tendered their statement dt.01.05.2025 (**RUD-18**), wherein he inter-alia stated that:

- (i) He handles Customs clearance-related work of Import and Export at Mundra Port.
- (ii) M/s WCL looks after the CEPA benefit and Customs Clearance related work of import done by M/s Kkraffton Developers Limited, M/s Gujarat Toolroom Limited, M/s Murae Orgainsor Limited.
- (iii) On being asked about import clearance process, he mentioned that they usually get Commercial Invoice, Packing List, COO, Bill of Lading, FORM-I (declaration regarding origin criteria by the supplier) etc. from the importer e-mail ID — import@muraeglobal.com & moltd2023@gmail.com at email ID — docs@maamarineservices.com and krushnaraj@maamarineservices.com. Further, on the basis of the received documents, their staff prepares the checklist under his supervision and forwards the same checklist to M/s MOL through e-mail for verification; on being verified by the importer, they file the bill of entry with customs and get the customs clearance as per procedure.
- (iv) On being shown the Panchnama dated 18.01.2025, he stated that he was present through the Panchnama proceedings and completely agreed to the proceedings mentioned therein. He agreed that during examination misdeclaration was found in the import shipment; that the importer had declared the fabric of grey coloured, while on examination, it was off white colour, whereas the quantity of the fabric was also found excess from declaration.
- (v) On being shown the Panchnama dated 17.01.2025, he stated that he was present through the Panchnama proceedings, and completely agreed to the proceedings mentioned therein. He agreed that during examination, mis-declaration was found in the import shipment; that the importer had declared the fabric of grey coloured, while on examination it was found to be off white/white/grey in colour, whereas the quantity of the fabric was also found excess from the declaration. Further, the declared item was "60063100 - Other Knitted or Crocheted Fabrics, of unbleached or bleached synthetic Fibers," whereas, some of the rolls were appeared to be woven, from which it appeared that imported items were mis-classified also.

- (vi) He submitted that initially, Mr. Anil Kumar Runthala (+971501314780) contacted him for the clearance of the import shipment of M/s MOL. Further, on behest of him Mr. Gaurav Kumar, executive (Mobile No. 7984265777) started coordinating with them & later on, when the case was taken up by DRI, Mr. Nitin Tomar, M/s MOL (07573919742) started contacting on behalf of M/s MOL. Overall, Mr. Anil Kumar Runthala was the main handler of this firm for them.
- (vii) On being shown the BE Copy along with its supporting documents of BE No. 7515434 dt.29.12.2024 submitted at the time examination panchnama dt.18.01.2025, he submitted that all the goods under the documents of said shipment was declared to be "60063100 Other Knitted or Crocheted Fabrics, of unbleached or bleached synthetic Fibers, N.E.S. (Man made 100 % polyester knitted fabric grey undyed. Further, he submitted that as per the Form-I the declared originating material used in manufacturing of the final goods are "55091100 - Containing 85 % or more by weight of staple fiber of nylon or other polyamides: single yarn" and the production process shown is "circular knitting, product is obtained by knitting of polyester yarn of different quality to obtain the product" and the origin criteria is "PSR (CTH+VA 40%)".
- (viii) On being shown the test reports in respect of samples taken during the examination panchnama dt.18.01.2025, he agreed with the test reports, and submitted that as per the test reports, the goods are found to be :
 - (a) TM No. 54/2025(1A) - Cut piece of white knitted fabric, wholly made of polyester, filament yarn, bleached- (GSM — 154.32)
 - (b) TM No. 55/2025(2A) - Cut piece of white tubular knitted fabric, wholly made of polyester, spun yarn, bleached-- (GSM — 91.67)
 - (c) TM No. 56/2025(3A) - Cut piece of white knitted fabric, wholly made of polyester, filament yarn, bleached--(GSM — 169.52)
 - (d) TM No. 57/2025(4A) - Cut piece of white knitted fabric, made of polyester = 96.93% and elastomeric yarn =3.07%, filament yarn, bleached (GSM — 255.54)
- (ix) he further stated that as per the declaration and test results the goods are mis-declared in terms of description and quantity as the goods were found to be white instead of grey as declared. Further, as per report, the GSM of the fabric found to be 154.32, 91.67, 169.52 and 255.54, while the GSM of the goods as per the declaration by the importer should be 250, from which it appears the quantity of fabric in SQM is also mis-declared. Further, again going through the details in respect of the composition of the originating material and imported item as per the test report, he observed that as per the Form-I declaration by the supplier the product is made of 'staple fiber of nylon or other polyamides' whereas the import product as per the test report is made of 'filament yarn of polyester'. He further stated that, as per his knowledge, the staple fiber of nylon or other polyamides, cannot be the originating material for the fabric containing filament yarn of polyester. This indicates a material discrepancy between the supplier's declaration and the findings of the test report; therefore, it appears that

the respective COO certificate appears not to be proper because the originating material does not align with the imported product.

- (x) On being shown the BE copy along with its supporting documents of BE No. 7515448 dated 29.12.2024 & 7515447 dated 29.12.2024 submitted at the time examination panchnama dt.17.01.2025, he submitted that all the goods under the documents of said shipments were declared to be "60063100 - Other Knitted or Crocheted Fabrics, of unbleached or bleached synthetic Fibers, grey undyed." Further, he submitted that as per the form I the declared originating material used in manufacturing of the final goods are "55091 100 - Containing 85 % or more by weight of staple fiber of nylon or other polyamides: single yarn" and the production process shown is "circular knitting, product is obtained by knitting of polyester yarn of different quality to obtain the product" and the origin criteria is "PSR (CTH+VA 40%)".
- (xi) On being shown the test reports in respect of samples taken during the examination panchnama dt.17.01.2025, he agreed with the test report and as per the test report, the goods under BE No. 7515448 dated 29.12.2024 are found to be of the following types: -
 - (a) TM No. 38/2025(1A) -Cut piece of white knitted fabric, wholly made of polyester, spun and filament yarn, bleached (GSM — 155.20)
 - (b) TM No. 39/2025 (2A) -Cut piece of white knitted fabric, wholly made of polyester, filament yarn, bleached (GSM — 117.93)
 - (c) TM No. 40/2025 (3A) -Cut piece of white knitted fabric, wholly made of polyester, filament yarn, bleached - (GSM — 120.12)

In respect of above findings, he submitted that the goods are mis-declared in terms of colour, description and quantity as the goods were found to **be white** coloured instead of grey as declared. Further, as per report, the GSM of the fabric found to be 155.20, 117.93 and 120.12, while the GSM of the goods as per the declaration by the importer, should be 250, from which it appears the quantity of fabric in SQM is also mis-declared. Further, again going through the details in respect of composition of originating material and imported item as per test report, he observes that as per the Form-I declaration by the supplier the product is made of 'staple fibers of nylon or other polyamides' whereas the import product as per the test report is made of 'filament yarn of polyester'. He further stated that as per his knowledge the staple fiber of nylon or other polyamides, cannot be the originating material for the fabric containing filament yarn of polyester. This indicates a material discrepancy between the supplier's declaration and the findings of the test report, therefore, it appears that the respective COO certificate does not appear proper because the originating material does not align with the imported product.

Further, in respect of the test report of the samples taken in respect of BE No. 7515447 dated 29.12.2024, he accepted that the goods are mis-declared in terms of colour, description, quantity and classification as the goods were found to be white coloured instead of grey as declared. Further, as per the report, the GSM of the fabric

found to be ranging from 40.03 to 632.57, while the GSM of the goods as per declaration by the importer, should be 250, from which it appears the quantity of fabric in SQM is also mis-declared. Further, as per the declaration the import item was "60063100 - Other Knitted or Crocheted Fabrics, of unbleached or bleached synthetic Fibers," while as per the test report vide Test Memo No. 52/2025(15A) & 53/2025 (16A) items were found to be "woven fabric, wholly made of polyester, textured/coated on one side" therefore the classification of subject items should be 54075129 instead of declared classification 60063100. Further, as per the test report vide TM No. 48/2025(11A) the goods were found to be "white knitted fabric having cut piles on one side, wholly made of polyester filament yarn, bleached" therefore, the classification of subject items should be 60019200 instead of the declared classification 60063100. Further, as per the test report vide TM No. 50/2025(13A) the goods were found to be "knitted fabric, wholly made of polyester, filament yarn, dyled"; therefore, the classification of subject items should be 60063200 instead of the declared classification 60063100.

Further, again going through the details in respect of composition of originating material and imported item as per test report, he stated that that as per the Form-I declaration by the supplier the product is made of 'staple fibers of nylon or other polyamides' whereas the import product as per the test report is made of 'filament yarn of polyester' and as per his knowledge the staple fiber of nylon or other polyamides, cannot be the originating material for the fabric containing filament yarn of polyester. This indicates a material discrepancy between the supplier's declaration and the findings of the test report; therefore, it appears that the respective COO certificate appears not to be proper because the originating material does not align with the imported product

- (xiii) On being shown the BEs No. 5932282/03.10.2024, 5931994/03.10.2024, 6801365/21.11.2024 and 7320343/ 18.12.2024 along with respective import documents, Form I, and respective test report, he observed the following information:

Table -VII

Sr . N o	BOE & Date	Declared Item as per BOE	Declared originating material as per FORM-I	Productio n Process as per FORM-I	Originatin g criterion as per FORM-I and COO	Items as per Test Reports
	5931994 03.10.2024	60063400- other knitted or crocheted Fabrics-of printed Synthetic fibres N.E.S- MME of 100%	60064200- other knitted or crocheted Fabric, of artificial fibres, dved n.e.s. 48102200- Light weight coated &	Digital Printing and fusion	CTH + VA 40% / PSR	A cut piece of printed knitted fabric. It is composed of polyester filament yarn along with small amount of lycra. GSM (as such)=163.O width (selvedge to

		Polyster knitted printed fabric	paperboard of kind used for printing or other graphic purposes			selvedge)= 149cm %composition polyester=96.4% by Lycra = balance
2	5932282 03.10.2024	60063400-other knitted or crocheted Fabrics-of rinted Synthetic fibres N.E.S-MME of 100% Polyster knitted printed fabric	60064200-other knitted or crocheted Fabric, of artificial fibres, d ed n.e.s. 48102200-Light weight coated & paperboard of kind used for printing or other graphic purposes	Digital Printing and fusion	CTH + VA 40% / PSR	A cut piece of printed knitted fabric. It is composed of polyester filament yarn along with small amount of lycra. GSM (as such)=160.9width (selvedge to selvedge)=150cm %composition polyester=95.2% by wt Lycra = balance
3	6801365 21.11.2024	60063400-other knitted or crocheted Fabrics, of printed Synthetic fibres N.E.S	55091100-Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn	Circular knitting (Product is obtained by knitting of polyster yarns of different quality)	CTH + VA 40% / PSR	A cut piece of dyed and printed knitted fabric. It is composed of polyester filament yarn along with small amount of lycra. CISM (as such)=148.5width (selvedge to selvedge)=148cm
4	7320343 18.12.2024	60063100 OO-Other knitted or crocheted Fabrics of unbleached or bleached synthetic fiber N.E.S.	55091 100-Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn	Circular knitting (Product is obtained by knitting of polyster yarns of different quality)	CTH + VA 40% / PSR	A cut piece of white (undyed) circular knitted fabric having self designed on one side. It is composed of polyester filament yarn. GSM (as such)=118.1

As per above table, he submitted that as per the Form I declaration by the supplier, the product is made of 'staple fibers of nylon or other polyamides' whereas the import product as per the test report is made of 'polyester filament yarn'. Further, as per Notification No. 39/2022-Customs (N.T.), to qualify as a originating goods under PSR criteria the originating goods must have undergone sufficient working

which result in change at CTH level and value addition of 40%, however on perusal of above discussed BoEs No. 5931994/03.10.2024 & 5932282/03.10.2024 and supporting documents including Form I it appears that no CTH level change has taken place. Further, in respect of BE No. 6801365/21.11.2024 & 7320343/18.12.2024, although the CTH has been changed, the finished product description does not match with originating material. This indicates a material discrepancy between the supplier's declaration and the findings of the test report, therefore, it appears that the respective COO certificate appears not to be proper because the originating material does not align with the imported product and thus importer doesn't appear eligible for exemption benefits under subject India-UAE CEPA Notification No. 22/2022-Customs dated 30 April 2022.

- (xv) He further submitted that the importer is aware of the said misdeclaration found during the examination of their import shipment and they had already started depositing the applicable duty, surrendering the benefit of India-UAE CEPA Notification No.22/2022-Customs dt.30.04.2022. Further, he submitted that the importer had already deposited Rs.10,00,000/- against the BOE No.7515447 dt.29.12.2024 and submitted copy of the respective challan no.5679738260 dt.18.01.2025 under dated signature.

11.3 From the statement of the representative of M/s World Cargo Logistics (CHA), it is clear that :

- a) the importer had mis-declared the description, classification, GSM and nature of the fabric;
- b) the Form-I declarations furnished by the foreign supplier were not matching with the physical characteristics of the imported goods as confirmed through CRCL test reports;
- c) the originating material declared in the COOs pertained to staple-fiber-based fabrics, whereas the imported goods were found to be made of polyester filament yarn; as a result, the COO did not meet the prescribed origin criteria under India-UAE CEPA;
- d) Also, they have admitted that various shipment appears not eligible for CEPA benefits on account of non-declaration of Form I.
- e) The CHA confirmed that the entire import operations of M/s MOL were managed and controlled by **Shri Anil Kumar Runthala**, with coordination through **Sh.Gaurav Kumar and Sh. Nitin Tomar**, corroborating centralized and intentional planning behind the mis-declaration and wrongful exemption claim.

11.4 Further, summonses dated 23.05.2025 were issued for confronting the respective test reports, FORM I submission and origin criteria related information etc to Sh. Nitin Tomar, MD, Sh. Manthan Rameshbhai Tilva, Director, Sh. Akshay Talsibhai Sanepara, Director, Sh. Sanket Ladani, Director, Sh. Vinodbhai Rajabhai Bhadarka, Director. However, they failed to join the investigation as neither of them appeared nor any response from any of them was received.

11.5 Further, summonses dated 17.06.2025 were issued for confronting the respective test reports, FORM I submission and origin criteria related information etc to Sh. Nitin Tomar, MD, Sh. Manthan Rameshbhai Tilva, Director, Sh. Akshay Talsibhai Sanepara, Director, Sh. Sanket Ladani, Director, Sh. Vinodbhai Rajabhai Bhadarka, Director. However, they failed to join the investigation as neither of them appeared nor was any response from any of them was received.

11.6 Further, summonses dated 25.07.2025 were again issued to M/s Murae Organisator Limited, Sh. Anil Kumar Babulal Runthala, Mastermind & Sh. Manthan Rameshbhai Tilva, Director. In response to this office summons dt.25.07.2025, only **Sh. Manthan Tilva** appeared before the competent authority on 30.07.2025 and tendered his statement (**RUD-19**), wherein he inter-alia stated that:

- (i) His mobile number is 8347179739 and alternate number is 9913346962. His email id:advtilva@gmail.com;
- (ii) On being asked about his income source, he submitted that earlier he used to get salary from M/s MOL and besides that he is filing GST returns on part time basis for micro business firms.
- (iii) he was initially appointed as accountant in M/s Earum Pharmaceuticals Limited (presently known as M/s Murae Organisator Limited) in Dec-2023 by Mr. Bhumishth Patel, the then Managing Director on salary of Rs.25,000/-. Further, in the month of January-2024, he was offered the post of Managing Director in the subject firm with allurements of increasing salary to Rs.45,000/-. He further submitted that he accepted the offer as he trusted Mr. Bhumishth Patel, as he had assured him that in case of any legal complication he (Mr. Bhumishth Patel) would remain responsible and will handle all issues.
- (iv) he further submitted that he had no investment in the said company and reasons for appointment as MD are unknown to him and he was never provided any letter of appointment as either accountant or Managing Director.
- (v) On being asked about the business activities of M/s MOL, he submitted that M/s Earum Pharmaceuticals Limited (presently known as M/s Murae Organisator Limited) was earlier engaged in trading of pharmaceutical equipments and medicine at the time of his joining as accountant. After his appointment as MD, at the end of April-June quarter, balance sheet and company generated Profit and loss statement, the copy of the same randomly came to him, and then only he came to know that this firm is also dealing in Agriculture products. Further, he was shocked that the subject balance sheet and Profit and loss statement had his forged signature.
- (v) On being asked about his work profile, he submitted that he was still working as Data Entry Operator in other firm namely, M/s Evoq remedies Limited of Mr. Bhumishth Patel and was only getting his salary.
- (vi) Further, he submitted that Mr. Bhumishth Patel is still handling the work of subject-company in association with one person, Mr. Anil Runthala and he

also used to get directions from 1 more person namely, Mr. Arjun Bhai , (mobile no:8401179514, other details are not available with him).

- (vii) On further asked about Mr. Runthala and Mr. Arjun Bhai, he submitted that M/s Murae Organisr Limited was being managed from the office of Mr. Bhumishth Patel situated at E-1101, Empire Business Hub, Science City Road, Sola, Ahmedabad, Gujarat, though, they had their registered address at A-1106 of the same building. He used to sit at E-1101 premise as mentioned above. However, around August 2024, he was called by Mr. Arjun Bhai on behalf of Bhumishth Patel and asked to reach A-1311, Sun West Bank, Ashram Raod, Ahmedabad, Gujarat and told that AGM in respect of M/s Murae Organisr Li was to be held. Then only he came to know that this was the new registered premise of M/s Murae Organisr Limited, however, no regular office type setup was established there. It appeared to be a temporary setup. There, he was given a Suit-pant to wear and a printed note and he was asked to read that note before a camera (Video Conference). As much as he can recall, Mr. Bhumishth Patel and Mr. Gaurav, Company Secretary were also joined on this meeting. After that, they told him that he had successfully done the AGM. **Mr Anil Runthala** and **Mr. Sanket Ladani** were physically available there. After analyzing all the above incidents, he suspected that they were doing some kind of fraudulent activities in M/s Murae Organisr Limited on his name. On being asked for clarification that why such things are being done, Mr. Anil Runthala tried to convince him that although his name is being used but if there will be any legal complication related to Income tax, Customs, GST or any other agency, they will manage, however he declined to continue as Managing Director.

Then Mr. Anil Runthala provided him already written resignation letter but asked to submit the same after 1 or 2 month to enable them the ongoing process of the company. On 07.11.2024, **Anil Runthala** sent him a pdf file containing his resignation letter, which contained his forged signature and asked him to send it on mail of company, and he did so. Further, he submitted a copy of mail dated 07.11.2024 under his dated signature. However, he didn't know the reason, but as they were having his email id password, they again prepare a different resignation under his forged signature and sent from his email (advtilva@gmail.com) to company's email (moltd2023@gmail.com, earumpharma@gmail.com, cs@earumpharma.com) on 09.11.2024. Copy of the mail dated 09.11.2024 was submitted under dated signature. After that, he stopped going office, and he is not aware further work of the company.

- (viii) On being asked about other persons namely Sh. Akshay Talshibhai Sanepara, Sh. Vinodbhai Rajabhai Bhadarka and Sh. Sanket Ladani showing as Directors, he submitted that he knew nothing about Sh. Vinodbhai Rajabhai Bhadarka, however, he met Sh. Sanket Ladani once during the AGM meeting held during Aug-2024. Further, in respect of Sh. Akshay Talshibhai Sanepara,

he has his mobile number 91 9870047693 and email id caakshaysanepara@gmail.com

- (ix) On being shown the Panchnama dt.18.01.2025, he submitted that he had nothing to do with import related or any other activity carried out in M/s MOL. Also, Mr. Bhumishth Patel and Mr. Anil Runthala are the main handler in the said firm and provide information about import related about M/s MOL.

11.7 Further, based on information provided by the Sh. Manthan Tilva, summons dt.04.08.2025 were issued to Mr Bhumishth Patel, Mr. Gaurav Bachani, Company Secretary and Mr. Akshay Talsibhai Sanepara. In response to the said summons, all the said persons submitted their reply via emails.

11.8 Mr. Bhumishth Patel vide its letter dt.11.08.2025 (**RUD-20**) submitted that there has been a change in the management of M/s Murae Orgainsor Limited (Formerly known as M/s Earum Pharmaceuticals Limited) wef 08.08.2023 and the previous management comprising of Mr. Bhumishth Narendrabhai Patel, Mrs. Payal Bhumishth Patel has relinquished their positions, and new management has taken over. As per the legal documents and transition documents, the previous management will not be responsible for any liabilities, dues, or obligations incurred by the company from the date of change of management and submitted copies of various documents MCA Form DIR-12, intimation to BSE and others.

11.9 Mr. Akshay Talsibhai Samepara vide his unsigned letter dt.08.08.2025 (**RUD-21**) sent through email dt.09.08.2025 submitted that he was a qualified Independent Director and was looking for professional opportunities. In this regard, he received a call from Mr. Arjun Bhai, representative of M/s Murae Organisor Limited and after checking the profile of the company online, he shared his documents through whatsapp to Mr. Arjun Bhai. For the first four months following his appointment, he made multiple attempts to meet Mr. Arjun Bhai in person but each time he was declined. On being asked about his role and responsibilities, he was told that his presence is not required as there are other active independent directors in the said firm. However, on 7th march, 2025, he was shocked to receive a summon from Dy. Commissioner, State tax-Enforcement, Ahmedabad regarding enquiry against M/s MOL. Then, he immediately tried to contact Mr. Arjun Bhai but his mobile was switched off. On being felt cheated, he sent his resignation letter to company official mail id and key persons Ids. Further, he received enquiries from SGST and Economic Cell, Vadodara in respect of M/s MOL and he submitted the above facts to them. He further requested to discharge him from this matter as his passive association with the company, absence of any involvement in any transaction or operations and his cooperation in investigation.

11.10 Mr. Gaurav Bachani vide its email dt.11.08.2025 (**RUD-22**) submitted that he was professionally associated with the company for the purpose of conducting Secretarial audit and providing other allied services for the period Apr-2022 to mar-2024 and his primary point of contact was Mr. Manthan Tilva and Mr. Sanket Ladani.

11.11 Further, summonses dated 21.08.2025 were again issued Mr Bhumisth Patel, Mr. Gaurav Bachani, Company Secretary and Mr. Akshay Talsibhai Sanepara, Director, Mr.Sanket Ladani, Director, Mr. Anil Runthala for tendering their statement in persons and cross examination of the reply submitted the respective persons. However, except Mr. Akshay Talsibhai Sanepara, they failed to join the investigation. Also, Mr Bhumisth Patel vide its letter dt.30.08.2025 (**RUD-23**) re-iterated his earlier reply dt.08.08.2025 but he did not appear in person to confront and cross-examine the facts and his submissions of having no role after 08.08.2023 in the said firm.

11.12 Mr. Akshay Talshibhai Sanepara, Director appeared before the competent authority on 27.08.2025 and tendered his statement (**RUD-24**), wherein, he inter-alia stated that:

- (i) His qualification is CA. His mobile number no.9870047693 and mail id is caakshaysanepara@gmail.com.
- (ii) On being asked about his income source, he stated that earlier he used to get salary of Rs.20000/- from M/s Murae Organisor Limited for the period Apr-2024 to Mar-2025 and besides that he is filing GST returns on part time basis and conducting audit as a free lancer with other CA firms.
- (iii) On being asked about his appointment in M/s MOL, he submitted that while he was seeking professional opportunities, he received call from one person namely Mr. Arjun Bhai(+9198401179514 & 8488819221, who offered him the position of Independent Director in M/s MOL and after checking the profile of the company online, he shared his documents through whatsapp to Mr. Arjun Bhai.
- (iv) Further, he submitted that in the first 3-4 months of his appointment, he made several attempts to meet Mr. Arjunbhai, however, he was declined every time on the pretext of being out of station. Also, he never visited the office of M/s Murae Organisor Limited, A-1311, Sun West Bank, Ashram Road, Ahmedabad, Gujarat.
- (v) Also, whenever he asked Mr. Arjunbhai about his roles and responsibilities in the firm, he was told that there are already other independent directors actively attending meetings and whenever his presence will be required, he will be invited.
- (vi) On being asked about business activities of M/s MOL, he submitted that earlier the said firm was registered as M/s Earum Pharmaceuticals Limited dealing in pharmaceuticals products and after his appointment he had no idea of business activities in the said firm.
- (vii) On being asked about fabric import by the M/s MOL, he stated that he had no idea of such activities.
- (viii) Further, he submitted that he resigned from the post of independent Director after receiving summons from Deputy Commissioner SGST-Enforcement, Ahmedabad regarding enquiry against M/s MOL. Further, he tried to contact Mr. Arjunbhai but could not contact him as his mobile was switched off.

Feeling misled and deceived, he sent his resignation letter to the official mails of the company.

11.13 In view of the above statements of Mr. Manthan Tilva and CA Akshay Sanepara, it is inferred that key managerial and directorial positions in M/s Murae Organisator Limited (formerly M/s Earum Pharmaceuticals Limited) were occupied by persons who had no real control, decision-making authority, or knowledge of the company's operations. M/s Murae Organisator Limited was operated through a structured arrangement of dummy directors, while actual control was exercised by a separate group of individuals, with the apparent intention of evading regulatory scrutiny and transferring legal liability. Also, two more names Mr. Bhumisth Patel and Mr. Arjun other than Mr. Anil Runthala, surfaced as the ones who were issuing instructions, handling business affairs, and coordinating statutory activities, including AGM proceedings and import-related matters

11.14 Further, summonses dated 14.10.2025 were again issued Mr Bhumisth Patel, Mr. Gaurav Bachani, Company Secretary, Mr. Sanket Ladani, Director, Mr. Anil Runthala for tendering their statement in persons and cross-examination of the reply submitted by the respective persons. However, except Mr. Gaurav Bachani, Company Secretary, they failed to join the investigation. Also, Mr Bhumisth Patel vide its letter dt.28.10.2025 (**RUD-25**) reiterated his earlier reply dt.08.08.2025 & 30.08.2025, but he did not appear in person to confront and cross-examine the facts and his submissions of having no role after 08.08.2023 in the said firm.

11.15 Mr. Gaurav Bachani, Company Secretary, appeared before the competent authority on 28.10.2025 and tendered his statement (**RUD-26**), wherein, he inter-alia stated that:

- (i) his primary source of income is professional fees for providing secretarial services for various companies including M/s MOL.
- (ii) He was appointed as consultant for providing Secretarial Services for M/s Murae Organisator Limited (earlier known as M/s Earum Pharmaceuticals Limited by Mr. Bhumisth Patel in Apr-2022.)
- (iii) He was given Rs.11,000/- per month in the starting period and later on the remuneration was increased to Rs.20,000/- per month. Further, he get separate fees for other activities (like right issue, preferential issue and name change etc.)
- (iv) On being asked about the business activities in M/s MOL, he submitted that initially in the FY 2022-23 M/s Earum Pharmaceuticals Limited was engaged in trading of pharmaceuticals products, however, after the change of name of the company to M/s Murae Organisator Limited and its management, he had no idea about the business activities presently being carried in the said firm.
- (v) On being shown the Question -11 & 12 of Page No.3 & 4 of the Statement dt. 30.07.2025 of Sh. Manthan Rameshbhai Tilva, he submitted that he had attended the AGM for the FY 2023-24 of the said firm as a *scrutiniser*.
- (vi) On being shown the signatures of Sh. Manthan Rameshbhai Tilva, he admitted that the signature on his resignation letter dt.07.11.2024 is forged.

- (vii) On being asked about handler of M/s MOL, he submitted that he was in contact with Mr. Bhumishth Patel till feb-2024, thereafter with Mr. Manthan Tilva and Mr. Sanket Ladani till their resignation. After that he was in communication with Mr. Arjun.
- (viii) On being asked about address and designation of Mr. Arjun, he submitted that he no idea about the same.
- (ix) Further, he submitted that he usually contact Mr. Bhumishth Patel around 1-2 times a week.

11.16 From the above statement and earlier reply via mail dt. 11.08.2025, it appears that Mr. Gaurav Bachani has tried to misled the ongoing investigation, as earlier he stated that while conducting Secretarial audit and providing other allied services for the period Apr-2022 to mar-2024 to M/s MOL his primary point of contact was Mr. Manthan Tilva and Mr. Sanket Ladani whereas in his statement he admitted that he was appointed as consultant in M/s MOL by Mr. Bhumishth Patel in Apr-2022. Further, it appears that he has not fully cooperated in the investigation, as it would not be possible for a consultant to continue professional interaction with an unidentified handler and also claiming lack of knowledge of company operations indicates a selective disclosure of facts to the investigation agency.

12. Concurrently, the importer remained fail to provide the information/details/documents sought from them within the stipulated time under CAROTAR Rules 2020, for verification of origin criteria requested by this office vide letter dated 13.02.2025 & subsequent reminder dt. 04.03.2025 in respect of relevant import shipments. However, they have not submitted mandatory origin-related information of any of the consignments as required under Rule 4 of the CAROTAR, 2020 read with Notification No. 22/2022-Customs (India-UAE CEPA). **In the absence of submission of Form-I as per Rule 4 of CAROTAR, 2020, the claimed preferential duty benefit is liable to be denied ab initio, as the importer has not discharged the statutory onus of establishing the origin of the goods.** Further, as discussed in detail, summonses were also issued to the Directors/key persons of the said company, for such inquiry/information, however, none of them appeared before the competent authority.

13. The details of summonses issued by this office and outcome/status of the same is summarized in the following table. It can be seen from the table, that they had not cooperated in the investigation undertaken by DRI, Jaipur: -

Table- VIII

S. N o.	Name of the person to whom the summons issued	Summons dated	Appearance date as per summons	Appeared/ Not Appeared	Remarks
1	M/s MOL, earlier address: 13TH FLOOR, A-	19.02.2025	05.03.2025	Not Appeared	RUD-27
		25.07.2025	31.07.2025	Not Appeared	

	1311, SUN WESTBANK, ASHRAM ROAD, Ahmedabad, Ahmedabad, Gujarat, 380009	21.08.2025	29.08.2025	Not appeared	
2	Manthan Rameshbhai Tilva, MD, MOL	13.03.2025	31.03.2025	Not Appeared	RUD-28
		06.04.2025	24.04.2025	Not Appeared	
		23.05.2025	05.06.2025	Not Appeared	
		17.06.2025	26.06.2025	Not Appeared	
		25.07.2025	30.07.2025	Statement recorded on 30.07.2025	
3	Nitin Tomar, MD, MOL	13.03.2025	01.04.2025	Not Appeared	RUD-29
		06.04.2025	25.04.2025	Not Appeared	
		23.05.2025	05.06.2025	Not Appeared	
		17.06.2025	26.06.2025	Not Appeared	
4	Akshay Sanepara, Director,	23.05.2025	05.06.2025	Not Appeared	RUD-30
		17.06.2025	26.06.2025	Not Appeared	
		04.08.2025	14.08.2025	Not Appeared	
		21.08.2025	28.08.2025	Statement recorded on 27.08.2025	
5	Vinodbhai Bhadarka, Director	23.05.2025	06.06.2025	Not Appeared	RUD-31
		17.06.2025	27.06.2025	Not Appeared	
6	Sanket Ladani, Director,	23.05.2025	06.06.2025	Not Appeared	RUD-32
		17.06.2025	27.06.2025	Not Appeared	
		21.08.2025	29.08.2025	Not Appeared	
		14.10.2025	27.10.2025	Not Appeared	
7	M/s World Cargo Logistics (CHA of MOL)	21.04.2025	29.04.2025	Appeared on 01.05.2025	RUD-33
8	Mr. Anil Kumar Babulal Runthala,	25.07.2025	31.07.2025	Not appeared	RUD-34
		21.08.2025	28.08.2025	Not Appeared	
		14.10.2025	27.10.2025	Not Appeared	
9	Sh. Bhumishth Patel, ex Director of Ms/ Murae Organisior Limited	04.08.2025	12.08.2025	Not appeared. Reply received via email dt.11.08.2025 & letter dt. 08.08.2025	RUD-35
		21.08.2025	02.09.2025	Not appeared. Reply received	

				via email/letter dt.30.08.2025	
		14.10.2025	28.10.2025	Not appeared. Reply received via letter dt.28.10.2025	
10	Sh. Gaurav Bachani, Company Secretariat of M/s Murae Organisor Limited	04.08.2025	11.08.2025	Not appeared. Reply received via letter dt. 11.08.2025	RUD- 36
		21.08.2025	02.09.2025	Not appeared	
		14.10.2025	28.10.2025	Statement recorded 28.10.2025.	
11	Mr. Ashok Kumar Sewda	07.11.2025	14.11.2025	Not appeared.	RUD- 37

In addition to the above, summonses were also issued to Mr. Anilkumar Babulal Runthala and Mr. Ashok Kumar Sewda in respect of the investigation being conducted for M/s KDL & M/s GTL (**RUD-38**) also.

All the above-mentioned summonses and other communications were dispatched through speed post as well as to their respective mail ids. Some of the summonses delivered through speed post were returned undelivered with remark “Left/Address left without instruction/Not known etc”. Whereas, all the communications were always delivered through mail. Moreover, this office had also attempted to serve the respective summons of the importing firm and their key persons through the authorized representative (Advocate) of M/s MOL. However, they have not joined the investigation till date which show their deliberate intention to avoid the investigation and shows that they have nothing to submit in their defense.

14. Whereas, during the investigation of details/facts available on record so far, in respect of import done by the importer, various serious discrepancies were noticed, which are summarized below: -

- In most of the shipments, the final product was found to be “fabric made up of **filament yarn**” which cannot be manufactured from the raw material of **staple fiber yarn**, as declared in respective Form I.
- Similarly, in most of the shipments, the declared raw material used in manufacturing i.e **Nylon/ polyamide**, which cannot be used for manufacturing of fabric made of **polyester**, as found in test reports.
- In various such imports, gross mis-declaration was found in terms of nature and composition of the goods as per test report uploaded.
- Further, in some of the shipments of woven fabric, as per Form-I, the raw material is declared to be of CTH 54077400 and the imported product also declared to be of CTH 54077400, and claimed the origin criteria as PSR (CTSH+VA 40%), however

in order to qualify for the Product Specific Rule Country of Origin criteria as per the India-UAE CEPA Notification 22/2022-Cus. (T) & Notification No. 39/2022-Cus (NT) there has to be **CTSH** level change along with 40% value addition, however no CTH or CTSH level change has occurred.

- Further, in some of the shipments of Knitted / pile fabric, as per Form-I, the raw material is declared to be of CTH 60063400 and the imported product also declared to be of CTH 60063400, and claimed the origin criteria as PSR (CTH+VA 40%), however in order to qualify for the Product Specific Rule Country of Origin criteria as per the India-UAE CEPA Notification 22/2022-Cus. (T) & Notification No. 39/2022-Cus (NT) there has to be **CTH** level change along with 40% value addition, as no change in CTH level has occurred.
- Moreover, in some of the shipments, as per form I, the manufacturing process mentioned therein is “**knitting**”. Whereas, the manufacturing process of the imported product i.e. ‘woven fabric’ should have been ‘weaving’ as woven fabrics cannot be manufactured by the knitting process.

15. Therefore, it is felt that the requisite PSR (Product Specific Rules) value addition criteria i.e. CTSH/ CTH +VA 40% (Chapter 54 and Chapter 60, respectively) under the CEPA Notification No. 22/2022-Customs dated 30.04.2022 cannot be met by the suppliers in manufacturing of the impugned goods. Therefore, the claims of origin made by the importers engaged in import of the said commodity from UAE has raised the suspicion that the PSR criteria for the impugned imported goods has not been fulfilled in accordance with the Rules of Origin stipulated in the CEPA Notification No. 22/2022-Customs dated 30.04.2022, as delineated in Notification No. 39/2022-Customs (N.T.) New Delhi, dated the 30th April, 2022. In view of the above, a verification process in accordance with Rule 22 of the Customs Tariff (Determination of Origin of Goods under the Comprehensive Economic Partnership Agreement between India and the United Arab Emirates) Rules, 2022 read with 6(1)(b) of CAROTAR Rule, was initiated through the FTA Cell, International Customs Division vide this office letter dated 23.05.2025 (**RUD-39**) sent to, which was further referred to Indian Embassy, Abu Dhabi, UAE. As, the ongoing investigation includes a live shipment, hence, a reminder letter dated 22.07.2025 (**RUD-40**) was issued to International Customs Division, New Delhi, in respect of verification request sent by this office vide latter dated 23.05.2025, with request to expedite the reply. The reply and documents received from UAE authority have been analyzed in the later part of the notice.

16. The goods were put on hold on 03.01.2025 & 04.01.2025, and examination of the goods was done on 17/18.01.2025 under the Panchnama, and the goods were seized on 04.04.2025. However, as discussed earlier, despite repeated letters and subsequent reminders, the importer failed to furnish the requisite information relating to the origin criteria of the goods under the provisions of CAROTAR, 2020. The importer did not cooperate with the investigation, as they neither appeared for recording their statement nor responded to the summons issued for confronting the evidence on record and providing the required information. Further, reference had been made vide this office letter dated 22.05.2025 to concerned authority for verification of COO certificate under section 6(1)(b)

and the stipulated time frame to respond to the verification request in terms of the Article 3.22(5)(C) of Chapter-3 of Rules of Origin under India-UAE CEPA is 90 days. Therefore, in view of the reasons mentioned above, as stipulated under the section 110(2) of the Customs Act, an extension of the period of issuance of the SCN under Section 124(a) for six months, was granted by the competent authority, which was communicated to the importer through this office letter 13.06.2025 and mail dated 17.06.2025 (**RUD-41**).

16.1 Meanwhile, the importer was again provided an opportunity vide this office letter dated 10.10.2025 (**RUD-42**) to submit the information in respect of origin criteria and production process of overseas supplier along with respective documents, however, they remained fail to respond till date.

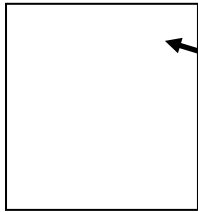
17. During the investigation against M/s Kkrafton Developer Limited, which is also a related/linked importing firm of M/s MOL, the mobile phone (One Plus Nord CE3 Lite 5G Mobile phone, Model – CPH2467 having IMEI No. 86259062200816 & 86259062200808) was resumed from Mr. Gaurav Chakrawarti, under his statement dated 03.01.2025; the forensic examination and data extraction of said phone was conducted under the Panchnama dated 15.01.2025, in presence of Shri Gaurav Chakrawati himself. The Panchnama dated 15.01.2025 and respective certificates/enclosures are placed on record as **RUD-43**.

18. The analysis of data retrieved during the above-mentioned forensic examination was done and following facts/documents/details relevant to the investigation were observed: -

I. During the forensic data analysis of subject mobile phone of Shri Gaurav Chakrawarti, one pdf file having tile as “*Adobe Scan 23 Mar 2024 (2).pdf*” (**RUD-44**) was recovered from the whatsapp group chat (*Participants are as follows:*

- a) 971501284366@s.whatsapp.net Neethu Rema,
- b) 971569489571@s.whatsapp.net Shrikant Sharmaji Dubai - KDL,
- c) 917689858216@s.whatsapp.net Vinit Joshi KDL,
- d) 917984265777@s.whatsapp.net gaurav chakrawarti (owner),
- e) 919998020566@s.whatsapp.net Sachin J,
- f) 260776991950@s.whatsapp.net Anil Sir -Aa,
- g) 917285826939@s.whatsapp.net Ashwini Jadeja,
- h) 918511334516@s.whatsapp.net Parth Adlakha,
- i) 260764378768@s.whatsapp.net Ram,
- j) 971522353384@s.whatsapp.net Neethu Rema,
- k) 2348028785038@s.whatsapp.net GTL Ashokji UAE)

This particular recovered document had been posted to this group by 260776991950@s.whatsapp.net Anil Sir -Aa (identified as Anil Kumar Babulal Runthala). As per the contents of the said document, Mr. Anil Kumar Babulal Runthala is shown as the owner of one of the supplier firm M/s Shukaran Textile (FZC), for the relevant imports by M/s GTL (Linked entity). The said document is reproduced here for ready reference: -



OWNER-
ANIL KUMAR
BABULAL
RUNTHALA

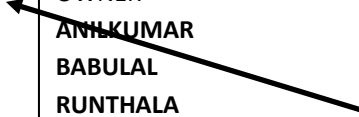


Image VI

The extract of the source whatsapp chat pertaining to above mentioned documents (License Certificate of M/s Shukran Textiles FZC), in the above-mentioned whatsapp group, is reproduced below: -

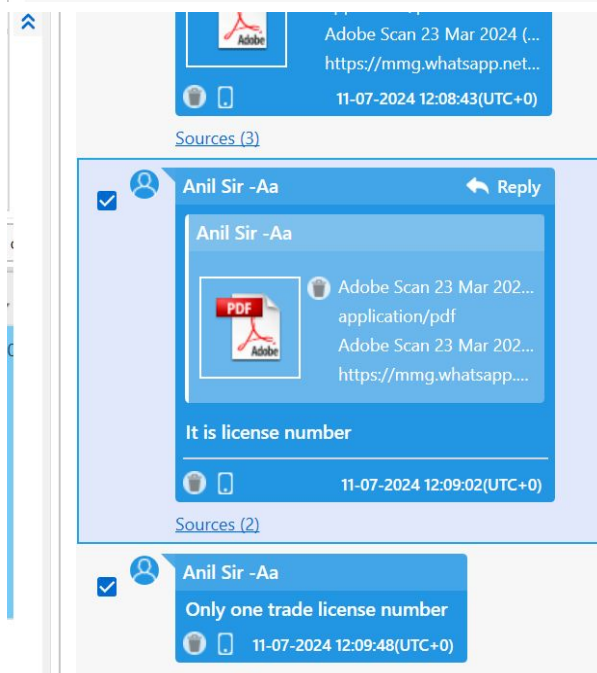
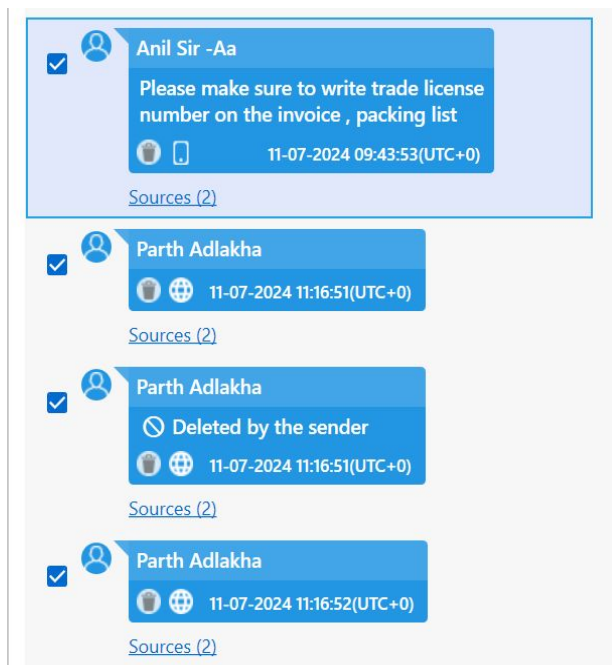
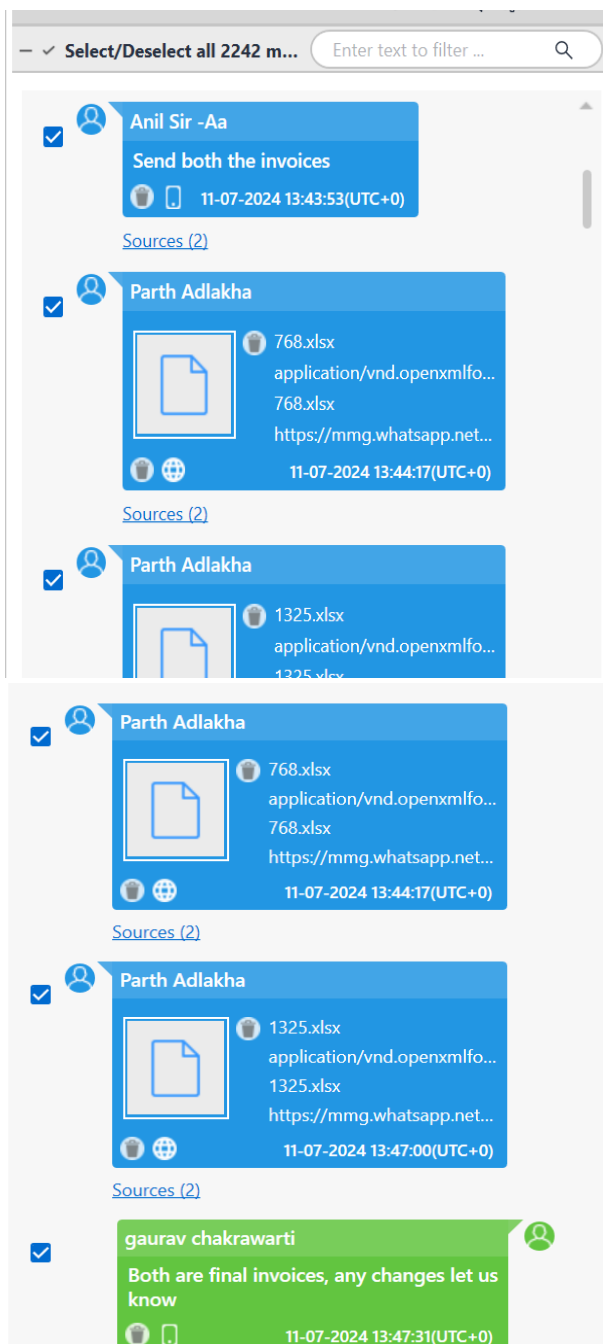


Image VII

Image VIII

**Image IX****Image X**

In the above said conversation only, Sh. Anil Kumar has posted the subject document “*Adobe Scan 23 Mar 2024 (2).pdf*” (Documents showing License No. 24401 regarding Shukran Textile, FZC) to fill the license number in the invoice and packing list and the subject document is reflecting his name as an owner of Supplier’s firm (M/s Shukran). The above conversation clearly shows that Anilkumar Runthala (alias Anil Sir in the above chat) is directing Sh. Gaurav Chakrawarti and other staff regarding preparation of documents which were supposed to be prepared at the Supplier’s end. However, from the sequence of the instructions, file sharing and documents it appears that these documents are being prepared and manipulated in India, under the instructions of Shri Anil Kumar Runthala. It is worth mentioning that Mr. Anil Babulal Runthala, is the person whose name has been emerged as the mastermind in the instant investigation against the subject three importing

firms M/s MOL, M/s KDL and M/s GTL. These findings strongly indicate that the supplier firm and the importer firm are being controlled, managed, and operated by the same set of individuals, thereby pointing towards a connivance with intention aimed at facilitating mis-declaration and wrongful availing of benefits under the **India–UAE CEPA Notification**.

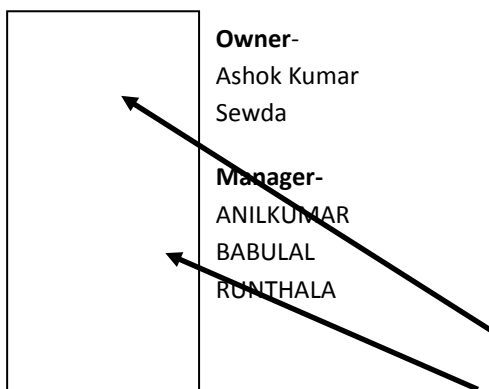
iii. On further analysis of above discussed WhatsApp group chat, it once again clearly appeared that the documents of supplier's end (M/s Suchi Textile FZC) like Invoice & Packing list are being prepared by Sh. Gaurav Cahkravarti, the staff of importer. The relevant portion of the subject chat is reproduced below; -

Table - IX

#	From	To	Direction	Body	Timestamp-Date	Timestamp-Time	Attachment #1	Label
1	917984265777@s.whatsapp.net gaurav chakrawarti	Participants: 971501284366@s.whatsapp.net Neethu Rema, 971569489571@	Outgoing	Pls share COO against shukran 02	29-07-2024	29-07-2024 05:32:27(UTC+0)		
2	917984265777@s.whatsapp.net gaurav chakrawarti	s.whatsapp.net Shrikant Sharmaji Dubai - KDL, 917689858216@	Outgoing		29-07-2024	29-07-2024 05:58:19(UTC+0)	SHU CHI CI-14.xls x	
3	917984265777@s.whatsapp.net gaurav chakrawarti	s.whatsapp.net Vinit Joshi KDL, 917984265777@s.whatsapp.net gaurav chakrawarti	Outgoing		29-07-2024	29-07-2024 05:58:22(UTC+0)	SHU CHI PL-14.pdf	
4	917984265777@s.whatsapp.net gaurav chakrawarti	s.whatsapp.net (owner), 919998020566@s.whatsapp.net Sachin J, 260776991950@	Outgoing		29-07-2024	29-07-2024 05:58:23(UTC+0)	SHU CHI CI-14.pdf	
5	917984265777@s.whatsapp.net gaurav chakrawarti	s.whatsapp.net Anil Sir -Aa, 917285826939@s.whatsapp.net	Outgoing		29-07-2024	29-07-2024 05:58:23(UTC+0)	SHU CHI PL-14.xls x	
6	917984265777@s.whatsapp.net Shrikant Sharmaji Dubai - KDL	Ashwini Jadeja, 918511334516@s.whatsapp.net Parth Adlakha, 260764378768@s.whatsapp.net Ram, 971522353384@	Incoming	@917984 265777 mention the gross weight in the invoice also	29-07-2024	29-07-2024 10:31:20(UTC+0)		Reply
7	917984265777@s.whatsapp.net gaurav chakrawarti	s.whatsapp.net Neethu Rema, 2348028785038@s.whatsapp.net	Outgoing	Noted	29-07-2024	29-07-2024 10:31:35(UTC+0)		

8	917984265777@s.wh atsapp.net gaurav chakrawarti	GTL Ashokji UAE	Outg oing		29-07- 2024	29-07- 2024 10:35:16(UTC+0)	SHU CHI CI- 14.pdf	
9	917984265777@s.wh atsapp.net gaurav chakrawarti		Outg oing		29-07- 2024	29-07- 2024 10:35:17(UTC+0)	SHU CHI CI- 14.xls x	

II. Further, 1 more document was also recovered from the mobile data of Mr. Gaurav Chakrawarti, showing Mr. Ashok Kumar Sewda as the owner and Sh. Anil Kumar Runthala as manager of another supplier firm of M/s KDL namely M/s Shuchi Textile (FZC). The subject document is **RUD-45** and reproduced here for ready reference: -



حكومة الشارقة
GOVERNMENT OF SHARJAH



SAIF ZONE
هيئة المنطقة الحرة لمجموع وشركة دبي
SHARJAH AIRPORT INTERNATIONAL FREE ZONE AUTHORITY

شهادة ترخيص
License Certificate

LICENSE NO.	24468	رقم الرخصة	٢٤٤٦٨
NAME	SHUCHI TEXTILE (FZC)	الاسم	شوتشي تكستائل (ش.م.ح)
LEGAL STATUS	Free Zone Co. with Limited Liability	الشكل القانوني	شركة منطقة حرة ذات مسؤولية محدودة
TYPE OF LICENSE	Industrial	نوع الرخصة	صناعية
ACTIVITY(S)	Textile Fibers Preparatory Operations	النشاط	العمليات التحضيرية على ألياف النسيج
OWNER(S)	ASHOK KUMAR SEWDA SHANKAR LAL SEWDA MANOJ PRAJAPATI SHANKARBHAI PRAJAPATI	المالك	أشوك كومار سويدا شانتكار لال سويدا منوج براجاباتي شانتكارباي براجاباتي
MANAGER	ANILKUMAR BABULAL RUNTHALA BABULAL RAMPRATAP RUNTHALA	المدير المسؤول	أنيل كومار بابولال رونثالا بابولال رامبراتاب رونثالا
SAIF-ZONE ADDRESS	400 M2 Warehouse A2-030 Sharjah - U.A.E	العنوان في المنطقة الحرة	مستودع ٤٠٠ م ٢ إيه ٠٣٠ - ٠٣٠ الشارقة - أ.ع.م
INCORPORATION DATE	08 May 2024	تاريخ عقد التأسيس	٠٨ مايو ٢٠٢٤
ISSUE DATE	08 May 2024	تاريخ الاصدار	٠٨ مايو ٢٠٢٤
EXPIRY DATE	07 May 2025	تاريخ الإنتهاء	٠٧ مايو ٢٠٢٥
REMARKS	<p>THIS LICENSE IS ISSUED AND BASED UPON EMIRI DECREE NO. 2 OF 1995 ISSUED IN SHARJAH ON MAY 8, 1995</p> <p>هذه الرخصة صغرة استغنا الى المرسوم الأميري رقم ٢ لسنة ١٩٩٥ الصغر في الشارقة بتاريخ ٨ مايو ١٩٩٥</p> <p>THIS LICENSE IS GRANTED TO THE LICENSEE ONLY AND SHALL NOT BE LEASED OR TRANSFERRED WITHOUT PRIOR APPROVAL OF THE SAIF ZONE</p> <p>هذه الرخصة منوطة لترخيص له فقط ولا يجوز تأجيرها أو تحويلها إلا بموافقة هيئة المنطقة الحرة لمطار الشارقة الدولي</p> <p>SALES IN U.A.E. SHALL BE CARRIED OUT IN ACCORDANCE WITH THE VALID LAWS AND REGULATIONS THEREOF</p> <p>تتم اصال البيع داخل الدولة وفقا للنظم والقوانين السارية فيها</p>		

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- 2- Scan the QR code.
- 3- Visit the website:
<https://portal.saif-zone.com/LicenseDetail.aspx>



للتحقق من صلاحية الرخصة:

- 1- رسالة نصية قصيرة (SMS) إلى الرقم 2514 مع رقم الرخصة.
- 2- مسح رمز الاستجابة السريع (QR Code)
- 3- زيارة الموقع الإلكتروني:
<https://portal.saif-zone.com/LicenseDetail.aspx>

هذه الوثيقة رسمية ولا تحتاج لختام أو توقيع
This document is official and it does not need to be stamped or signed

Date : 08/05/2024
~v5~

التاريخ: ٢٠٢٤/٠٥/٠٨

Image: XI

It is worth mentioning that Mr Anil Kumar Babulal Runthala, along with Sh. Ashok Kumar Sewda are the person, whose name has emerged as the mastermind in the instant investigation against M/s MOL and other related importing firm's M/s GTL & M/s KDL. The above fact has also been admitted by Sh. Gaurav Chakrawarti in his statement dt. 30.10.2025 as discussed in the upcoming paragraphs.

III. A voice note having file name **PTT-20240920-WA0010.opus** was recovered from the WhatsApp chat of Gaurav with Shrikant Sharmaji, Dubai-KDL, **(RUD-46)** wherein Mr. Shrikant Sharma is instructing Mr. Gaurav to prepare the Invoice and Packing List, from which it reflects that import documents are being prepared by Mr. Gaurav on direction of Mr. Shrikant Sharma, who appears to be an UAE based assistant of mastermind. Moreover, various relevant draft invoice was also recovered from the same WhatsApp chat **(RUD-47)**.

IV. In the above discussed WhatsApp chat, a draft invoice, having file name *shuchi to modern.pdf* (**RUD-48**) was recovered, which is being forwarded by Mr. Gaurav Chakrawarti to Mr. Shrikant; the same draft invoice is regarding supply of fabric under CTH 60063400 (other knitted or crocheted fabric, of synthetic fibers, Dyed print 100% polyester knitted fabric), from Shuchi Textile (FZE), UAE to Modern Fabric Solutions (FZC), UAE, from which it appears that documents regarding local purchase/supply at UAE were being fabricated by the employees of importer, so that they can issue COO certificate of UAE origin. The subject goods mentioned in the said draft invoice is same which is being imported into India by instant importer. Thus, the presence of an unsigned, editable draft invoice for an alleged intra-UAE transaction, created and circulated internally by the importer's staff, indicate that the UAE-based commercial trail was *not* generated independently by the suppliers, but was instead being created and managed within India to falsely substantiate origin claims.

V. In the WhatsApp chat of Gaurav with Shrikant Sharmaji Dubai-KDL, a proforma Invoice having file name *SE 04.pdf*, having mentioned Invoice No. 24-25/SEG/04 dated 24.06.2024 issued by M/s Shiva Exports (H.K.) Limited, Kowloon, Hong Kong, to M/s Murae Organisor Limited, was found (**RUD-49**), it was forwarded by Shrikant Sharma Dubai (+971569489571, to Gaurav Chakrawari and after that a voice note No. **PTT-20241030-WA0007**.opus dated 30.10.20224 sent by Mr. Shrikant was found in the same chat in which he instructed Mr. Gaurav to modify some details, from which it appears that documents of supplier's end were being modified/manipulated/edited by the Gaurav Chakrawarti, in order to get undue benefits of India UAE CEPA notification. The same audio note is reproduced as below; -

“अभी यूजीटी चेंज करके और ये वाली डिटेल् डालनी है तो फिर भी कुछ कन्फ्यूजन है तो एक बार अशोक जी से बात कर लो ...समझ लो... तो कोई अपन से मिस्टेक नहीं होगी”

Thus, it is observed that Shri Ashok Sewda played a key role in the import transactions, acting as a key liaison between the supplier and the importer. His involvement included coordinating documentation, communicating with overseas counterparts, and assisting in the submission of Form I and other import-related papers. His activities indicate that he was actively engaged in qualifying the importer's claim of CEPA benefits.

VI. Examination of whatsapp group chat namely "Lotus ~ SHUKRAN" [Anil Sir -Aa (260776991950@s.whatsapp.net) changed the subject from "Lotus ~ SHUKRAN" to "Lotus ~ SHUCHI"], in which Shrikant Sharma, Anil Kumar Runthala, Mr. Ashok are members besides other persons; -

- From the subject WhatsApp chat of above discussed mobile phone, the UAE Customs Exit Certificate No. 2410667 dated 29.11.2024, pertaining to consignment destined to Mundra/India, pertaining to container number BSIU8050941 (pertains to the Seized BoE – 7275866 dated 16.12.2024), were recovered and as per which the seal number of subject shipment is mentioned as **3777765**, whereas the seal number for the same container on the respective Bill of lading No. AJAS2411000193 dated 27.07.2024 is found to be **021106**, and the photo of subject seal was also recovered from the same whatsapp chat, which shows the interference of the importer side

persons in supplier firms operation and from which it also appears that some tempering/manipulation has been done before arrival of subject shipment to India. All the above-discussed recovered export documents, respective BL are enclosed to this notice as **RUD-50**. Similarly, various other documents (pertaining to consignment destined to M/s MOL, Mundra, India) were also recovered (**RUD-51**) where similar discrepancies were noticed, some of them are tabulated as under : -

Table- X

S r .	Container Number	Respective Customs Exit/ UAE Export Documents	Seal Number in UAE Customs Exit Document	Respective BL and BoE	Seal number mentioned in BL
1	CSDU885 8953	2410668 dated 29.11.2024 & 1-3-60-2-24-44453 dated 29.11.2024	3777772	AJAS2412000194 , BoE 7275863 dated 16.12.2024	001135
2	GVCU535 3013	2410657 & 1-3-60-2-24-41992 dated 13.11.2024	3776263	ASL/JEA/MUN-2125/24, BoE 6908216 dt. 37.11.2024	104445
3	ZGXU611 5182	2413058 & 1-3-60-2-24-46253 dated 13.12.2024	3821679	CIAJEAMUN240 1788; BE No. 7515448 dated 29.12.2024	H208186

- Whereas, the renaming action of the group from “Lotus ~ SHUKRAN” to “Lotus ~ SHUCHI” by Shri Anil Kumar Runthala indicates active and direct control over multiple supplier firms. Further, the repeated pattern of mismatched seal numbers across multiple consignments shows a systematic modus operandi rather than an isolated irregularity, suggesting deliberate concealment and potential substitution or alteration of goods in transit.
- Further, in the above mentioned whatsapp chat, a voice note having file name as “**PTT-20240719-WA0002.opus**” was recovered (**RUD-52**), which is sent by Mr. Srikant Sharma and from which it appears that supplier firms namely Shuchi Textiles (FXC) and Sukran Textile (FZE) both are being managed by them and mentioning that they need not to mix up the documents pertaining to both the firms and keep separate record. Thus, it indicates that the supplier firms are being centrally operated by them only.

VII. Further, from the whatsapp group chat namely “Documents INWARD”, it is found that Mr. Anil Kumar Runthala (Anil Sir -Aa 260776991950@s.whatsapp.net) is handling overall management of the supplier as well as the importing firm; also, from the directions of Sh. Anil Sir below : “*All the container coming from Sharjah will be in Kkrrafton Name till I*

change the name of the consignee” it appears that Mr. Anil Runthala is also handling other firms as well (M/s GTL & M/s KDL) besides M/s MOL; some of the relevant screenshots of such WhatsApp message are reproduced here:

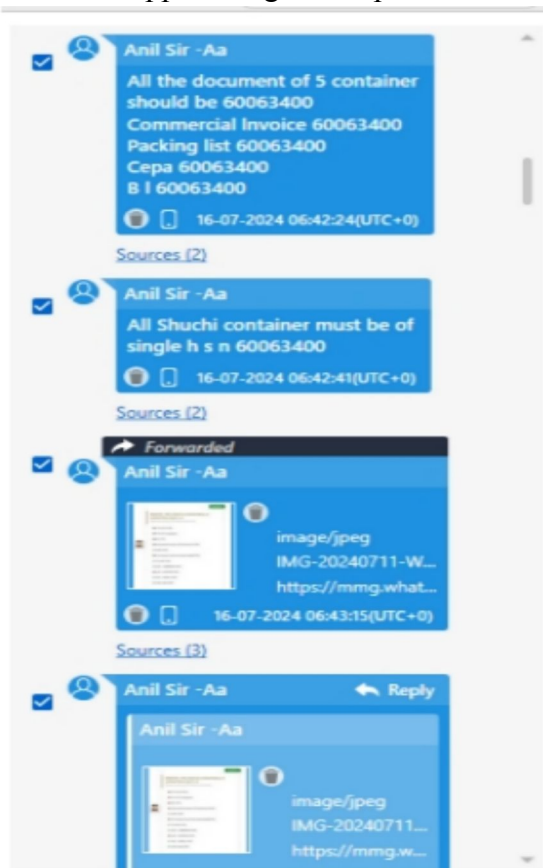


Image: XII

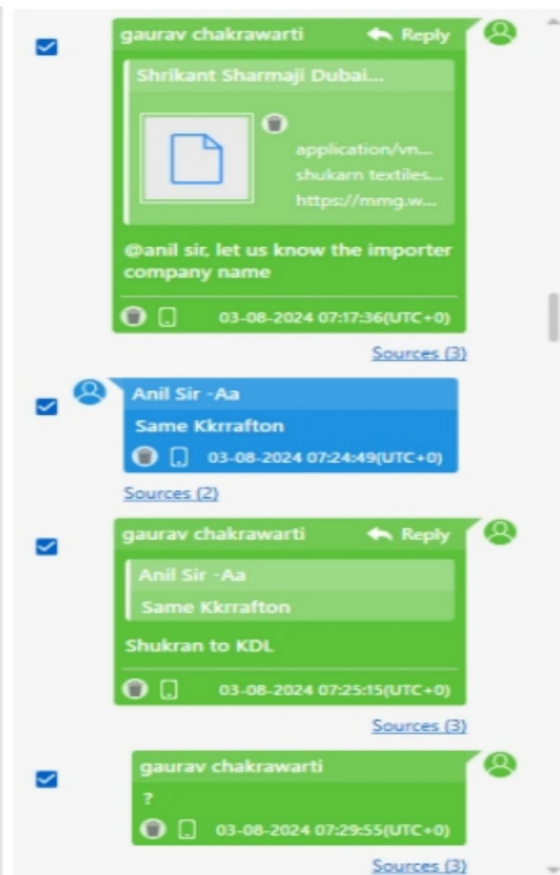


Image: XIII

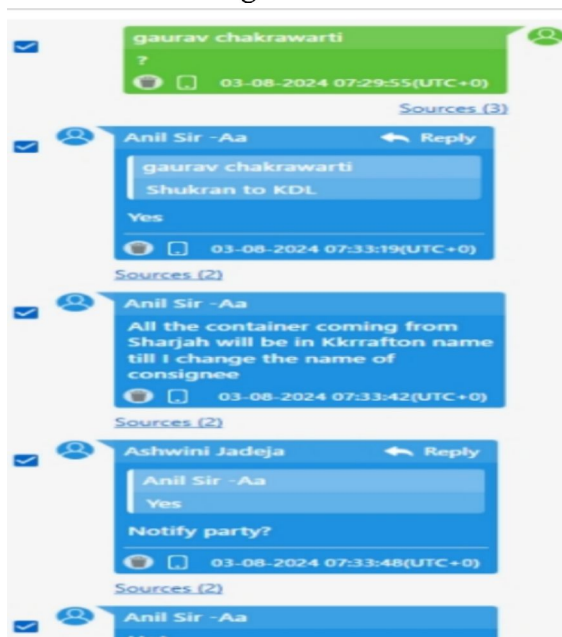


Image: XIV

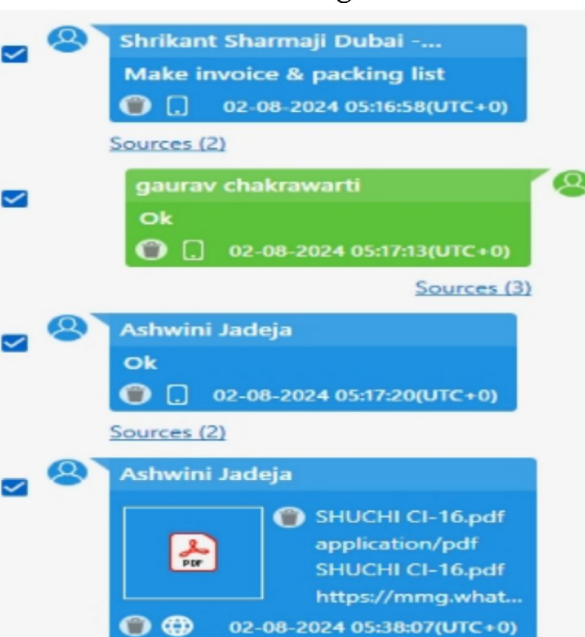


Image: XV

- Further in the same chat Mr. Shrikant Sharma is instructing Mr. Gaurav Chakrawarti to prepare the invoice and packing list in relation to import consignment and Mr. Gaurav is noting the same; screenshot of one such chat is reproduced above; -

change the name of the consignee” it appears that Mr. Anil Runthala is also handling other firms as well (M/s GTL & M/s KDL) besides M/s MOL; some of the relevant screenshots of such WhatsApp message are reproduced here:

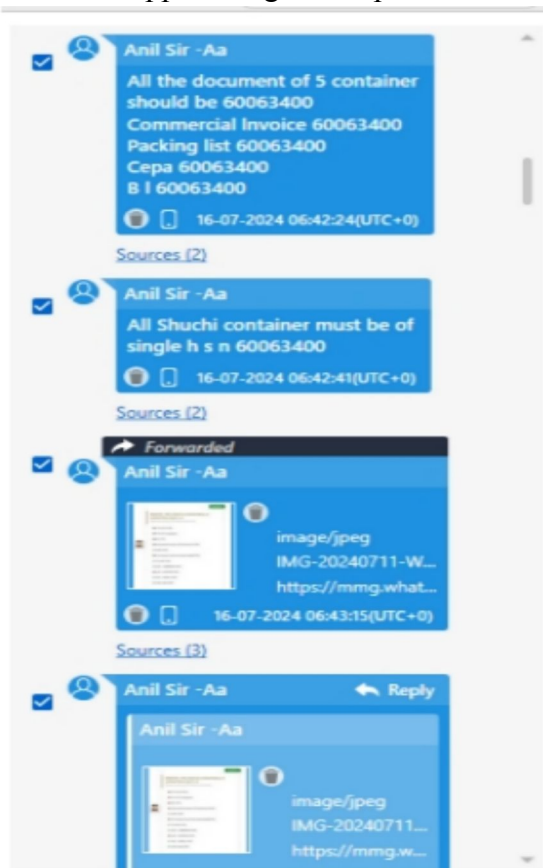


Image: XII

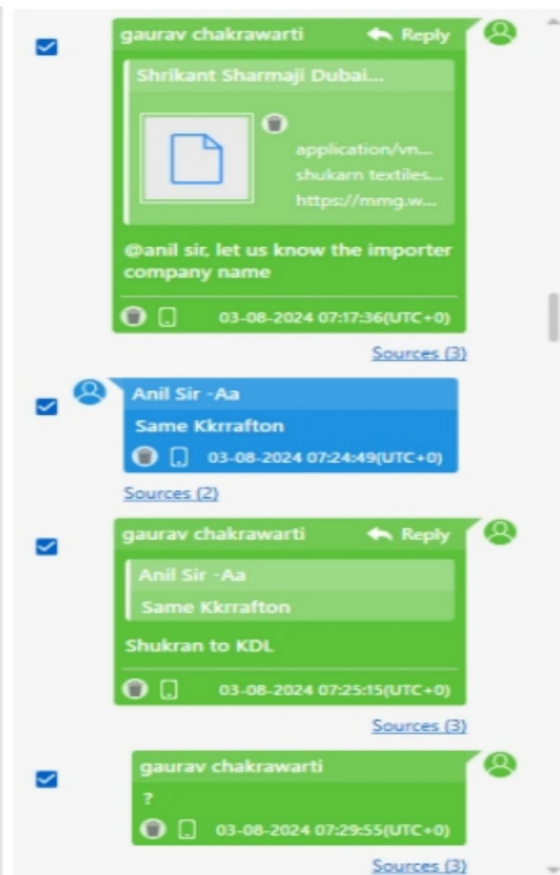


Image: XIII

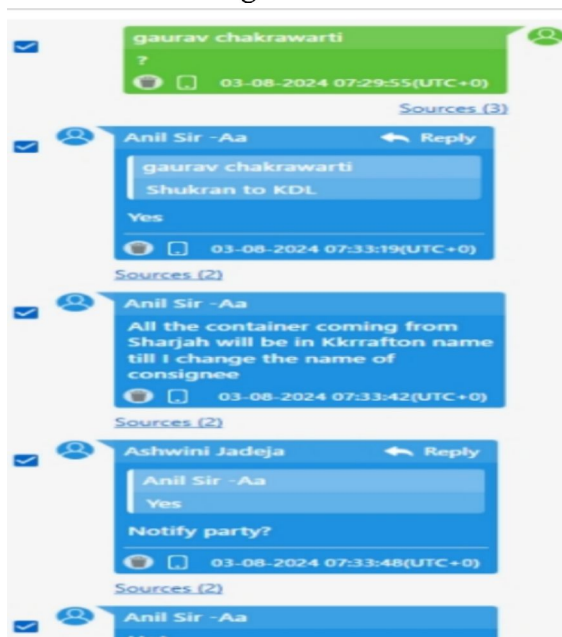


Image: XIV

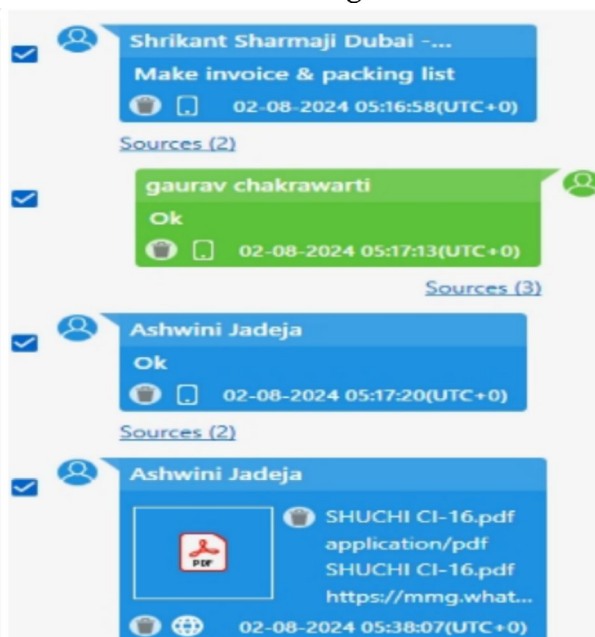


Image: XV

- Further in the same chat Mr. Shrikant Sharma is instructing Mr. Gaurav Chakrawarti to prepare the invoice and packing list in relation to import consignment and Mr. Gaurav is noting the same; screenshot of one such chat is reproduced above; -

- Further in the same chat Mr. Ashok Sewda is also found instructing Mr. Gaurav Chakrawarti in relation to import consignment and Mr. Gaurav is noting the same; Mr. Gaurav Chakrawarti was asking “for which company KDL or GTL” then Mr. Sewda was replying “GTL” and saying that “when KDL is finished then we will start GTL”,; further one Mr. Shrikant found saying *Consignee Murae HSN 54077400 Rate 2.95; Notify party UGT*; and subsequently some draft invoices were also shared in respect of supply M/s Shuchi to M/s MOL, from which it is clear that importing firm M/s GTL and KDL were also being managed by them along with M/s Murae Organisator Limited and they were only deciding that flow of shipment because the supplier firm was also in their control; relevant screenshot of such chat communication is reproduced below; -

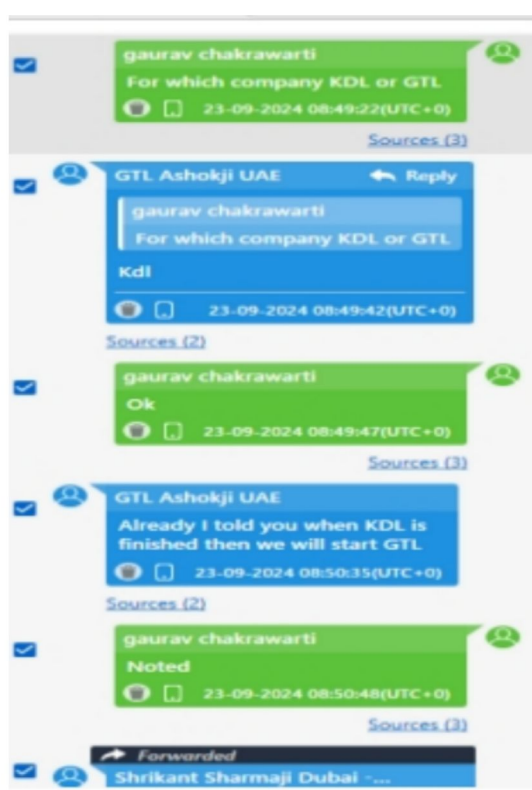


Image: XVI

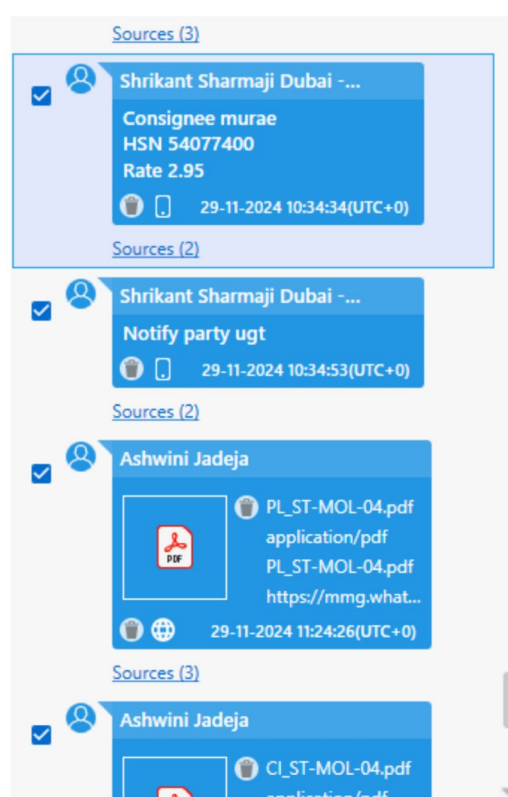


Image: XVII

- Moreover, from the same WhatsApp group chat it appears that the documents to show local supply purchase at Dubai for supplier firms were also being prepared by the importer's team because in one of such chat Mr. Shrikant was found instructing to prepare local (UAE) Invoice from Shuchi to Shukran.

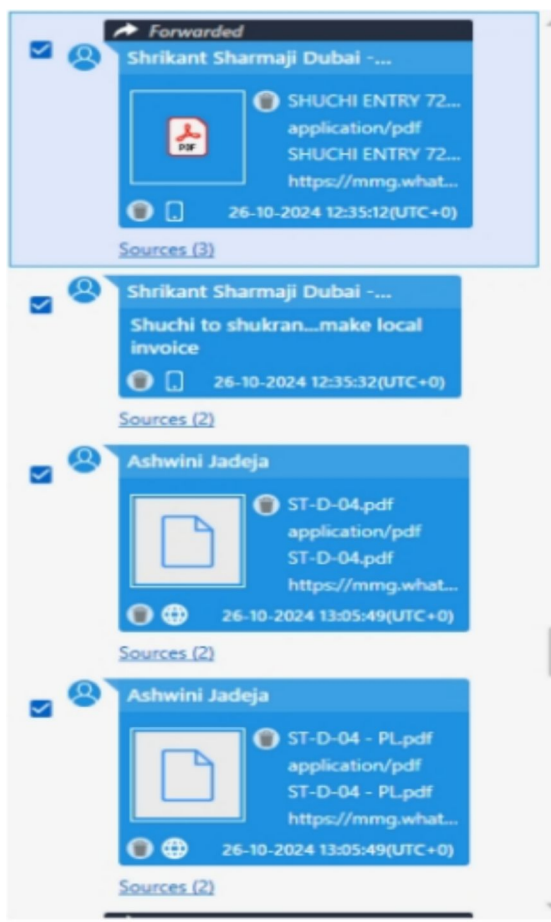


Image: XVIII

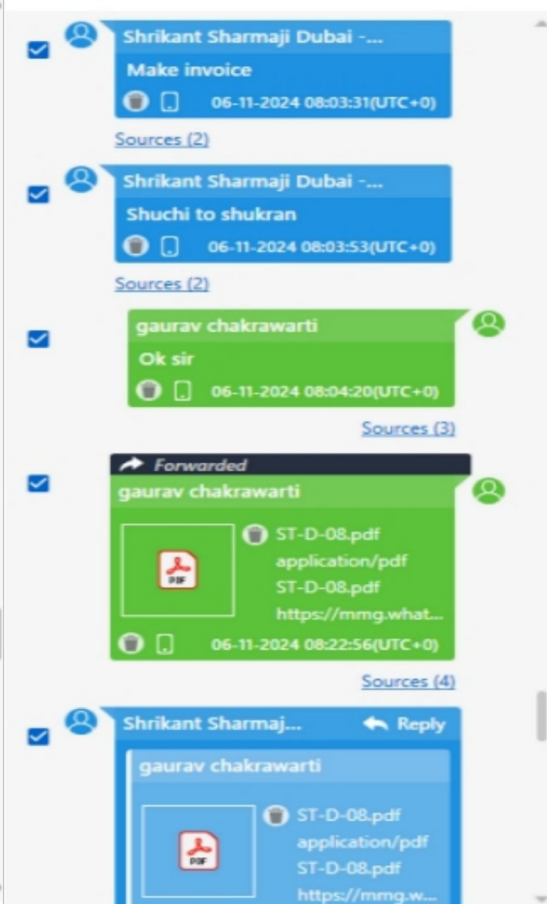


Image: XIX

Moreover, in corroboration of the above, draft of UAE Local supply invoice having file name '*STD 06 -INVOICE*' and UAE local supply Packing List having File Name "*ST-D-06 - PL*", were also recovered (**RUD-53**) from the same chat, which are reproduced below, and from perusal of the same it is again clear that the UAE based local supply documents were also being prepared/manipulated by the importer as per their whims & fancies; -

SHUCHI TEXTILES (FZC)

400 M2 WAREHOUSE, A2-030 SAIF ZONE, SHARJAH U.A.E.

INVOICE

CONSIGNEE

SHUKRAN TEXTILE FZC

SHARJAH

INVOICE NO: STD006

DATE: 30.10.2024

ORIGIN: INDIA

MARKS & NOS	DESCRIPTION	QUANTITY KGS	RATE AED Per Piece/KGS	TOTAL AMOUNT AED
01 TO 386	FABRICS HS CODE 52081130	21121.00 KGS	19.00/KGS	401299.00
		21121.00 KGS	19.00/KGS	401299.00

TOTAL AMOUNT SAID IN AED: FOUR LAKHS ONE THOUSAND TWO NINETY-NINE ONLY.

SHUCHI TEXTILES (FZC)

400 M2 WAREHOUSE, A2-030 SAIF ZONE, SHARJAH U.A.E.

PACKING LIST

CONSIGNEE

SHUKRAN TEXTILE FZC

SHARJAH

INVOICE NO: STD006

DATE: 30.10.2024

ORIGIN: INDIA

MARKS & NOS	DESCRIPTION	QUANTITY KGS	NET WT KGS	GROSS WT KGS	MEAS (CBM)
01 TO 386	FABRICS	21121.00KGS	21121.00KGS	21314.00KGS	69.00 CBM
TOTAL	386 PKGS	21121.00KGS	21121.00KGS	21314.00KGS	69.00 CBM

Image: XX

Besides the above, numerous other draft Invoices regarding local procurement/supply were also recovered from the same whatsapp chat (**RUD-54**).

Image: XXI

- Thus, from examination of the same whatsapp chat, it appears that the importer is preparing the supplier’s end documents and which were not for actual transaction of the goods, therefore various technical discrepancies occurred; in one of such instance employee of importer Mr. Gaurav has pointed out that in process of fabricating the documents they mistakenly prepared the Bill of Lading prior to issuance of COO and therefore they have to add “Issued retrospectively” in the column of Remark in the COO. The screenshot of relevant WhatsApp chat is reproduced below; -

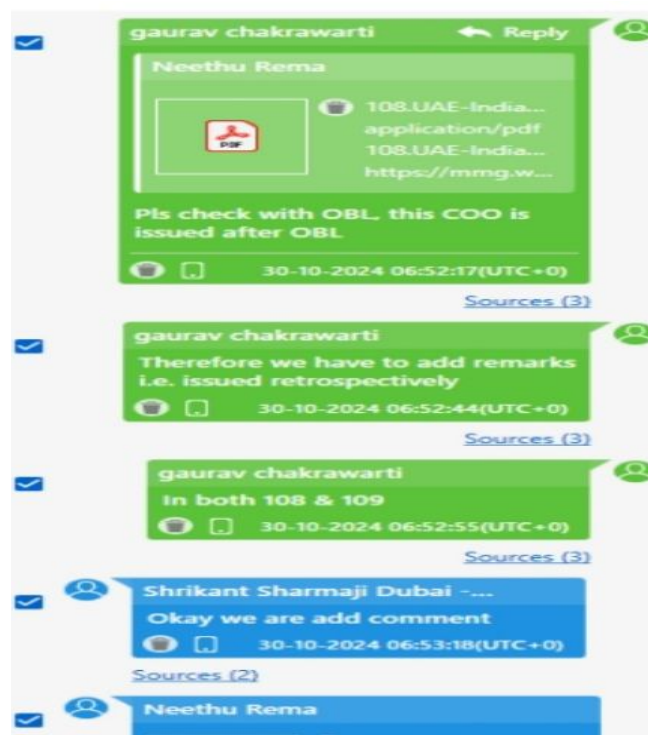


Image: XXII

- Further, draft as well as prepared copy of various Form I certificates, which were declared with the BoEs, were also recovered (**RUD-55**) from the WhatsApp group chat with title “Documents Impex” which shows that they were not only fabricating local supply/procurement but they were also fabricating the Form I.

VIII. In the WhatsApp chat of Gaurav (917984265777@s.whatsapp.net) with Shrikant Sharmaji Dubai-KDL(971569489571@s.whatsapp.net), an excel sheet having file name “OVERALL SHUKRAN IN-OUTWARD SHEET.xlsx” has been recovered (**RUD-56**). On perusal of the said sheet it is noticed that most shipments are either being routed internally between the UAE based supplying firms or if procured from another firm, the same was just shown transferred/supplied/routed to fabricate supply/manufacturing documents because it is not feasible to manufacture the subject finished product from the raw material mentioned against them.. The relevant portion of subject excel sheet in respect of M/s MOL is reproduced below; -

MONTH: JULY									
INWARD									
SR. N	DATE	INVOICE NO	SUPPLIER NAME	CONSIGNEE NAME	NOTIFY PARTY	HSN	DESCRIPTION OF MATERIAL	QUANTITY IN ROLLS/MTR/KG	TOTAL NUMBER OF PACKAGE
8	6-Nov-24	ST/D/09	SHUCHI TEXTTILES FZC	SHUKRAN TEXTILES FZC	-	52081130	FABRICS	18696.28	318
9	6-Nov-24	ST/D/08	SHUCHI TEXTTILES FZC	SHUKRAN TEXTILES FZC	-	52081130	FABRICS	18390.32	261

Image: XXIII: Screenshots of Inward part of the above-discussed “SHUKRAN IN-OUTWARD SHEET.xlsx”

OUTWARD									
SR. N	DATE	INVOICE NO	SHIPPER NAME	CONSIGNEE NAME	NOTIFY PARTY	HSN	DESCRIPTION OF MATERIAL	QUANTITY IN ROLLS/BALES/N	TOTAL NUMBER C
8	7-Nov-24	STF/MOL/2425/01	SHUKRAN TEXTILE (FZC)	MURAE ORGANISOR	SHIVA EXPORTS (H.K.) LIMITED	60063400	Other Knitted or Crocheted Fabrics, Of printed synthetic fibres,	18696.28	318
9	7-Nov-24	STF/MOL/2425/02	SHUKRAN TEXTILE (FZC)	MURAE ORGANISOR	SHIVA EXPORTS (H.K.) LIMITED	60063400	Other Knitted or Crocheted Fabrics, Of printed synthetic fibres,	18390.32	261

Image: XXIV- Screenshot of Outward part of the above-discussed “*SHUKRAN IN-OUTWARD SHEET.xlsx*”

From perusal of above discussed sheets, it becomes clear that how the shipments were being locally transferred internally between the supplying local UAE firms to show the local supply and documents were being fabricated just for the sake of records because there was no processing or value addition; this fact becomes amply clear from the perusal of above Inward – Outward details, because the inward raw material shown in the above document is under HSN 52081130, whereas the outward product (product supplied to M/s MOL) is under HSN 60063200, and it is established fact that HSN 5208 is a woven cotton fabric, while HSN 6006 is a knitted/crocheted fabric; a woven fabric cannot be converted into a knitted fabric.

IX. Further, In the same WhatsApp chat of Gaurav (917984265777@s.whatsapp.net) with Shrikant Sharmaji Dubai-KDL(971569489571@s.whatsapp.net), another excel sheet having file name “OVERALL SHUCHI_IN-OUTWARD SHEET.xlsx” has been recovered (**RUD-57**), where record of all inward and outward shipments has been maintained. On perusal of the said sheet, it is clear that mostly shipments are either being routed internally between the UAE based supplying firms or if procured from another firm, the same was just shown transferred/supplied/routed to fabricate supply/manufacturing documents because it is not feasible to manufacture the subject finished product from the raw item mentioned against them, the subject finished product are further being supplied into India. **Although the instant document does not contain details in respect of M/s MOL, but it is sufficient to show the modus operandi adopted by them.**

The detail mentioned in the above discussed excel sheet is exactly corroborating with import shipments supplied to M/s MOL and other related importing firms - M/s KDL & M/s GTL, as the relevant invoice numbers are mentioned there. Further, examination of the accompanying Excel file revealed two additional worksheets in which the inward and outward quantities of M/s Shuchi Textile FZC, UAE were found recorded in terms of weight and square meters (SQM). A bare perusal of these sheets clearly shows that the entries have no correlation with any actual processing or manufacturing activity. It appears that these local procurement document had been submitted by the supplier before the UAE COO-issuing authority during issuance of the COO for preferential rate of duty availment under CEPA. The available evidences strongly indicate that these sheets/ documents were merely created to give an appearance of production records, and were in fact fabricated only for documentation purposes.

X. WhatsApp group chat, having member Gaurav Chakrawarti 917984265777@s.whatsapp.net, GTL Anilsir 917227013359@s.whatsapp.net, Sachin J 919998020566@s.whatsapp.net :-

- From this chat it appears that Anil Kumar Runthala was the main person, who was handling the firm M/s KDL and M/s MOL since inception, as when the registration of the firm was being done Mr. Runthala was giving necessary direction to Mr. Gaurav.

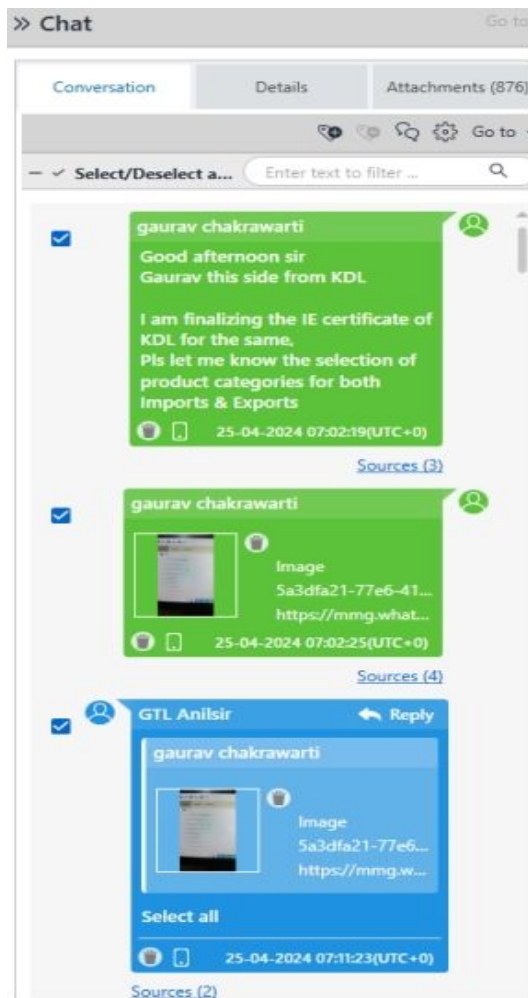


Image: XXV

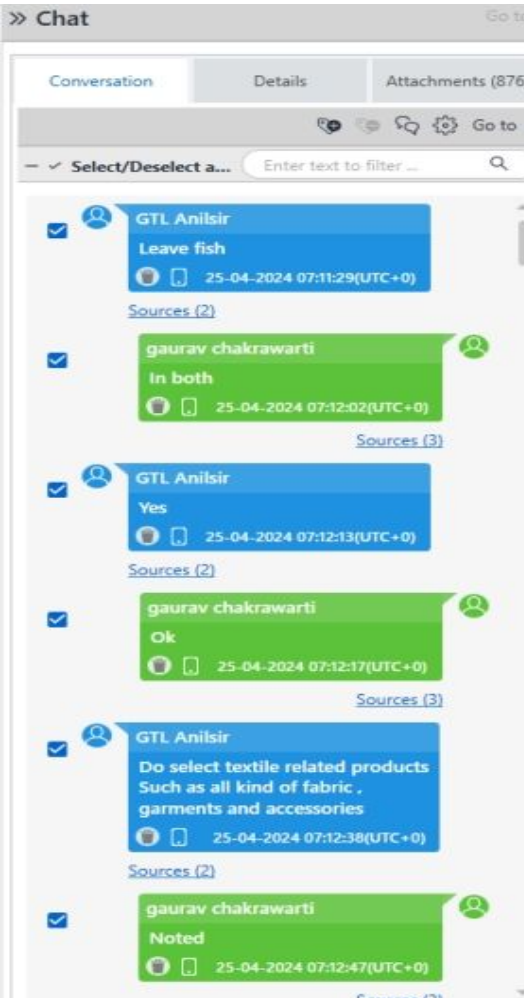


Image: XXVI

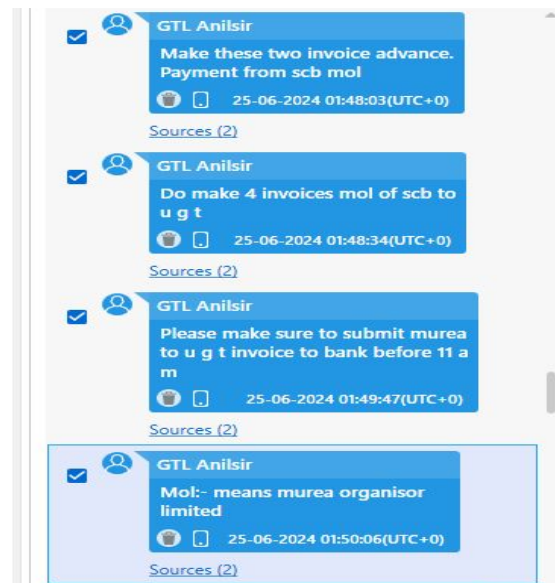


Image: XXVII

- Further, from the above said whatsapp chat one communication was observed in which Mr. Anil Kumar Runthala is providing the scanned copy of the stamp and photograph of signature for the supplier M/s Shuchi Textile to Gaurav and instructing to use the same for fabricated documents, the relevant part of the conversation is reproduced below; -

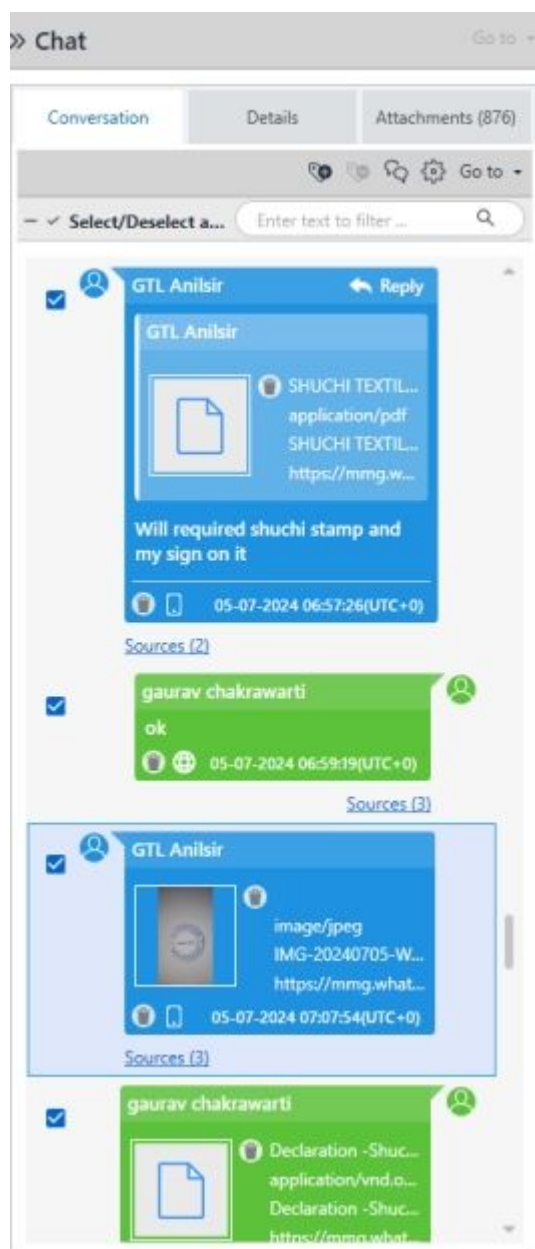


Image: XXVIII

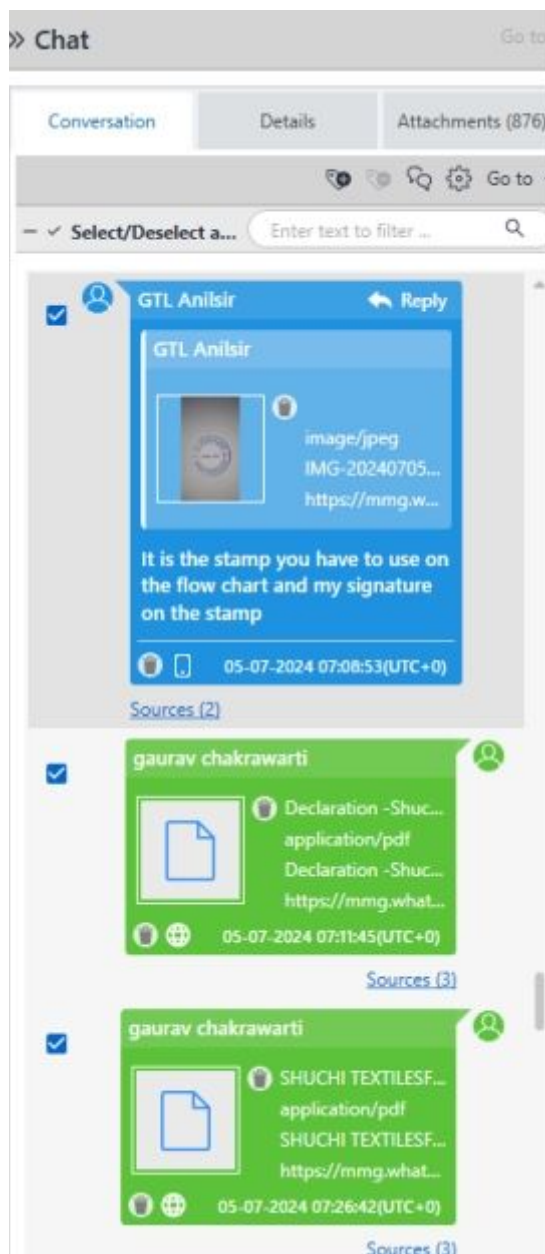


Image: XXIX

- The photograph of above discussed stamp and signature, recovered from the subject chat is reproduced below; -



Image: XXX



Image: XXXI

Thus, this further establishes that crucial supplier-side documents, which are legally required to emanate from the foreign exporter, were in fact being generated domestically by the importer. This thereby vitiates the authenticity of the entire documentation chain to falsely portray UAE origin for the purpose of availing ineligible preferential benefits under the India-UAE CEPA.

XI. Whereas, a document having file name “IMG-20240906-WA0012.jpg” is recovered from forensic data examination of whatsapp chat held between Mr. Gaurav Chakrawarti and person namely ‘Praveen Sir Ahmedabad, which is a screenshot of a news regarding rejection of a bail of Mr. Anilkumar Babulal Runthala, who had been arrested in 175.93 Crore GST refund scam; from this it is clear that Anilkumar Runthala is a habitual offender; the subject file is reproduced below:

6.5 लाख+
3.75 लाख+
2 करोड़+

सरकारी नौकरी
संविदा पर नौकरी
निजी क्षेत्र/एनएसएनई-नॉ

Mumbai: The sessions court has rejected the bail plea of 43- year-old businessman from Ahmedabad Anilkumar Babulal Runthala arrested in connection with Rs 175.93 crore GST refund scam involving tax officials.

As per the prosecution case, between 2020-21, the accused passed bogus bills and refunds to the tune of Rs175.93 crore into 16 bogus companies.

As per the departmental inquiry funds to the tune of Rs39.11 was transferred into the account linked to Runthala.

Read Also

Mumbai: Sessions Court Grants Anticipatory Bail To 46-Year-Old Man In Rape Case Filed By Former...

Image: XXXII

XII. Discrepancies based on forensic of data recovered from the mobile of Sh. Gaurav Chakrawarti and import documents available on ICEGATE E sanchit, in respect of Consignments : During the examination of data retrieved from the mobile phone of Gaurav Chakrawarti, in a WhatsApp group chat, various incriminating documents viz. 'Customs Exit documents along with relevant Export documents, Commercial Invoice (Shuchi/Shukran to MOL), UAE Local Purchase Document (issued by UAE Customs Authority), respective UAE Local Purchase Invoice & Packing List,' have been recovered **(RUD-58)** in respect of various import shipments imported by M/s MOL from M/s Shukran Textile FZC, UAE. The subject documents are correlated with the import consignment on the basis of import invoice recovered with respective documents and respective quantity of goods /no. of packages. On perusal of subject incriminating documents, various discrepancies like deviation in raw material declared by the supplier/importer in the subject document in comparison to the FORM I; incompatible raw material for finished product etc. The details gathered from the subject documents are tabulated below as per their respective import shipments: -

Table- XI

The details from the documents recovered from forensic data examination		Respective BE/Date; Invoice/No. of Qty/Roll/Pkgs, Invoice (Shuchi to M/s MOL)	Details from respective import documents	
UAE Local supply Invoice	Details Raw Material procured		Details of goods as declared	CTH - Raw Material as per Form I
Invoice No.ST/D/08 dt.06.11.2024 (Shuchi to Shukran)	Fabrics under HS Code: 52081130 /52081100	6942116 dt. 28.11.2024 ; STF/MOL/2425/02 dt.07.11.2024; (261 Pkgs)	Other knitted or crocheted fabrics, Of synthetic fibers (HSN 60063400)	55091100- Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn
Invoice No.ST/D/09 dt.06.11.2024 (Shuchi to Shukran)	FABRICS under HS Code: 52081130 /52081100	6801365 dt. 21.11.2024 ; STF/MOL/2425/02 dt.07.11.2024; (318 Pkgs)	Other knitted or crocheted fabrics, Of synthetic fibers (HSN 60063400)	55091100- Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn

In view of above summarized details following observation/discrepancies are worth mentioning: -

- Based on the above chain of documents, there has been a major manipulation of the documents by the supplier in connivance with the importer. The description of the raw material is different in the above raw material purchase invoice and the Form-I submitted at the time of clearance of the goods. The Supplier procurement documents consistently show **woven cotton fabric (CTH 52081100 / 52081130)**, whereas

FORM-I claims raw material of **nylon/polyamide staple fibre yarn**—two completely different materials.

- **Technical impossibility:** Further, the actual raw material “Fabrics under HSN Code: 52081100 or 52081130” cannot be used to manufacture goods namely, other knitted or crocheted fabrics, of synthetic fibers (HSN60063400), which further shows misdeclaration at the part of both the supplier as well as the importer.
- **Document inconsistency:** Supplier invoices, UAE purchase documents, FORM-I declarations, and Shukran-to-MOL invoices all contradict one another, showing a **manipulated and unreliable chain of documents**.
- And therefore, the subject import shipment does not fulfil the PSR originating criteria in any situation, however the importer in connivance with the supplier tried to justify the same by fabricating/manipulating the Local supply documents/declarations and they still not succeeded in that; Thus, the origin criteria remain unfulfilled.

XIII. In addition to above, various other relevant/incriminating documents were also retrieved from the forensic data examination which are discussed at the relevant part of this notice.

19 As various incriminating documents were recovered from the forensic data examination of Shri Gaurava Chakrawarti, therefore in order to ascertain the veracity of recovered data, confrontation of various documents, Shri Gaurav Chakrawarti, was summoned for appearance on 30.10.2025 to tender his statement. **Statement of Shri Gaurav Chakrawarti dated 30.10.2025**, was recorded under Section 108 of the Customs Act, 1962 (**RUD-59**), wherein, he inter alia stated that; -

- he was handling Import and Export related documentation, coordination between importer, Supplier and Clearing agent for M/s Kkrafton Developer Limited, Gujarat Toolroom Limited and Murae Organisr Limited. That, he had appeared in response of summons dated 14.10.2025 in connection with the inquiry initiated in respect of M/s Kkrafton Developer Limited, Gujarat Toolroom Limited and Murae Organisr Limited.
- On being shown he had gone through his statement dt. 03.01.2025 and shown full agreement with it, and in token of having seen and read the same, he put his dated signature on it. On being shown he had gone through the statement dt. 01.05.2025 of Sh. Jignesh sinh Chandubha Jadeja, F-Card Holder of M/s World Cargo Logistics in respect of M/s MOL and agreed that he along with Anil Kumar Runthala were the contact person in M/s Murae Organisr Limited in respect of import-related documentation work.
- Further, on being shown he perused below images of License Certificate No.24401 of M/s Shukran Texiles (FZC) and License Certificate No.24468 of M/s Shuchi Textiles (FZC) which was recovered from his mobile phone-One Plus Nord CE3 Lite 5G, and submitted that as per his knowledge Sh. Anil Kumar Runthala and Sh. Ashok Sewda are the owner of the said firms and used to give directions in respect of documentation of said firms Also, no other persons mentioned as owner or manager in the above images

had contacted him in respect of above firms, . The Subject images have been reproduced above at Image VI & XI.

- Further, he perused screenshot of whatsapp chat, retrieved from his mobile phone wherein Shrikant Sharma is directing him “*Shuchi to Shukran...make local invoice*” {earlier reproduced and discussed at Point 18(VII)}.
- On perusal of the above conversation, he stated that Sh. Shrikant Sharma Ji had directed him to make local purchase invoice where goods were transferred from Shuchi Textile to Shukran Textile. Further, Sh. Shrikant Sharma also provided the invoice date and quantity of goods to be mentioned on the local purchase invoice document.
- On being asked about Mr. Shrikant Sharma, he submitted that as per his knowledge, Shrikant Sharma (UAE based) is an employee of Sh. Anil Kumar Runthala and Sh. Ashok Sewda and who looked after operations and documentation of supplier’s firm namely Shukran Textiles and Shuchi Textiles.
- Further, he perused the screenshot of whatsapp chat (RUD-59) retrieved from his mobile phone between Sh. GTL Anil Sir and him: on perusal, he submitted that the contact name “*GTL Anil Sir*” is saved for Sh. Anil Kumar Runthala, who has provided his scanned signature, which is to be used on the Production Flow Chart of M/s Shuchi Textiles. Further, he again submitted that Sh. Anil Kumar Runthala and Sh. Ashok Sewda were both handling the supplier firms namely Shukran Textiles and Shuchi Textiles and all the documentations in respect of the said firms were prepared at Ahmedabad office.
- Further, he perused screenshot of forwarded whatsapp messages (RUD-59) sent by him, retrieved from his mobile phone: on perusal, he submitted that the above messages were sent to him by either Sh. Anil Kumar Runthala, Sh. Ashok Sewda or Sh. Shrikant Sharma in respect of documentation of imports of goods done by M/s Murae Organisator Limited. Further, he also stated that documentation of import of goods as well as supplier’s documents in M/s Murae Organisator Limited (*another importing firm being handled by same masterminds/key persons*) were also prepared by him on the directions of Sh. Anil Kumar Runthala and Sh. Ashok Sewda.
- Further, he perused screenshot of whatsapp messages shared among GTL Anil Sir (Sh. Anil Kumar Runthala) , him and other members retrieved from his mobile phone on perusal, he submitted that the above messages were shared in a whatsapp group by GTL Anil sir (Sh. Anil Kumar Runthala) wherein he stated that he had paid to MAA (CHA) amount of duty in respect of import consignments and shared the payment details in the group for record purpose.
- Further, he again re-iterated that all the work in respect of import of goods and documentation in respect of respective suppliers of above 3 firms namely M/s Kkrafton Developer Limited, M/s Gujarat Toolroom Limited & M/s Murae Organisator Limited is managed by Sh. Anil Kumar Runthala and Sh. Ashok Sewda.
- Also, he submitted that other documents retrieved from his mobiles in respect of import of goods by M/s Kkrafton Developer Limited, M/s Gujarat Toolroom Limited & M/s

Murae Organisator Limited including exporter firms documents were either shared by Sh. Anil Kumar Runthala and Sh. Ashok Sewda or prepared on their directions.

- On being asked about whether he was aware that the documentation work regarding import of goods by M/s Kkrafton Developer Limited, M/s Gujarat Toolroom Limited & M/s Murae Organisator Limited being done by him at the Ahmedabad office on the directions of Sh. Anil Kumar Runthala and Sh. Ashok Sewda were specifically done to mis use the exemption benefit provided under India-UAE CEPA Notification No.22/2022 dt. 30.04.2022, in this regard, he replied that he had no idea about the mis-use of the exemption benefit provided under India-UAE CEPA Notification No.22/2022 dt.30.04.2022 by the said firms.
- Also, he submitted that after the enquiry conducted by this office and SGST department in respect of above firms, he had resigned from Bharat Global Developers Ltd. (M/s Kkrafton Developer Limited) on 13.03.2025 w.e.f 29.03.2025 via email and submitted the copy of said email for reference please (RUD-59).

Therefore, it appears that the forensic examination of the mobile phone of Shri Gaurav Chakrawarti, corroborated by his statement recorded under Section 108 of the Customs Act, 1962, clearly establishes that all import-related documentation for M/s Kkrafton Developer Ltd., M/s Gujarat Toolroom Ltd., and M/s Murae Organisator Ltd. was centrally controlled and prepared under the directions of Shri Anil Kumar Runthala and Shri Ashok Sewda, with active coordination by their UAE-based associate Shri Shrikant Sharma. The retrieved chats, editable files, scanned signatures, supplier licenses, Production Flow Charts, and instructions to “make” or “change” local and export invoices demonstrate that supplier-side documents, including those crucial for meeting the Product Specific Rule (PSR) criteria under India-UAE CEPA, were being drafted, modified, or manipulated from the Ahmedabad office itself rather than being independently generated by the purported UAE suppliers. This shows a common modus operandi across all three importer entities, wherein fabricated or altered supplier documents were systematically used to misrepresent origin and manufacturing processes, thereby enabling wrongful availing of exemption under India-UAE CEPA Notification No. 22/2022-Customs dated 30.04.2022.

20 LEGAL PROVISIONS:

- 1) **Section 2 (22)– “Goods”** includes (a)- Vessels, aircraft & vehicles; (b) stores; (c) Baggage; (d) currency & negotiable instruments; and (e) any other kind of movable property.”
- 2) **Section 2 (23) - — “import”**, with its grammatical variations and cognate expressions, means bringing into India from a place outside India;
- 3) **Section 2 (41) defines the term value as :-** “value”, in relation to any goods, means the value thereof determined in accordance with the provisions of sub-section (1) or sub-section (2) of Section 14;

4) **Section 12– Dutiable goods** – “(1) Except as otherwise provided in this Act, or any other law for the time being in force, duties of Customs shall be levied at such rates as may be specified under the Customs Tariff Act, 1975 or any other law for the time being in force, on goods imported into India or exported from India.”

5) **Section 14- Valuation of goods** - (1) For the purposes of the Customs Tariff Act, 1975 (51 of 1975), or any other law for the time being in force, the value of the imported goods and export goods shall be the transaction value of such goods, that is to say, the price actually paid or payable for the goods when sold for export to India for delivery at the time and place of importation, or as the case may be, for export from India for delivery at the time and place of exportation, where the buyer and seller of the goods are not related and price is the sole consideration for the sale subject to such other conditions as may be specified in the rules made in this behalf:

Provided that such transaction value in the case of imported goods shall include, in addition to the price as aforesaid, any amount paid or payable for costs and services, including commissions and brokerage, engineering, design work, royalties and licence fees, costs of transportation to the place of importation, insurance, loading, unloading and handling charges to the extent and in the manner specified in the rules made in this behalf:

Provided further that the rules made in this behalf may provide for,-

- (i) *the circumstances in which the buyer and the seller shall be deemed to be related;*
- (ii) *the manner of determination of value in respect of goods when there is no sale, or the buyer and the seller are related, or price is not the sole consideration for the sale or in any other case;*
- (iii) *the manner of acceptance or rejection of value declared by the importer or exporter, as the case may be, where the proper officer has reason to doubt the truth or accuracy of such value, and determination of value for the purposes of this section :*

Provided also that such price shall be calculated with reference to the rate of exchange as in force on the date on which a bill of entry is presented under section 46, or a shipping bill of export, as the case may be, is presented under section 50.

(2) Notwithstanding anything contained in sub-section (1), if the Board is satisfied that it is necessary or expedient so to do, it may, by notification in the Official Gazette, fix tariff values for any class of imported goods or export goods, having regard to the trend of value of such or like goods, and where any such tariff values are fixed, the duty shall be chargeable with reference to such tariff value.

Explanation. - For the purposes of this section –

- a) "rate of exchange" means the rate of exchange –
 - (i) *determined by the Board, or*
 - (ii) *ascertained in such manner as the Board may direct, for the conversion of Indian currency into foreign currency or foreign currency into Indian currency;*
- (b) *"foreign currency" and "Indian currency" have the meanings respectively assigned to them in clause (m) and clause (q) of section 2 of the Foreign Exchange Management Act, 1999 (42 of 1999).]*

6) 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.*
- (2) *The proper officer may verify the 12 [the entries made under section 46 or section 50 and the self- assessment of goods referred to in sub-section and for this purpose, examine or test any imported goods or export goods or such part there of as may be necessary.*

[Provided that the selection of cases for verification shall primarily be on the basis of risk evaluation through appropriate selection criteria.]

- (3) *For [the purposes of verification] under sub-section (2), the proper officer may require the importer, exporter or any other person to produce any document or information, whereby the duty leviable on the imported goods or export goods, as the case may be, can be ascertained and thereupon, the importer, exporter or such other person shall produce such document or furnish such information.]*
- (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.*
- (5) *Where any re-assessment done under sub-section (4) is contrary to the self-assessment done by the importer or exporter 16[***] and in cases other than those where the importer or exporter, as the case may be, confirms his acceptance of the said re- assessment in writing, the proper officer shall pass a speaking order on the re-assessment, within fifteen days from the date of re-assessment of the bill of entry or the shipping bill, as the case may be.*

Explanation – For the removal of doubts, it is hereby declared that in cases where an importer has entered any imported goods under section 46 or an exporter has entered any export goods under section 50 before the date on which the Finance Bill, 2011 receives the assent of the President, such imported goods or export goods shall continue to be governed by the provisions of section 17 as it stood immediately before the date on which such absent is received.

7) Section 18. Provisional assessment of duty. -

¹ [(1) Notwithstanding anything contained in this Act but without prejudice to the provisions of [section 46](#) ² [and [section 50](#)],-

- (a) *where the importer or exporter is unable to make self-assessment under sub-section (1) of [section 17](#) and makes a request in writing to the proper officer for assessment; or*
- (b) *where the proper officer deems it necessary to subject any imported goods or export goods to any chemical or other test; or*
- (c) *where the importer or exporter has produced all the necessary documents and furnished full information but the proper officer deems it necessary to make further enquiry; or*
- (d) *where necessary documents have not been produced or information has not been furnished and the proper officer deems it necessary to make further enquiry,*

¹⁴[the proper officer may assess the duty leviable on such goods, provisionally,] if the importer or the exporter, as the case may be, furnishes such security as the proper officer deems fit for the payment of the deficiency, if any, between the duty as may be finally assessed or re-assessed as the case may be, and the duty provisionally assessed.]

³[(1A) Where, pursuant to the provisional assessment under sub-section (1), if any document or information is required by the proper officer for final assessment, the importer or exporter, as the case may be, shall submit such document or information within such time, and the proper officer shall finalise the provisional assessment ¹⁴[in such manner], as may be prescribed.]

¹⁵[(1B) The proper officer shall finalise the duty provisionally assessed, within two years from the date of such assessment under sub-section (1):

Provided that the Principal Commissioner of Customs or the Commissioner of Customs may, on sufficient cause being shown and for reasons to be recorded in writing, extend the said period to a further period of one year:

Provided further that in respect of any provisional assessment pending under sub-section (1) as on the date on which the Finance Bill, 2025 receives the assent of the President, the said period of two years shall be reckoned from the date on which the said Finance Bill receives the assent of the President.

(1C) Where the proper officer is unable to assess the duty finally within the time specified under sub-section (1B) for the reason that—

(a) an information is being sought from an authority outside India through a legal process; or

(b) an appeal in a similar matter of the same person or any other person is pending before the Appellate Tribunal or the High Court or the Supreme Court; or

(c) an interim order of stay has been issued by the Appellate Tribunal or the High Court or the Supreme Court; or

(d) the Board has, in a similar matter, issued specific direction or order to keep such matter pending; or

(e) the importer or exporter has a pending application before the Settlement Commission or the Interim Board,

the proper officer shall inform the importer or exporter concerned, the reason for non-finalisation of the provisional assessment and in such case, the time specified in sub-section (1B) shall apply not from the date of the provisional assessment but from the date when such reason ceases to exist.]

(2) When the duty leviable on such goods is assessed finally ⁴ [or reassessed by the proper officer] in accordance with the provisions of this Act, then -

(a) in the case of goods cleared for home consumption or exportation, the amount paid shall be adjusted against the duty ⁵ [finally assessed or re-assessed, as the case may be,] and if the amount so paid falls short of, or is in excess of ⁶ [the duty ⁷ [finally assessed or re-assessed, as the case may be,]], the importer or the exporter of the goods shall pay the deficiency or be entitled to a refund, as the case may be;

(b) in the case of warehoused goods, the proper officer may, where the duty ⁸ [finally assessed or re-assessed, as the case may be,] is in excess of the duty provisionally assessed, require the

importer to execute a bond, binding himself in a sum equal to twice the amount of the excess duty.

⁹ [(3) The importer or exporter shall be liable to pay interest, on any amount payable to the Central Government, consequent to the final assessment order ¹⁰ [or re-assessment order] under sub-section (2), at the rate fixed by the Central Government under section ¹¹ [\[28AA\]](#) from the first day of the month in which the duty is provisionally assessed till the date of payment thereof.]

¹² [(4) Subject the sub-section (5), if any refundable amount referred to in clause (a) of sub-section (2) is not refunded under that sub-section within three months from the date of assessment, of duty finally ¹³ [or re-assessment of duty, as the case may be,] there shall be paid an interest on such un-refunded amount at such rate fixed by the Central Government under [section 27A](#) till the date of refund of such amount.]

¹² [(5) The amount of duty refundable under sub-section (2) and the interest under sub-section (4), if any, shall, instead of being credited to the Fund, be paid to the importer or the exporter, as the case may be, if such amount is relatable to:

- (a) the duty and interest, if any, paid on such duty paid by the importer, or the exporter, as the case may be, if he had not passed on the incidence of such duty and interest, if any, paid on such duty to any other person;
- (b) the duty and interest, if any, paid on such duty on imports made by an individual for his personal use;
- (c) the duty and interest, if any, paid on such duty borne by the buyer, if he had not passed on the incidence of such duty and interest, if any, paid on such duty to any other person;
- (d) the export duty as specified in [section 26](#);
- (e) drawback of duty payable under [sections 74](#) and [75](#).]

8) Section 28. Recovery of [duties not levied or not paid or short-levied or short- paid] or erroneously refunded. –

(1)

(2)

(3)

(4) Where any duty has not been [levied or not paid or has been short-levied or short-paid] or erroneously refunded, or interest payable has not been paid, part-paid or erroneously refunded, by reason of, -

(a) collusion; or

(b) any wilful misstatement; or

(c) suppression of facts,

by the importer or the exporter or the agent or employee of the importer or exporter, the proper officer shall, within five years from the relevant date, serve notice on the person chargeable with duty or interest which has not been [so levied or not paid] or which has been so short-levied or short-paid or to whom the refund has erroneously been made, requiring him to show cause why he should not pay the amount specified in the notice.

9) Section 28AA. Interest on delayed payment of duty:

- (1) Notwithstanding anything contained in any judgment, decree, order or direction of any court, Appellate Tribunal or any authority or in any other provision of this Act or the rules made there under, the person, who is liable to pay duty in accordance with the provisions of section 28, shall, in addition to such duty, be liable to pay interest, if any, at the rate fixed under sub-

section (2), whether such payment is made voluntarily or after determination of the duty under that section.

- (2) *Interest at such rate not below ten percent and not exceeding thirty-six per cent per annum, as the Central Government may, by notification in the Official Gazette, fix shall be paid by the person liable to pay duty in terms of section 28 and such interest shall be calculated from the first day of the month succeeding the month in which the duty ought to have been paid or from the date of such erroneous refund, as the case may be, up to the date of payment of such duty.*

Section 28DA. Procedure regarding claim of preferential rate of duty. -

- (1) *An importer making claim for preferential rate of duty, in terms of any trade agreement, shall -*
 - (i) *make a declaration that goods qualify as originating goods for preferential rate of duty under such agreement;*
 - (ii) *possess sufficient information as regards the manner in which country of origin criteria, including the regional value content and product specific criteria, specified in the rules of origin in the trade agreement, are satisfied;*
 - (iii) *furnish such information in such manner [as may be provided by rules](#);*
 - (iv) *exercise reasonable care as to the accuracy and truthfulness of the information furnished.*
- (2) *The fact that the importer has submitted a certificate of origin issued by an Issuing Authority shall not absolve the importer of the responsibility to exercise reasonable care.*
- (3) *Where the proper officer has reasons to believe that country of origin criteria has not been met, he may require the importer to furnish further information, consistent with the trade agreement, in such manner [as may be provided by rules](#).*
- (4) *Where importer fails to provide the requisite information for any reason, the proper officer may,-*
 - (i) *cause further verification consistent with the trade agreement in such manner [as may be provided by rules](#);*
 - (ii) *pending verification, temporarily suspend the preferential tariff treatment to such goods:*

Provided that on the basis of the information furnished by the importer or the information available with him or on the relinquishment of the claim for preferential rate of duty by the importer, the Principal Commissioner of Customs or the Commissioner of Customs may, for reasons to be recorded in writing, disallow the claim for preferential rate of duty, without further verification.

- (5) *Where the preferential rate of duty is suspended under sub-section (4), the proper officer may, on the request of the importer, release the goods subject to furnishing by the importer a security amount equal to the difference between the duty provisionally assessed under [section 18](#) and the preferential duty claimed:*

Provided that the Principal Commissioner of Customs or the Commissioner of Customs may, instead of security, require the importer to deposit the differential duty amount in the ledger maintained under [section 51A](#).

- (6) *Upon temporary suspension of preferential tariff treatment, the proper officer shall inform the Issuing Authority of reasons for suspension of preferential tariff treatment, and seek specific*

information as may be necessary to determine the origin of goods within such time and in such manner as may be provided by rules.

- (7) Where, subsequently, the Issuing Authority or exporter or producer, as the case may be, furnishes the specific information within the specified time, the proper officer may, on being satisfied with the information furnished, restore the preferential tariff treatment.
- (8) Where the Issuing Authority or exporter or producer, as the case may be, does not furnish information within the specified time or the information furnished by him is not found satisfactory, the proper officer shall disallow the preferential tariff treatment for reasons to be recorded in writing:

Provided that in case of receipt of incomplete or non-specific information, the proper officer may send another request to the Issuing Authority stating specifically the shortcoming in the information furnished by such authority, in such circumstances and in such manner as may be provided by rules.

- (9) Unless otherwise specified in the trade agreement, any request for verification shall be sent within a period of five years from the date of claim of preferential rate of duty by an importer.
- (10) Notwithstanding anything contained in this section, the preferential tariff treatment may be refused without verification in the following circumstances, namely:-
 - (i) the tariff item is not eligible for preferential tariff treatment;
 - (ii) complete description of goods is not contained in the certificate of origin;
 - (iii) any alteration in the certificate of origin is not authenticated by the Issuing Authority;
 - (iv) the certificate of origin is produced after the period of its expiry, and in all such cases, the certificate of origin shall be marked as "INAPPLICABLE".
- (11) Where the verification under this section establishes non-compliance of the imported goods with the country of origin criteria, the proper officer may reject the preferential tariff treatment to the imports of identical goods from the same producer or exporter, unless sufficient information is furnished to show that identical goods meet the country of origin criteria.

Explanation-For the purposes of this Chapter,-

- (a) "certificate of origin" means a certificate issued in accordance with a trade agreement certifying that the goods fulfil the country of origin criteria and other requirements specified in the said agreement;
- (b) "identical goods" means goods that are same in all respects with reference to the country of origin criteria under the trade agreement;
- (c) "Issuing Authority" means any authority designated for the purposes of issuing certificate of origin under a trade agreement;
- (d) "trade agreement" means an agreement for trade in goods between the Government of India and the Government of a foreign country or territory or economic union.

10) Section 46- Entry of goods on importation:

- (1) The importer of any goods, other than goods intended for transit or transshipment, shall make entry thereof by presenting [electronically] [on the customs automated system] to the proper officer a bill of entry for home consumption or warehousing [in such form and manner as may be prescribed]:

[Provided that the 1[Principal Commissioner of Customs or Commissioner of Customs] may, in cases where it is not feasible to make entry by presenting electronically 6[on the customs automated system], allow an entry to be presented in any other manner:

Provided further that] if the importer makes and subscribes to a declaration before the proper officer, to the effect that he is unable for want of full information to furnish all the particulars of the goods required under this sub-section, the proper officer may, pending the production of such information, permit him, previous to the entry thereof (a) to examine the goods in the presence of an officer of customs, or (b) to deposit the goods in a public warehouse appointed under section 57 without warehousing the same.

- (2) Save as otherwise permitted by the proper officer, a bill of entry shall include all the goods mentioned in the bill of lading or other receipt given by the carrier to the consignor.*
- (3) The importer shall present the bill of entry under sub-section (1) before the end of the next day following the day (excluding holidays) on which the aircraft or vessel or vehicle carrying the goods arrives at a customs station at which such goods are to be cleared for home consumption or warehousing:*

Provided that a bill of entry may be presented [at any time not exceeding thirty days prior to] the expected arrival of the aircraft or vessel or vehicle by which the goods have been shipped for importation into India:

Provided further that where the bill of entry is not presented within the time so specified and the proper officer is satisfied that there was no sufficient cause for such delay, the importer shall pay such charges for late presentation of the bill of entry as may be prescribed.]

- (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, [and such other documents relating to the imported goods as may be prescribed].*

(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.]*
- (5) If the proper officer is satisfied that the interests of revenue are not prejudicially affected and that there was no fraudulent intention, he may permit substitution of a bill of entry for home consumption for a bill of entry for warehousing or vice versa.*

11) Section 110. Seizure of goods, documents and things

- (1) If the proper officer has reason to believe that any goods are liable to confiscation under this Act, he may seize such goods:.....*
- (2) Where any goods are seized under sub-section (1) and no notice in respect thereof is given under clause (a) of section 124 within six months of the seizure of the goods, the goods shall be returned to the person from whose possession they were seized:*

4[Provided that the Principal Commissioner of Customs or Commissioner of Customs may, for reasons to be recorded in writing, extend such period to a further period not exceeding six

months and inform the person from whom such goods were seized before the expiry of the period so specified:

Provided further that where any order for provisional release of the seized goods has been passed under section 110A, the specified period of six months shall not apply.]

(3) The proper officer may seize any documents or things which, in his opinion, will be useful for, or relevant to, any proceeding under this Act.

(4) The person from whose custody any documents are seized under sub-section (3) shall be entitled to make copies thereof or take extracts therefrom in the presence of an officer of customs.

12) Section 110AA. Action subsequent to inquiry, investigation or audit or any other specified purpose. -

Where in pursuance of any proceeding, in accordance with Chapter XIIA or this Chapter, if an officer of customs has reasons to believe that—

(a) any duty has been short-levied, not levied, short-paid or not paid in a case where assessment has already been made;

(b) any duty has been erroneously refunded;

(c) any drawback has been erroneously allowed; or

(d) any interest has been short-levied, not levied, short-paid or not paid, or erroneously refunded,

then such officer of customs shall, after causing inquiry, investigation, or as the case may be, audit, transfer the relevant documents, along with a report in writing—

(i) to the proper officer having jurisdiction, as assigned under section 5 in respect of assessment of such duty, or to the officer who allowed such refund or drawback; or

(ii) in case of multiple jurisdictions, to an officer of customs to whom such matter is assigned by the Board, in exercise of the powers conferred under section 5,

and thereupon, power exercisable under sections 28, 28AAA or Chapter X, shall be exercised by such proper officer or by an officer to whom the proper officer is subordinate in accordance with sub-section (2) of section 5]

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

(a)

(b)

(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 trans-shipment, with the declaration for trans-shipment referred to in the proviso to sub-section (1) of section 54];

14) 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 5[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 8[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.

15) Section 114A. Penalty for short-levy or non-levy of duty in certain cases. -Where the duty has not been levied or has been short-levied or the interest has not been charged or paid or has been part paid or the duty or interest has been erroneously refunded by reason of collusion or any wilful mis-statement or suppression of facts, the person who is liable to pay the duty or interest, as the case may be, as determined under sub-section (8) of section 28 shall also be liable to pay a penalty equal to the duty or interest so determined:

16) Section 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.”

17) Section 125. Option to pay fine in lieu of confiscation. - (1) Whenever confiscation of any goods is authorized by this Act, the officer adjudging it may, in the case of any goods, the importation or exportation whereof is prohibited under this Act or under any other law for the time being in force, and shall, in the case of any other goods, give to the owner of the goods³⁹[or, where such owner is not known, the person from whose possession or custody such goods have been seized,] an option to pay in lieu of confiscation such fine as the said officer thinks fit:

[Provided that where the proceedings are deemed to be concluded under the proviso to sub-section (2) of section 28 or under clause (i) of sub-section (6) of that section in respect of the goods which are not prohibited or restricted, [no such fine shall be imposed]:

Provided further that], without prejudice to the provisions of the proviso to sub-section (2) of section 115, such fine shall not exceed the market price of the goods confiscated, less in the case of imported goods the duty chargeable thereon.

[(2) Where any fine in lieu of confiscation of goods is imposed under sub-section (1), the owner of such goods or the person referred to in sub-section (1), shall, in addition, be liable to any duty and charges payable in respect of such goods.]

18) Customs Valuation (Determination of Value of Imported Goods) Rules, 2007

Rule 3. Determination of the method of valuation. -

(3) (a) Where the buyer and seller are related, the transaction value shall be accepted provided that the examination of the circumstances of the sale of the imported goods indicate that the relationship did not influence the price.

(b) In a sale between related persons, the transaction value shall be accepted, whenever the importer demonstrates that the declared value of the goods being valued, closely approximates to one of the following values ascertained at or about the same time.

- (i) the transaction value of identical goods, or of similar goods, in sales to unrelated buyers in India;
- (ii) **the deductive value for identical goods or similar goods;**
- (iii) the computed value for identical goods or similar goods:

Provided that in applying the values used for comparison, due account shall be taken of demonstrated differences in commercial levels, quantity levels, adjustments in accordance with the provisions of rule 10, and cost incurred by the seller in sales in which he and the buyer are not related;

- (c) substitute values shall not be established under the provisions of clause (b) of this sub-rule.
- (4) if the value cannot be determined under the provisions of sub-rule (1), the value shall be determined by proceeding sequentially through rules 4 to 9.

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;

Provided that such transaction value shall not be the value of the goods provisionally assessed under section 18 of the Customs Act, 1962.

- (b) In applying this rule, the transaction value of identical goods in a sale at the same commercial level and in substantially the same quantity as the goods being valued shall be used to determine the value of imported goods.*
- (c) Where no sale referred to in clause (b) of sub-rule (1), is found, the transaction value of identical goods sold at a different commercial level or in different quantities or both, adjusted to take account of the difference attributable to commercial level or to the quantity or both, shall be used, provided that such adjustments shall be made on the basis of demonstrated evidence which clearly establishes the reasonableness and accuracy of the adjustments, whether such adjustment leads to an increase or decrease in the value.*
- (2) Where the costs and charges referred to in sub-rule (2) of rule 10 of these rules are included in the transaction value of identical goods, an adjustment shall be made, if there are significant differences in such costs and charges between the goods being valued and the identical goods in question arising from differences in distances and means of transport.*
- (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 such transaction value shall not be the value of the goods provisionally assessed under section 18 of the Customs Act, 1962.

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

Rule 12. Rejection of declared value. -

- (1) When the proper officer has reason to doubt the truth or accuracy of the value declared in relation to any imported goods, he may ask the importer of such goods to furnish further information including documents or other evidence and if, after receiving such further information, or in the absence of a response of such importer, the proper officer still has reasonable doubt about the truth or accuracy of the value so declared, it shall be deemed that the transaction value of such imported goods cannot be determined under the provisions of sub-rule (1) of rule 3.*
- (2) At the request of an importer, the proper officer, shall intimate the importer in writing the grounds for doubting the truth or accuracy of the value declared in relation to goods imported by such importer and provide a reasonable opportunity of being heard, before taking a final decision under sub-rule (1).*

Explanation. - (1) For the removal of doubts, it is hereby declared that: -

- (i) This rule by itself does not provide a method for determination of value, it provides a mechanism and procedure for rejection of declared value in cases where there is reasonable doubt that the declared value does not represent the transaction value; where the declared value is rejected, the value shall be determined by proceeding sequentially in accordance with rules 4 to 9.*

- (ii) *The declared value shall be accepted where the proper officer is satisfied about the truth and accuracy of the declared value after the said enquiry in consultation with the importers.*
- (iii) *The proper officer shall have the powers to raise doubts on the truth or accuracy of the declared value based on certain reasons which may include -*
 - (a) *the significantly higher value at which identical or similar goods imported at or about the same time in comparable quantities in a comparable commercial transaction were assessed;*
 - (b) *the sale involves an abnormal discount or abnormal reduction from the ordinary competitive price;*
 - (c) *the sale involves special discounts limited to exclusive agents;*
 - (d) *the misdeclaration of goods in parameters such as description, quality, quantity, country of origin, year of manufacture or production;*
 - (e) *the non-declaration of parameters such as brand, grade, specifications that have relevance to value;*
 - (f) *the fraudulent or manipulated documents.*

19) Relevant Portion of CEPA Notification No.22/2022-Customs dated 30th April, 2022: -

G.S.R....(E).- In exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act, 1962 (52 of 1962), the Central Government, being satisfied that it is necessary in the public interest so to do, hereby exempts,-

- (i) *goods of the description as specified in column (3) of the TABLE I appended hereto and falling under the Tariff item of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975) as specified in the corresponding entry in column (2) of the said TABLE, from so much of the duty of customs leviable thereon as is in excess of the amount calculated at the rate specified in the corresponding entry in column (4) of the said TABLE;*
- (ii) *goods of the description as specified in column (3) of the TABLE II appended hereto and falling under the Tariff item of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975) as specified in the corresponding entry in column (2) of the said TABLE, from so much of the duty of customs leviable thereon as is in excess of the amount calculated at the rate specified in the corresponding entry in column (4) of the said TABLE and from so much of the Agriculture Infrastructure and Development Cess (AIDC) leviable under section 124 of the Finance Act, 2021 (13 of 2021), as is in excess of the amount calculated at the rate specified in the corresponding entry in column (5) of the said TABLE;*

goods of the description specified in column (3) of the TABLE III appended below, and falling within the Tariff item of the First Schedule to the Customs Tariff Act, 1975, as are specified in the corresponding entry in column (2) of the said TABLE in such quantity of total imports of such goods in a year, as specified in column (4) of the said TABLE (hereinafter referred to as the 'tariff rate quota (TRQ) quantity'), from so much of the duty of customs leviable thereon under the said First Schedule as is in excess of the amount calculated at the rate as specified in the corresponding entry in column (5) of the said TABLE (hereinafter referred to as the 'In-quota tariff rate') and from so much of the Agriculture Infrastructure and Development Cess (AIDC) leviable under section 124 of the Finance Act, 2021 (13 of 2021), as is in excess of the amount calculated at the rate as specified in the corresponding entry in column (6) of the said TABLE (hereinafter referred to as the 'In-quota AIDC rate') , subject to any of the conditions, specified in the Annexure to this notification, the condition number of which is mentioned in the

corresponding entry in column (7) of the said TABLE, when imported into Republic of India from The United Arab Emirates:

Provided that the exemption shall be available only if importer proves to the satisfaction of the Deputy Commissioner of Customs or Assistant Commissioner of Customs, as the case may be, that the goods in respect of which the benefit of this exemption is claimed are of the origin of The United Arab Emirates, in terms of rules as may be notified in this regard by the Central Government by publication in the Official Gazette of India read with Customs (Administration of Rules of Origin under Trade Agreements) Rules, 2020.

Table - XII

S.No.	Tariff Item	Description	BCD Rate in % (unless otherwise specified)
(1)	(2)	(3)	(4)
5568 to 5691	54071011 to 54079400	All Goods	0
6287 to 6300	60061000 to 60069000	All Goods	0

20) Customs Brokers Licensing Regulations, 2018. Notification No. 41/2018-Customs (N.T.) dated 14th May, 2018

Obligations of Customs Broker. — A Customs Broker shall —

(a) obtain an authorization from each of the companies, firms or individuals by whom he is for the time being employed as a Customs Broker and produce such authorization whenever required by the Deputy Commissioner of Customs or Assistant Commissioner of Customs, as the case may be;

(d) advise his client to comply with the provisions of the Act, other allied Acts and the rules and regulations thereof, and in case of non-compliance, shall bring the matter to the notice of the Deputy Commissioner of Customs or Assistant Commissioner of Customs, as the case may be;

(e) exercise due diligence to ascertain the correctness of any information which he imparts to a client with reference to any work related to clearance of cargo or baggage;

(k) maintain up to date records such as bill of entry, shipping bill, transshipment application, etc., all correspondence, other papers relating to his business as Customs Broker and accounts including financial transactions in an orderly and itemised manner as may be specified by the Principal Commissioner of Customs or Commissioner of Customs or the Deputy Commissioner of Customs or Assistant Commissioner of Customs, as the case may be;

(n) verify correctness of Importer Exporter Code (IEC) number, Goods and Services Tax Identification Number (GSTIN), identity of his client and functioning of his client at the declared address by using reliable, independent, authentic documents, data or information;

(q) co-operate with the Customs authorities and shall join investigations promptly in the event of an inquiry against them or their employees.

21 Discussion/Outcome of the facts and evidences gathered during the investigation:

The investigation conducted subsequent to the recovery of electronic records, examination of seized goods, and laboratory analysis of representative samples has been elaborated in earlier paras. It is conclusively established that there are material deviations

between the importer's declarations and the actual nature of the goods. As per the examination and test report of the goods, the discrepancies in GSM, composition of yarn, dyed/printed characteristics, classification under CTH, and non-alignment with material origin as claimed in the respective Form-I, collectively substantiate that the imports do not satisfy the Product Specific Rule (PSR) required for preferential duty claim under India-UAE CEPA Notification No. 22/2022-Cus. The test report of CRCL, along with document examination and forensic retrievals, clearly indicates that the declared material content and processing origin are inconsistent with the factual nature of the imported fabric.

The importer, despite multiple opportunities, has failed to furnish the requisite information mandated under CAROTAR Rule, 2020, particularly relating to origin criteria, manufacturing process, value addition proof, supplier-level documentation and supporting evidences forming the basis of COO claim. Summons issued to the Noticee(s) had been dishonoured. This type of deliberate non-cooperation, withholding of documents, and avoidance of enquiry proceedings directly obstructed verification of preferential claim from importer side. This strongly establishes the fact that that origin criteria is liable to be rejected ab initio as per CAROTAR Rule, 2020.

On the basis of the above-mentioned facts and investigation, each supplier-wise Country-of-Origin Certificate (COO) and their respective documents/details received from the FTA Cell are verified on representative basis, and the outcome of the same is summarized henceforth.

22 The import shipments supplied to M/s MOL by Modern Fabric Solutions FZE, UAE:-

Total **08** consignments of Knitted fabric declared under CTH 60063200/60063400 have been imported by M/s MOL from UAE based supplier M/s Modern Fabric Solutions FZE, UAE, wherein they have availed duty exemption benefits (duty forgone) of **Rs.3,26,72,004/-** by claiming the ineligible benefits of India UAE CEPA Notification No. 22/2022-Cus. The individual COOs are discussed henceforth;

The import shipments supplied to M/s MOL by M/s Modern Fabric Solution FZC, UAE MOE-CoO-CICO-0146158-20240923 dated 20.09.2024 under BE No. 5931994 dt.03.10.2024, having declared goods '60063400' – 'Other Knitted or Crocheted Fabrics, Of Printed Synthetic Fibers, N.E.S'. The importer has availed benefit of Notification No. 22/2022-Cus., and the duty forgone amount is **Rs. 5027247/-** in the instant consignment; however, the subject import doesn't appear eligible for such benefits on the basis of grounds mentioned below

I. Discrepancies on the basis of Import documents

- From analysis of import documents only (**RUD-60**), there appears to be various discrepancy in goods declared to be manufactured from subject raw material and goods imported. The goods under above mentioned Certificate of origin are under

HSN code 60063200, Other Knitted or Crocheted Fabrics, of synthetic fibers, dyed, n.e.s.

- As per Form-I, Importer has provided the Digital printing and fusion as operations which were undertaken in the production process of the impugned goods; *Originating Criterion as 'CTH+VA40%'* and the originating material in the manufacturing process of final goods are “artificial fiber” with declared CTH 60064200.
- Further, from the test report obtained with respect to the impugned imported goods, the goods are found to be “Printed knitted fabric composed of polyester filament yarn alongwith small amount of lycra, GSM=163, polyester=96.4% by wt., Lycra=balance”. Thus, on analysing the same,
- a) It appears that the final product i.e fabric of **synthetic fibre product**, cannot be manufactured from the raw material of **artificial fibre**.
- b) Similarly, the raw material used in manufacturing i.e **Nylon/ polyamide** cannot be used for manufacturing of fabric made of **polyester**.
- In light of these inconsistencies, it appears that the consignment clearly does not satisfy the CEPA origin criteria under India-UAE CEPA for availment of the benefit of the duty exemption.

II. Discrepancies based on documents received under COO verification inquiry:

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The FTA Cell vide their letter dated 22.08.2025(**RUD-61**), submitted that the Issuing Authority stated that:

“After conducting a thorough review and assessment of the information provided by the manufacturer in the questionnaire, we would like to inform you that the product does not currently meet the applicable rules of origin requirements according to Ch.3 of the Comprehensive Economic Partnership Agreement between UAE and India. Specifically, the local value added”.

In view of the above verification report, it is evident that the said representative COO has been obtained by the supplier firm by submitting false information to the issuing authority; therefore, the CEPA benefit availed by the importer is liable to be rejected. Further, as per sub-rule -5 of Rule 22 of CEPA Notification 39/2022, the proceedings of instant verification of origin shall also apply to the products already cleared for home consumption under preferential tariffs in accordance with the provisions of these rules. Details of other import shipments from the said supplier are as under:

Table - XIII

S r.	BE/ Date	COO Number	item description	Assessable value	Applicable Differential Duty/ Duty Forgone

1	5932282/ 03-10- 2024	MOE-CoO- CICO- 0146160- 20240923	Other Knitted Or Crocheted Fabrics, Of Printed Synthetic Fibers,N.E.S - Mmf Of 100% Polyster Knitted Printed Fabric	17012039.06	3929781
2	6575271/ 08-11- 2024	MOE-CoO- CICO- 0177611- 20241028	Other Knitted Or Crocheted Fabrics, Of Printed Synthetic Fibers,N.E.S - Mmf Of 100% Polyster Knitted Printed Fabric	17623982.24	4071139.8
3	6575804/ 08-11- 2024	MOE-CoO- CICO- 0173636- 20241023	Other Knitted Or Crocheted Fabrics, Of Printed Synthetic Fibers,N.E.S - Mmf Of 100% Polyster Knitted Printed Fabric	16912651.63	3906822.5
4	6575805/ 08-11- 2024	MOE-CoO- CICO- 0173633- 20241023	Other Knitted Or Crocheted Fabrics, Of Printed Synthetic Fibers,N.E.S - Mmf Of 100% Polyster Knitted Printed Fabric	17381567.89	4015142.2
5	6696041/ 15-11- 2024	MOE-CoO- CICO- 0182130- 20241102	Other Knitted Or Crocheted Fabrics, Of Printed Synthetic Fibers, N.E.S - Mmf Of 100% Polyster Knitted Printed Fabric	16771287.66	3874167.5
6	6696038/ 15-11- 2024	MOE-CoO- CICO- 0188023- 20241108	Other Knitted Or Crocheted Fabrics, Of Printed Synthetic Fibers, N.E.S - Mmf Of 100% Polyster Knitted Printed Fabric	16610238.44	3836965.2
7	6984673/ 30-11- 2024	MOE-CoO- CICO- 0201013- 20241123	Other Knitted Or Crocheted Fabrics, Of Printed Synthetic Fibers, N.E.S - Mmf Of 100% Polyster Knitted Printed Fabric	17362507.06	4010739
				Total	27644757.2

23. The import shipments supplied to M/s MOL by M/s Shukran Textile FZE, UAE: -

Total **02** consignments of 'Other Knitted or Crocheted Fabrics, of Printed Synthetic Fibers, N.E.S' declared under CTH 60063400', have been imported by M/s MOL from UAE based supplier M/s Shukran Textile FZE, UAE, wherein they have availed duty exemption benefits (duty forgone) of **Rs. 84,97,120/-** by claiming the ineligible benefits of India UAE CEPA Notification No. 22/2022-Cus. The individual COOs are discussed henceforth;

A. The import shipments vide MOE-CoO-CICO-0189568-20241111 Dated 11.11.2024, supplied by M/s Shukran Textiles (FZC), under BE No. 6801365 dated 21.11.2024, having declared goods ‘60063400’ – ‘Other Knitted or Crocheted Fabrics, Of Printed Synthetic Fibers, N.E.S’. The importer has availed benefit of Notification No. 22/2022-Cus., and the duty forgone amount is Rs. 42,82,365/- in the instant consignment; however, the subject import doesn’t appear eligible for such benefits on the basis of grounds mentioned below: -

I. Discrepancies on the basis of Import documents & Test reports:

- From analysis of import documents only (**RUD-62**), there appears to be various discrepancy in goods declared to be manufactured from subject raw material and goods imported. The goods imported under above mentioned Certificate of origin are under HSN code **60063400** - Other knitted or crocheted fabrics, of printed synthetic fibers, n.e.s.
- As per Form-I, Importer has provided the following operations which were undertaken in production process of the impugned goods;- *Circular Knitting*; mentioned the originating criterion as ‘*CTH+VA40%*’ and the originating material in the manufacturing process of final goods are mentioned as “**Containing 85% or more by weight of staple fibres of Nylon or other polyamide**” with declared CTH **55091100**.
- Further, from the test report obtained with respect to the impugned imported goods, the goods are found to be “*Dyed and printed knitted fabric, composed of polyester filament yarn, GSM=148.5, Polyester 96.4 %, balance is Lycra*”;
- Thus, on analyzing the same, It appears that the final product i.e fabric of **filament yarn** cannot be manufactured from the raw material of **staple fibre**. Similarly, the raw material used in manufacturing i.e **Nylon/ polyamide** cannot be used for manufacturing of fabric made of **polyester**.

II. Discrepancies on the basis of documents received under COO verification inquiry: Further, in view of above discrepancies found in the import documents, the COO verification was initiated as per Rule 6(1)(b) of CAROTAR, 2020 and on verification of reply received vide email dated 22.08.2025 (**RUD-63**) following observations are pointed out: -

Table -XIV

Query under Questionnaire	Reply received under COO verification through FTA Cell	Remarks/Observations
Brief Description of the Commercial activity of the Exporter	Digital printing is an advanced technology wherein digital designs are directly printed onto paper using inkjet printers-eliminating the	The instant submission of the importer is contradictory to the earlier submission of the supplier under the declared Form I , because as per Form I, the subject raw material had

	<p>traditional need for printing plates. This technique enhances both efficiency and turnaround time. The printed paper is subsequently utilized in a sublimation machine, where heat and pressure transform the dye into gas without liquefaction. This gaseous dye bonds at a molecular level with polyester fabrics, resulting in vibrant, long lasting, and washable prints.</p>	<p>undergone Circular Knitting process, whereas the production process shown by the supplier under this COO verification inquiry is only printing.</p>
<p>Identify and obtain copies of documents evidencing procurement of “raw material” declared by the said supplier</p>	<p>Copies of the Bill of Lading (BL) Inward and Packing List (PL) for the sourced raw materials have been attached for verification</p>	<p>The invoices evidencing supply of goods from M/s Shuchi Textile FZC to M/s Shukran Textile FZC, bearing Sr. No. ST/D/09 dated 06.11.2024, along with the corresponding UAE internal transfer/local purchase documents, have been submitted. Examination of these documents reveals manual and unexplained alterations in the declared CTH (CTH 52081100 altered to 60063100), clearly indicating manipulation of documents at the supplier’s end to camouflage discrepancies relating to the actual raw material used. Moreover, even if the procured material is assumed to be classifiable under CTH 60063100, still it does not fulfil the PSR criteria as the supplied product is also classified under CTH 60063400, thus no CTH level change is observed as required for CEPA benefits. Additionally, it is observed that the container seal number mentioned in the UAE export documents is ‘3776010’, instead of ‘001022’ as per corresponding Bill of Lading which again raises</p>

		serious suspicion regarding the genuineness of the export. Thus, the entire chain of documents submitted in support of the origin claim appears to be fabricated and, appears to be a <u>bundle of manipulated and unreliable documents</u> submitted with the intent to falsely establish compliance with the origin criteria under India–UAE CEPA.
Details of the production/manufacturing facility available with the Exporter, including details of individual machines/production units. Has the declared production process actually taken place in the exporting country	I. Designed development by specialized software, II. Sublimation paper printing using high resolution digital printers;III. Alignment of printed paper and polyester fabric into the sublimation unit;IV. Exposure to a temperature of 200°C or above depending on print complexity;V. Sublimation phase where ink transforms into gas;VI. Post-process separation and cooling of fabric and paper.VII. Quality assurance through checker and roller machines to identify any defects.VIII. Final product is rolled per customer specifications and securely packed.	The submission is regarding printing process; however, it is the contradiction regarding the production process (Knitting in Form I & Printing in instant submission), which itself shows that they are just attempting to cover up their irregularities.
Please provide the following information about the production processes carried out for the goods which have been certified as originating in the said CoO:	Cost Sheet Attached in the accompany email.	As discussed above, the supporting documents submitted with the Cost Sheet are unreliable and cast serious doubt on the genuineness of the declared production details. Moreover, it is noteworthy that in the cost sheet, the raw material import invoice date is 06.11.2024, whereas the SEZ BOE is dated 15.05.2025, which itself raises suspicion about the subject Cost
Please provide the information pertaining to cost of each of the	Goods status: Exported goods are not wholly	

raw materials used to produce the goods which have been certified as originating in the said CoO (Refer: Article 3.2 of Chapter 3 on Rules of Origin for India-UAE CEPA)	obtained in the Country of Export	Sheet. Further, the supplier's purchase invoice is dated 06.11.2024 and the export invoice is dated 07.11.2024, which is sufficient to
Can 'the said raw material' thus obtained by the suppliers qualify as Wholly obtained or PSR as claimed in terms of the CEPA Rules	Compliance with PSR: The raw material utilized fall under the Product Specific Rules category and compliant with relevant origin criteria.	The claim is false and unsupported by credible evidence, as the goods fail to meet PSR requirements due to incompatible raw material and fabricated documents.

The COO verification has revealed serious discrepancies and contradictions, in as much as the manufacturing process declared in Form-I as circular knitting is contradicted by the supplier's subsequent claim of only digital printing/sublimation, thereby establishing false declaration of process. Further, the supplier had earlier declared the raw material as "containing 85% or more by weight of staple fibres of nylon or other polyamide" classifiable under CTH 55091100, which is technically incapable of being transformed into the finished product declared as knitted fabric of polyester filament yarn classifiable under CTH 60063400. During the present COO verification, the supplier appears to have attempted to conceal this inherent inconsistency by manipulating UAE-based documents, including manual and unexplained alterations in the declared CTH (e.g. CTH 52081100 altered to 60063100) in the purported local purchase records. Even if the procured material is assumed to be classifiable under CTH 60063100, it still does not fulfill the PSR originating criteria as pre CEPA Notification, because the supplied goods also classified under CTH 6006. Thus, the CTH + 40% value addition condition is not fulfilled. These inconsistencies are further compounded by mismatch of container seal numbers between UAE export documents and the Bill of Lading, absence of corroborative evidence of manufacturing facilities or machinery in UAE, and unreliable cost sheets with implausible timelines between procurement and export. Collectively, the raw material earlier declared in Form-I and the raw material now projected during verification are incompatible in nature and not fulfilling the PSR criteria in absence of CTH level change, as required for CEPA benefit, clearly demonstrating that no genuine manufacturing or value addition took place in the exporting country and that the claim of compliance with PSR under India-UAE CEPA is false, unsupported by credible evidence, and based on fabricated and manipulated documents.

III. Discrepancies based on forensic data examination in respect of above said COO: -

- During the examination of data retrieved from the mobile phone of Gaurav Chakrawarti, in a WhatsApp group chat having title "SHUKRAN INWARD" the UAE Local Purchase Document No. 1-3-60-8-24-76546, UAE Local Invoice & Packing List having Invoice No. ST/D/09 dated 06.11.2024, have been recovered (**RUD-64**), which are the

respective copy of the documents submitted by the supplier under COO verification inquiry.

- From comparative perusal of the copy of UAE Local Purchase Document provided by the supplier under COO verification inquiry and the copy of same documents retrieved from the mobile phone of Gaurav Chakrawarti, the deliberate manipulation by the supplier in connivance with the importer can be seen explicitly; both the subject documents are reproduced below for ready reference: -

UNITED ARAB EMIRATES
Federal Customs Authority
Sharjah Ports, Customs and Free Zones Authority
Customs

CONSIGNED: هبة الشارقة للموانئ والجمارك والمناطق الحرة

DEC DATE: 07/11/2024
DEC NO: 1-3-60-8-24-76546

PORT TYPE: SAIF-Zone
DEC TYPE: Free Zone

NET WEIGHT: 18066.28
GROSS WEIGHT: 18791.68
MEASUREMENT: 18791.68

NO. OF PACKAGES: 318

MARKS & NUMBERS: INTERNAL TRANSFER Local Purchase AS PER B OE 1-3-60-1-24-103958

PORT OF LOADING: SAIF Zone
PORT OF DISCHARGE: SAIF Zone
DESTINATION: SAIF Zone

CURRENCY: AED
CIP LOCAL VALUE: 355229.32
CIP FOREIGN VALUE: 355229.32

GOODS DESCRIPTION: FABRICS

WEIGHT: 18066.28 PKGS 318.000

EXEMPTION OF DUTY: BENEFICIARY: 0.000 CIF 0.000 355229.32 1.000 DHS 355229.32 IN FABRICS

INSPECTION: REASONS FOR NOT RELEASING: 4664308

RELEASE DATE: 07/11/2024

Manual correction of CTH
from 52081100 to 60063100

CTH mentioned
as 52081100

UNITED ARAB EMIRATES
Federal Customs Authority
Sharjah Ports, Customs and Free Zones Authority
Customs

CONSIGNED: هبة الشارقة للموانئ والجمارك والمناطق الحرة

DEC DATE: 07/11/2024
DEC NO: 1-3-60-8-24-76546

PORT TYPE: SAIF-Zone
DEC TYPE: Free Zone

NET WEIGHT: 18066.28
GROSS WEIGHT: 18791.68
MEASUREMENT: 18791.68

NO. OF PACKAGES: 318

MARKS & NUMBERS: INTERNAL TRANSFER Local Purchase AS PER B OE 1-3-60-1-24-103958

PORT OF LOADING: SAIF Zone
PORT OF DISCHARGE: SAIF Zone
DESTINATION: SAIF Zone

CURRENCY: AED
CIP LOCAL VALUE: 355229.32
CIP FOREIGN VALUE: 355229.32

GOODS DESCRIPTION: FABRICS

WEIGHT: 18066.28 PKGS 318.000

EXEMPTION OF DUTY: BENEFICIARY: 0.000 CIF 0.000 355229.32 1.000 DHS 355229.32 IN FABRICS

INSPECTION: REASONS FOR NOT RELEASING: 4664308

RELEASE DATE: 07/11/2024

Image: XXXIII: UAE Local Purchase
Document No. 1-3-60-8-24-76546 dated
07.11.2024 provided by the supplier

Image: XXXIV: UAE Local Purchase
Document No. 1-3-60-8-24-76546 dated
07.11.2024 recovered from forensic data

under COO verification Inquiry

examination of Mobile Phone of Gaurav Chakrawarti

- The local procurement document submitted by the supplier during COO verification initially declared the originating material under CTH 52081100 and appears to have been prepared for submission before the UAE COO-issuing authority; however, during verification it was found that this classification was incompatible with the declared finished product and would have rendered the goods ineligible to meet the origin criteria. As the verification was being conducted directly through the Ministry of Economy (MoE), UAE—the same authority that issued the COO—the supplier was unable to replace or re-issue the document and instead resorted to handwritten alteration of the CTH to conceal the discrepancy. Even after such modification, the revised CTH fails to satisfy the applicable Product Specific Rule (PSR) under the India–UAE CEPA, indicating that the alteration was an ex post facto attempt to artificially align the records rather than a true reflection of the actual manufacturing process or origin of the goods.
- Further, on comparison of copy of UAE Local Purchase Invoice & Packing List (Invoice No. ST/D/09 dated 06.11.2024), provided by supplier under instant COO inquiry with the copy retrieved from forensic data of Mobile phone, it was found that they have manipulated the document to change the description and classification of the goods by manipulating the subject Invoice to show the goods to be processed. Both the versions of subject Invoice & Packing List are reproduced as under for ready reference: -

SHUCHI TEXTILES (FZC)

400 M2 WAREHOUSE A2-030 SAIF ZONE SHARJAH U.A.E

INVOICE

CONSIGNEE
SHUKRAN TEXTILE LE FZC
SHARJAH

INVOICE NO: ST/D/09
DATE: 06.11.2024
ORIGIN: INDIA

MARKS & NOS	DESCRIPTION	QUANTITY KGS	RATE AED Per Piece/KGS	TOTAL AMOUNT AED
01 TO 318	FABRICS	18696.28KGS	19/KGS	355229.32
	H S CODE 60063100	18696.28KGS		355229.32

TOTAL AMOUNT SAID IN AED: THREE HUNDRED FIFTY FIVE THOUSAND TWO HUNDRED TWENTY NINE AND THIRTY TWO CENTS ONLY.



SHUCHI TEXTILES (FZC)

400 M2 WAREHOUSE A2-030 SAIF ZONE SHARJAH U.A.E

INVOICE

CONSIGNEE
SHUKRAN TEXTILE LE FZC
SHARJAH

INVOICE NO: ST/D/09
DATE: 06.11.2024
ORIGIN: INDIA

MARKS & NOS	DESCRIPTION	QUANTITY KGS	RATE AED Per Piece/KGS	TOTAL AMOUNT AED
01 TO 318	FABRICS	18696.28KGS	19/KGS	355229.32
	H S CODE 52081130	18696.28KGS		355229.32

TOTAL AMOUNT SAID IN AED: THREE HUNDRED FIFTY FIVE THOUSAND TWO HUNDRED TWENTY NINE AND THIRTY TWO CENTS ONLY.



Image: XXXV Copy of Invoice (Invoice No. ST/D/09 dated 06.11.2024), provided by supplier under instant COO inquiry

Image: XXXVI Copy of Invoice (Invoice No. ST/D/09 dated 06.11.2024) retrieved from forensic data from Mobile of Gaurav Chakrawarti

- Further, it is observed that in the instant reply furnished during verification of the Certificate of Origin, the supplier has referred to invoice numbers “76546” and “75792” in the submitted cost sheet. However, on verification, it is found that the said numbers do not pertain to any commercial sales invoices. Instead, these numbers correspond to internal transfer/local purchase documents bearing Nos. 1-3-60-8-24-76546 and 1-3-60-8-24-75792, as discussed hereinabove. Also, the copy of both documents along with the manipulated invoices has been provided with the instant COO verification reply and this has been done and mentioned in the subject fabricated cost sheet so that they can misguide and distract the investigation.
- Interestingly, the above mentioned “Internal transfer local purchase document No. 1-3-60-8-24-75792”, has also been referred as local procurement/supply document in a different but related and linked importing firm i.e. M/s Gujarat Toolroom Limited (M/s GTL), against shipment pertains to COO No. MOE-CoO-CICO-0184718-20241105 Dated 06.11.2024 and BE No. **6657885 dated 13.11.2024**, the same was also similarly manipulated by doing manual and unexplained correction. The copy of relevant COO and respective verification report received submitted by the same supplier in respect of M/s GTL are attached as **RUD-65** and the respective documents recovered from the forensic data are attached as **RUD-66**. And the screenshot of relevant documents is also reproduced below for ready reference;

Manual correction of CTH from 52081100 to 60063100

CTH mentioned as 52081100

Image XXXVII: (Local purchase document No. 1-3-60-8-24-75792 received under COO verification Inquiry)

Image XXXVIII: (Local purchase document No. 1-3-60-8-24-75792 recovered from forensic data)

The relevant local purchase/supply Invoices manipulated by the supplier in connivance with the importer, are also reproduced as below for ready reference:

SHUCHI TEXTILES (FZC)
400 M2 WAREHOUSE A2-030 SAIF ZONE SHARJAH U.A.E

INVOICE

CONSIGNEE
SHUKRAN TEXTILE FZC ✓
SHARJAH

INVOICE NO: ST/D/07
DATE: 04.11.2024
ORIGIN: INDIA

MARKS & NOS	DESCRIPTION	QUANTITY KGS	RATE AED Per Piece/KGS	TOTAL AMOUNT AED /
01 TO 341 ✓	FABRICS	25278.00 KGS	19.00/KGS	480,282.00
	HS CODE 52081130	25278.00 KGS	19.00/KGS	480,282.00

TOTAL AMOUNT SAID IN AED: FOUR LAKHS EIGHTY THOUSAND TWO EIGHTY-TWO ONLY.

SHUCHI TEXTILES (FZC)
400 M2 WAREHOUSE A2-030 SAIF ZONE SHARJAH U.A.E

INVOICE

CONSIGNEE
SHUKRAN TEXTILE FZC ✓
SHARJAH

INVOICE NO: ST/D/07
DATE: 04.11.2024
ORIGIN: INDIA

MARKS & NOS	DESCRIPTION	QUANTITY KGS	RATE AED Per Piece/KGS	TOTAL AMOUNT AED /
01 TO 341 ✓	FABRICS	25278.00 KGS	19.00/KGS	480,282.00
	HS CODE 60063100	25278.00 KGS	19.00/KGS	480,282.00

TOTAL AMOUNT SAID IN AED: FOUR LAKHS EIGHTY THOUSAND TWO EIGHTY-TWO ONLY.

Image XXXIX: (Local purchase/supply Invoice No. ST/D/07 dated 04.11.2024 received under COO verification Inquiry)

Image XL: (Local purchase/supply Invoice No. ST/D/07 dated 04.11.2024 recovered from forensic data)

- From the examination of the COO verification replies, forensic data analysis, and the documentary trail submitted by the supplier, it clearly emerges that the cost sheet furnished in the instant case is fabricated and deliberately changed to falsely demonstrate compliance with the Product Specific Rules (PSR) under the India-UAE CEPA. It is observed that the supplier, in connivance with the importer, has relied upon two UAE internal transfer/local procurement documents bearing Nos. 1-3-60-8-24-76546 and 1-3-60-8-24-75792, which do not legitimately correlate with the subject COO No. MOE-CoO-CICO-0189568-20241111. These documents have been wrongly projected in the cost sheet as procurement invoices to artificially support the claimed origin and value addition.
- More importantly, the same local transfer document No. 1-3-60-8-24-75792 has also been submitted by the very same supplier during COO verification proceedings in respect of a different COO No. MOE-CoO-CICO-0184718-20241105, pertaining to a different but related importer, namely M/s Gujarat Toolroom Limited. The repeated use of identical local procurement documents across multiple COOs, coupled with manual and unexplained alterations in CTH, conclusively establishes that these documents are not genuine records of procurement or manufacture but are fabricated instruments reused to falsely justify originating status.

- This pattern of conduct demonstrates a deliberate and systematic attempt by the supplier, acting in connivance with the importer, to manipulate UAE-based documents, fabricate cost sheets, and recycle internal transfer records in order to mislead the issuing authority and department into granting preferential tariff treatment. Accordingly, it can be inferred that the COO certification in the instant case is based on false, manipulated, and unreliable documents, the claimed cost sheet is not a true reflection of any genuine manufacturing or value addition activity in the UAE, and the goods are clearly ineligible for CEPA benefits under Notification No. 22/2022-Customs.
- In view of above, and as discussed earlier at point no. 30.2 (X); from corroboration of above discussed evidences, with the recovered excel sheet containing the inward outward consignment record, it clearly establishes the modus operandi adopted by the importer in connivance with their supplier firm (which are actually in their control only). It proves that the goods were just being shown routed between the UAE firms of their control, and documents were being fabricated to falsely justify the manufacturing process to show the PSR origin criteria, which is never fulfilled.

B. Similar to the above-discussed Certificates of Origin, another import shipment vide **COO No. MOE-CoO-CICO-0194696-20241116**, under BE No. 6942116 dated 28.11.2024 and the duty forgone amount is **Rs. 4214755/-** in the instant consignment supplied by **M/s Shukran Textile FZC, UAE** also appear to be **not eligible for preferential benefits under Notification No. 22/2022-Customs (India-UAE CEPA)**, as the supplier, the imported goods, and the declared raw materials are identical to those pertaining to the shipment discussed above, further various inherent discrepancies are also observed on the basis of import documents and forensic data retrieved during investigation; as discussed below;-

- As per the import documents the declared item is 60063400- Other Knitted or Crocheted Fabrics, of Printed Synthetic Fibers, N.E.S, whereas as per the declared Form I the raw material is '55091100- Containing 85 % or more by weight of staple fibers of nylon or other poly-amides: Single yarn' the production process is mentioned as Circular Knitting, and the declared origin criteria is PSR.

Whereas, **on the basis of forensic data examination** following discrepancies have been observed.

- In the WhatsApp group chat, having title as "SHUKRAN INWARD", retrieved from the mobile phone of Gaurav Chakrawarti, the UAE local transfer/procurement documents (having file name *SHUKRAN INTERNAL TRANSFER ENTRY 76549-261 PKGS*) and UAE to India Export documents having file name "*SHUKRAN EXPORT DOC IN STF -MOL-2425-02*" (containing Invoice No. STF/MOL/2425/02) with respect to instant COO Number **MOE-CoO-CICO-0194696-20241116**, have been recovered. All these documents are RUD-58. From the analysis of the said documents in view of import documents and COO verification reply, it is observed that: -

- 261 packages of Fabric (HS code 52081100) were supplied from Shuchi Textiles (FZC), Sharjah, UAE to Shukran Textile FZC, Sharjah (supplier of the goods) vide the Invoice & Packing List No. ST/D/08 dated 06.11.2024 & relevant Internal Local Transfer Document No. 1-3-60-8-24-76549 dated 07.11.2024. Further, the relevant Customs Exit Documents No. 2410656 and Export document No. 1-3-60-2-24-41295 dated 08.11.2024, and Invoice No. STF/MOL/2425/02 dated 07.11.2024, pertaining to the same goods are declared as 261 packages of “Other knitted or Crocheted Fabric of printed synthetic fibers” classified under CTH 60063400. This establishes a clear inconsistency wherein the same consignment of 261 packages is alternately declared as cotton woven fabric under HS 52081100 and as printed synthetic knitted fabric under CTH 60063400 across different documents
- Further the draft copy of the subject UAE local purchase invoice No. No. ST/D/08 dated 06.11.2024 has also been recovered from the forensic data, which shows that they were fabricating the local purchase documents.
- Further, similar to above discussed, the discrepancy with respect to raw material has been noticed that the raw material declared in UAE local transfer/procurement documents is Fabric under CTH 52081100, whereas in the declared FORM I the raw material is ‘55091100- Containing 85 % or more by weight of staple fibers of nylon or other poly-amides: Single yarn’, which is contradictory submission of each other. Further, the discrepancy regarding seal number mismatch was also noticed.
- Further, it is emphasized that the local supply Invoice is dated 04.11.2024, while the invoice regarding export to M/s MOL is dated 07.11.2024, which is sufficient to show that the timeline between local transfer and export is too short to support any genuine processing or value addition, and the subject documents were fabricated, just to get issued the subject COO.

Therefore, the pattern of discrepancies strongly establishes a clear connivance between the importer and the supplier in presenting misleading documents before the UAE authorities during CoO issuance, with the intent of availing ineligible preferential benefit. Thus, in view of the foregoing discrepancies, misrepresentations, and apparent manipulation of documents at both the supplier’s and importer’s end, the eligibility of the goods imported under above both the shipments, for preferential duty benefit under the India–UAE CEPA stands vitiated. The above discussed discrepancies are glaring and repetitive; thus, the documents provided during the COO verification process lack credibility and cannot be relied upon for granting preferential duty benefit.

In view of the above, the consignments supplied by M/s Shukran Textile FZC, UAE appears to be ineligible for preferential rate of duty benefits under Notification No. 22/2022-Customs (India–UAE CEPA) for the reasons mentioned below: -

- a) **Manipulated information submitted to authorities** - The verification of the Certificates of Origin and supporting documents pertaining to the above shipment has

clearly established that the COO-issuing process was influenced by inaccurate and manipulated information furnished by the supplier entity M/s Shukran Textile FZC.

- b) **Handwritten alterations on local procurement documents** - The local procurement document, which originally reflected the raw material under CTH 5208, was subsequently hand-altered during the verification inquiry after the supplier seemingly realized that such raw material was incompatible with the finished knitted polyester fabrics. Even the modified tariff classification (**60063100**) failed to meet the Product Specific Rule (PSR) requirements prescribed under the India–UAE CEPA, clearly indicating that the alteration was an afterthought intended to create a façade of compliance, rather than evidence of any genuine manufacturing activity in the UAE.
- c) **Failure to satisfy Product specific rule criteria** - Above findings, coupled with the contradictions between the raw material declared in Form-I, the composition of the finished goods, reveal a pattern of systematic mis-declaration aimed at availing ineligible preferential duty benefits.
- d) **Importer's failure to submit origin related information as mandated under Rule 4 & 5 of the CAROTAR, 2020** - Further, the importer's failure to furnish Origin related information for above consignments, despite repeated opportunities, reinforces the adverse inference that the manufacturing claims are not supported by authentic documentation.

In view of these established discrepancies and the uniformity of the *modus operandi*, all the consignments discussed/listed above—being supplied by the same supplier, involving identical type of goods, identical composition and raw materials, and presenting similar inconsistencies—appear ineligible for preferential benefits under Notification No. 22/2022-Customs (India–UAE CEPA). The recurring and identical discrepancies noticed across multiple consignments demonstrate a consistent pattern of mis-declaration, evidencing a systematic *modus operandi* rather than isolated lapses.

Further, it is also pertinent to note that, as per sub-rule (5) of Rule 22 of the Customs Tariff (Determination of Origin of Goods under the CEPA between India and the UAE) Rules, 2022, notified vide Notification No. 39/2022-Customs (N.T.) dated 30.04.2022, *the proceedings for verification of origin under these Rules shall also apply to products already cleared for home consumption under preferential tariff*. Accordingly, the findings arising from the verification of the representative COO extend to past consignments of identical nature, where similar discrepancies are also evident. **Thus, in view of above, it is conclusively emerging that subject imported goods supplied by Shukran Textile FZC, UAE are not eligible for benefits under India UAE CEPA Notification No. 22/2022-Cus.**

24. The import shipments supplied to M/s MOL by M/s Majestic Ecopolyfab (FZC): Whereas, total 09 shipment of “Other Knitted or crocheted fabric of synthetic fibers bleached or unbleached, under CTH 60063100” has been supplied by M/s Majestic Ecopolyfab (FZC), UAE to M/s MOL, Ahmedabad, India, wherein they have availed duty exemption benefits (duty forgone) of **Rs. 4,55,79,965/-** by claiming the ineligible benefits of India UAE CEPA Notification No. 22/2022-Cus. The individual COOs are discussed henceforth;

A. The import shipments vide MOE-CoO-CICO-0226646-20241223 dated 23.12.2024 Supplied by **M/s Majestic Ecopolyfab (FZC)** under **BE No. 7515448 dated 24.12.2024**, having declared goods ‘60063100- Other Knitted or Crocheted Fabrics of Unbleached or Bleached synthetic Fibers’. The importer has availed benefit of Notification No. 22/2022-Cus, and the duty forgone/differential duty amount is Rs. **82,41,162/-** in the instant consignment; however, the subject import doesn’t appear eligible for such benefits on the basis of grounds mentioned below:

I. Discrepancies on the basis of Import documents& Test reports:

- As per the import documents (**RUD-67**), the goods under above mentioned Certificate of origin are under HSN “(**60063100**) Other Knitted or Crocheted Fabrics of Unbleached or Bleached Synthetic Fibers, n.e.s.”.
- As per Form-I, the Importer has provided the “Circular Knitting” as operations which were undertaken in the production process of the impugned goods; the Originating Criterion is mentioned as ‘PSR (CTH+VA40%)’ and the originating material in the manufacturing process of final goods are declared as “(**55091100**) containing 85% or more by weight of staple fibers of nylon or other polyamides: single yarn”.
- Further, from the test report obtained with respect to the impugned imported goods, the goods are found to be “(i)White knitted fabric, wholly made of polyester, spun and filament yarn, (ii) White knitted fabric, wholly made of polyester filament yarn, bleached”.
- Thus, on analyzing the same, it appears that the final product i.e fabric of filament yarn cannot be manufactured from the raw material of staple fiber. Similarly, the raw material used in manufacturing i.e Nylon/ polyamide cannot be used for manufacturing of fabric made of polyester.

II. Discrepancies on the basis of documents received under COO verification inquiry: Further, in view of above discrepancies found in the import documents, the COO verification was initiated as per Rule 6(1)(b) of CAROTAR, 2020 and on verification of reply received vide email dt. 10.10.2025 (**RUD-68**) following observations are pointed out: -

Table - XV

Query sent under Questionnaire	Reply received under COO verification through FTA Cell	Remarks/Observations
Copy of the Certificate of Business Registration of the Exporter to be enclosed	Trade License Attached in The Mail As 01.	As per the Business registration certificate with forensic data and other documents it emerged that the supplier firm is owned by Shri Omprakash Babulal Runthala, brother of mastermind Shri Anilkumar Babulal Runthala, indicating towards the control of mastermind over supplying

		firm. (#)
Copy of the application submitted by the exporter/manufacturer along with supporting documents for issuance of Certificate of Origin by the Issuing Authority may please be provided	Copy of The Application CoO Attached in The Mail As 02.	Screenshots of MoE website regarding application of COO has been provided, however the complete supporting documents, on the basis of which the COO issued, are not provided.
Identify and obtain copies of documents evidencing procurement of "raw material" declared by the said supplier	Documents Have Been Attached In The Mail Being: - Bill Of Entry As 03.	In the reply they provided two documents regarding supply of Knitting Raw Material classified under 55091100, both are not matching with the supplied goods. Further, the procured item is Knitting Raw Material classified under 55091100, which pertains to Synthetic Staple fibres ; matching with the raw material declared in the Form I i.e. Containing 85% or more by weight of staple fibers of nylon or other poly-amides'; however, as per the respective test reports the imported product is found to be made of Polyester Filament Yarn, which is contradictory to both the declarations. Because the finished product having 'Polyester Filament Yarn' cannot be manufactured from the raw material of 'staple fibres of nylon or other poly-amides'.
Please provide the following information about the production processes carried out for the goods which have been certified as originating in the said CoO:	Cost Sheet of the Said Container Has Been Added In The Mail As 05.	On scrutiny of the Cost Sheet, it is observed that the SEZ Bills of Entry and the corresponding invoices are shown as having been issued on the same dates, and further, <u>the last five digits of the SEZ Bill of Entry numbers have been reflected as the invoice numbers</u> . Such a pattern is not in conformity with normal commercial practice, <u>wherein invoices are generated prior to filing of the corresponding SEZ Bills of Entry for local transfer</u> , and notably they have not provided the copy of such Invoices. The reflection of SEZ Bill of Entry numbers as invoice numbers,

		<p>particularly in respect of documents purportedly issued by UAE authorities, is illogical and untenable. The said discrepancies clearly indicate that the invoice particulars reflected in the Cost Sheet are not genuine and appear to have been falsely created and fabricated.</p> <p>As the submitted raw material (staple fiber of nylon or other polyamide) is not found aligning with the imported product (containing polyester filament yarn), hence the information regarding production process cannot be considered genuine.</p>
Please provide the information pertaining to cost of each of the raw materials used to produce the goods which have been certified as originating in the said CoO (Refer: Article 3.2 of Chapter 3 on Rules of Origin for India-UAE CEPA)	The exported goods are not wholly obtained.	As discussed earlier, the documents provided in support of raw material procurement are not justifying the procurement and the details provided in the Cost sheet appears to be fabricated, hence the details provided under instant queries are not reliable.
Can 'Country of Origin' Certificates be amended retrospectively to change the material origin criteria from 'Wholly Obtained' to 'Product Specific Rule	No 'country of origin' certificates be amended retrospectively to change the material origin criteria.	Evasive Reply; as the COO declared with the BE, it has been "issued retrospectively", however no clarification is provided by supplier in this regard.

(#) In the above discussed COO verification, the Certificate of Business Registration No. 23887 issue date 17.07.2025 has been provided by the supplier wherein in the place of Owner & Manager, one name is mentioned as "Omprakash Babulal Runthala" along with other names. From the perusal of surname, it appears that he is the brother of Anilkumar Babulal Runthala and thus the importer and exporter are the related party and from this fact it appears directly or indirectly the UAE based supplier firm M/s Majestic Ecopolyfab (FZC) is in control of Anilkumar Runthala, the mastermind in the instant case.

B. Consignments having discrepancies on the basis of Import documents, Form I declaration, Physical Examination and respective Test Reports:

In addition to above discussed import shipments, the shipment vide following 02 COOs/import consignments Supplied by M/s Majestic Ecopolyfab FZC, UAE, under **BE No. 7515434 and 7515447 both dated 29.12.2024** having declared goods “60063100- Other Knitted or Crocheted Fabrics, of unbleached or bleached synthetic Fibers, N.E.S. (Manmade 100 % polyester knitted fabric grey undyed)”. The importer has availed benefit of Notification No. 22/2022-Cus, and the **differential duty amount is Rs. 1,44,39,220/-** in the instant consignments; however, the subject import doesn't appear eligible for such benefits on the basis of grounds mentioned below: -

I. Discrepancies on the basis of physical examination:

- As discussed above in detail at para 4 & 5 the goods pertaining to instant shipment were examined by DRI and on physical examination only the goods were found to be mis-declared in terms of quantity as the declared quantity in respect of BE No. 7515434 dated 29.12.2024 was **70901.2 SQM**, whereas the actual quantity was found to be **106584.95 SQM**, whereas the declared quantity in respect of BE No. 7515447 dated 29.12.2024 was **58149.6 SQM**, whereas the actual quantity was found to be **121983.90 SQM** as per the examination Panchnama.

II. Discrepancies on the basis of Import documents, Form I & Test report:

- The discrepancies observed as per the import documents, Form I and test report in respect of BE No. BE No. 7515434 and 7515447 both dated 29.12.2024, are summarized in table below;
- The declared material in both the BEs was “Declared Item: Other Knitted or Crocheted Fabrics, of unbleached or bleached synthetic Fibers, N.E.S. (Manmade **100 % polyester** knitted fabric grey undyed)” classified under CTH 60063100.
- As per the Form I declaration the raw material for the both the BEs was declared to be ‘55091100- Containing 85 % or more by weight of **staple fiber of nylon or other polyamides**: single yarn (circular knitting, product is obtained by knitting of polyester yarn of different quality to obtain the product)’
- In the BE No. **7515447/29-12-2024**, as per test report goods were found to be ‘knitted fabric, Wholly made of polyester, filament yarn classifiable under CTH **60063100**’, ‘Knitted fabric, Wholly made of **polyester, filament yarn**, dyed, classifiable under **60063200**’ and ‘Cut piece of white knitted fabric having **cut piles on one side**, Wholly made of **polyester, filament yarn**, bleached, classifiable under CTH **60019200**’ and ‘White **woven fabric**, Wholly made of polyester, filament yarn, Textured, bleached, classifiable under CTH **54075129**’.
- In the BE No. **7515434/29-12-2024**, as per test report goods were found to be ‘knitted fabric, wholly made of polyester, filament yarn classifiable under CTH **60063100**’, Cut piece of white tubular knitted fabric, wholly made of polyester, spun yarn, bleached, classifiable under CTH **60063100**’ and ‘Cut piece of white knitted fabric, made of **polyester = 96.93% and elastomeric yarn = 3.07%, filament yarn**, bleached, classifiable under CTH 60063100’.

- Thus, on analyzing the same, it appears that the consignments comprised heterogeneous fabrics classifiable under multiple CTHs, including both knitted and woven fabrics, contrary to the uniform declarations made in the Bills of Entry. Also, the final product i.e fabric of filament yarn cannot be manufactured from the raw material of staple fiber and the raw material used in manufacturing i.e **Nylon/polyamide** cannot be used for manufacturing of fabric made of **polyester**.
- Moreover, as per form I, the manufacturing process mentioned therein is “**knitting**”. However, the manufacturing process of imported product’s mis-declared part i.e. ‘woven fabric’ cannot be manufactured by knitting process, rather it is manufactured through **weaving** process.

III. Discrepancies based on forensic data examination in respect of above said COOs: -

- From the forensic data analysis, UAE Customs Exit Document No. 2413726 dated 17.12.2024, pertaining to container No. CAIU8237351 corresponding to BE No. 7515447 dated 29.12.2024, was recovered from a WhatsApp group titled “Majestic Import” from the mobile phone of Shri Gaurav Chakrawarti. On examination of the said document vis-à-vis the corresponding Bill of Lading, it was observed that the seal number was mentioned as “3821923” in the UAE Customs Exit document, whereas the seal number declared in the Bill of Lading was “5714” (**RUD-69**).
- From the forensic data analysis, UAE Customs Exit Document No. 2412522 dated 10.12.2024, pertaining to container No. CHSU8041194 corresponding to BE No. 7515434 dated 29.12.2024, was recovered from a WhatsApp group titled “Majestic Import” from the mobile phone of Shri Gaurav Chakrawarti. On comparison of the said document with the corresponding Bill of Lading No. CIAJEAMUN2401757, it was observed that the seal number was mentioned as “3821330” in the UAE Customs Exit document, whereas the seal number declared in the Bill of Lading was “4601”, thereby evidencing a material discrepancy in the seal particulars relating to the said import consignment. (**RUD-70**).
- Such discrepancies regarding seal mis-match raises strong suspicion about the subject shipments.

Thus, the above discussed evidences along with the outcome of overseas verification of representative COO (of similar supplier, similar goods, similar raw material), establishes that the impugned goods are does not fulfill the origin criteria as claimed and it appears that the subject COOs were obtained on the basis of incorrect manufacturing information or misrepresentation of actual inputs intended to avail the undue preferential tariff benefits under India–UAE CEPA Notification No. 22/2022-Customs, rendering the Certificate of Origin invalid and the claim of preferential treatment inadmissible.

C. Consignment having discrepancies on the basis of Import documents, Form I declaration and respective Test Reports:

Similar to above discussed import shipments, the following import consignments under COO No. **MOE-CoO-CICO-0215226-20241210**, under BE No. 7320343 dated 18.12.2024, supplied by M/s Majestic Ecopolyfab FZC, UAE, having declared goods “60063100- OTHER KNITTED OR CROCHETED FABRICS, OF UNBLEACHED OR BLEACHED SYNTHETIC FIBERS, N.E.S.(Man Made 100% polyester knitted fabric grey undyed)” where the importer has availed the benefit of Notification No. 22/2022-Cus, and availed the **duty exemption benefits of Rs. 33,44,326/-**; however, the subject import doesn’t appear eligible for such benefits on the basis of grounds mentioned below: -

I. Discrepancies on the basis of Import documents, Form I declaration and respective Test Reports:

- As per the import documents (**RUD-71**), the imported goods were declared as “Other Knitted or Crocheted Fabrics, Of Unbleached Or Bleached Synthetic Fibers, N.E.S” under CTH 60063100.
- As per Form I, the raw material was declared to be “55091100- Containing 85 % or more by weight of **staple fibers of nylon or other poly-amides**: Single yarn” and the production process was mentioned as Circular Knitting.
- While, as per the teste reports the goods were found to be “white(undyed) circular knitted fabric having self-designed on one side. it is composed of **polyester filament yarn**”.
- Thus, on analyzing the same, it appears that the final product i.e fabric of **filament yarn** cannot be manufactured from the raw material of **staple fiber**. Similarly, the raw material used in manufacturing i.e **Nylon/ polyamide** cannot be used for manufacturing of fabric made of **polyester**.
 - Such a fundamental contradiction in import documents itself clearly indicates manipulation and fabrication of documents. In a genuine manufacturing scenario, such contradiction is not reasonably possible.

II. Discrepancies based on forensic data examination in respect of above said COOs:

- From the forensic data examination, the UAE customs Exit document No. 2412511 dated 06.12.2024 in respect of container number CZZU7218573 (pertains to BE No. 7320343 dated 18.12.2024), has been recovered from the whatsapp group chat having title as “Majestic Import” in the mobile phone of Gaurav Chakrawarti, and as per which discrepancy regarding the seal was noticed that seal number was found to be mentioned as 3821076 instead of 5362 as mentioned in respective BL No. CIAJEAMUN2401746 (**RUD-72**).

Thus, the above discussed evidences along with the outcome of overseas verification of representative COO (of similar supplier, similar goods, similar raw material), establishes that the impugned goods are does not fulfill the origin criteria as claimed and it appears that the subject COOs were obtained on the basis of incorrect manufacturing information or misrepresentation of actual inputs intended to avail the undue preferential tariff benefits under India–UAE CEPA Notification No. 22/2022-Customs, rendering the Certificate of Origin invalid and the claim of preferential treatment inadmissible.

D. Consignments having discrepancies on the basis of Import documents & Form I declarations

In addition to above discussed import shipments, the following 05 COO/import consignment supplied by M/s Majestic Ecopolyfeb FZC, UAE, also appear to be not eligible for preferential benefits under Notification No. 22/2022-Customs (India–UAE CEPA), as the supplier, the imported goods, and the declared raw materials are identical to those pertaining to the shipment discussed above. The duty foregone on account of CEPA benefit in these five shipments is **Rs.1,95,55,256/-**. The importer never joined the investigation and they also remain failed to provide origin related information, despite repeated opportunity; and thus, in the absence of origin related information as per Rule 4 & 5 of CAROTAR, 2020, the claimed preferential duty benefit is liable to be denied **ab initio**. Further, various inherent discrepancies have also been observed on the basis of import documents, and the respective Form I available on the ICES Portal (**RUD-73**). The details of the subject documents are summarized in table below as per their respective import shipments: -

Table -XVI

S r	BE No./date COO No.	ITEMDESCRIPTION (Declared)	raw material as per Form I
1	6696039/15/11/2024 / MOE-CoO-CICO- 0188390-20241109	60063100- Other Knitted or Crocheted Fabrics, Of Unbleached or Bleached Synthetic Fibers, N.E.S (Man Made 100% Polyester Knitted Fabric Grey Undyed)	55091100- Containing 85 % or more by weight of staple fibers of nylon or other poly-amides: Single yarn
2	6696040/15/11/2024 / MOE-CoO-CICO- 0186110-20241106	60063100- Other Knitted or Crocheted Fabrics, Of Unbleached or Bleached Synthetic Fibers, N.E.S (Man Made 100% Polyester Knitted Fabric Grey Undyed)	55091100- Containing 85 % or more by weight of staple fibers of nylon or other poly-amides: Single yarn
3	6942118/28/11/2024 / MOE-CoO-CICO- 0199867-20241122	60063100- Other Knitted or Crocheted Fabrics, Of Unbleached or Bleached Synthetic Fibers, N.E.S (Man Made 100% Polyester Knitted Fabric Grey Undyed)	55091100- Containing 85 % or more by weight of staple fibers of nylon or other poly-amides: Single yarn
4	7224437/13/12/2024 / MOE-CoO-CICO- 0215188-20241210	60063100- Other Knitted or Crocheted Fabrics, Of Unbleached or Bleached Synthetic Fibers, N.E.S (Man Made 100% Polyester Knitted Fabric Grey Undyed)	55091100- Containing 85 % or more by weight of staple fibers of nylon or other poly-amides: Single yarn

5	7224486/13/12/2024 / MOE-CoO-CICO-0207921-20241129	60063100-Other Knitted Or Crocheted Fabrics, Of Unbleached Or Bleached Synthetic Fibers, N.E.S. (Man Made 100% polyester knitted fabric grey undyed)	55091100- Containing 85 % or more by weight of staple fibers of nylon or other poly-amides: Single yarn
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***No test reports available on ICEGATE system**

On perusal of the details mentioned in the above table, it is a clear fiber-composition contradiction in the declaration, as the goods are described as '**100% polyester knitted fabric**' in the Bill of Entry, whereas Form-I indicates the use of **nylon/polyamide** staple fibers as raw material. Polyester fabric cannot be manufactured from nylon/polyamide inputs, making this a material misdeclaration and rendering the claimed origin criteria unsatisfied.

Therefore, in view of the above, all the consignments supplied by M/s Majestic Ecopolyfeb FZC (LLC), UAE appear to be ineligible for preferential benefits under Notification No. 22/2022-Customs (India-UAE CEPA) for the reasons mentioned below: -

- a) **Manipulated information submitted to authorities** - The verification of the Certificates of Origin and supporting documents pertaining to the earlier shipment has clearly established that the COO-issuing process was influenced by inaccurate and manipulated information furnished by the supplier entity M/s Majestic Ecopolyfeb FZC (LLC), UAE, which is a related party and under control of Mr. Anilkumar Runthala.
- b) **Failure to satisfy Product specific rule criteria** - Above findings, coupled with the contradictions between the raw material declared in Form-I, the composition of the finished goods, and the misclassified tariff headings, reveal a pattern of systematic mis-declaration aimed at availing ineligible preferential duty benefits.
- c) **Importer's failure to submit origin criteria related information** - Further, despite repeated opportunities, the importer's failure to furnish origin related information and Form-I for several consignments, this fact reinforces the adverse inference that the manufacturing claims are not supported by authentic documentation.

Such inconsistency indicates incorrect origin information, attracting denial under CAROTAR, 2020 and therefore, the COO issued for these consignments does not satisfy the originating criteria prescribed under the India-UAE CEPA. Accordingly, in terms of Section 28DA of the Customs Act, 1962, the COOs submitted by the importer stand liable for denial of preferential rate of duty.

The recurring and identical discrepancies noticed across multiple consignments demonstrate a consistent pattern of mis-declaration, evidencing a systematic modus operandi rather than isolated lapses. In view of these established discrepancies and the uniformity of

the *modus operandi*, the other consignments discussed/listed above, being supplied by the same supplier, involving identical type of goods, identical composition and raw materials, and presenting similar inconsistencies, appear ineligible for preferential benefits under Notification No. 22/2022-Customs (India–UAE CEPA).

It is also pertinent to note that, as per sub-rule (5) of Rule 22 of the Customs Tariff (Determination of Origin of Goods under the CEPA between India and the UAE) Rules, 2022, notified vide Notification No. 39/2022-Customs (N.T.) dated 30.04.2022, *the proceedings for verification of origin under these Rules shall also apply to products already cleared for home consumption under preferential tariff*. Accordingly, the findings arising from the verification of the representative COO extend to past consignments of identical nature, where similar discrepancies are evident. Therefore, these consignments too failed to meet the prescribed Product Specific Rule requirements. **Thus, in view of above, it is conclusively emerging that subject imported goods supplied by M/s Majestic Ecopolyfeb FZC (LLC), UAE are not eligible for benefits under India UAE CEPA Notification No. 22/2022-Cus.**

25. The import shipments supplied to M/s MOL by M/S Shuchi Textile (FZC), UAE:

Total 4 consignments of ‘Other Knitted or crocheted fabric of synthetic fibers dyed print, declared under CTH 60063400’, and ‘Woven fabric of Synthetic filament under CTH 54077400’ have been imported by M/s MOL from UAE based supplier M/s Shuchi Textile FZC, UAE, wherein they have availed the duty exemption benefits (duty forgone) of **Rs. 3,92,44,072/-** by claiming the ineligible benefits of India UAE CEPA Notification No. 22/2022-Cus. The individual COOs are discussed henceforth;

A. MOE-CoO-CICO-0212042-20241206 Date:07-12-2024 having BE No.7275863 dated 16.12.2024 having declared goods ‘54077400- Woven fabrics, containing 85% or more by weight of synthetic filaments, printed, n.e.s. The importer has availed benefit of Notification No. 22/2022-Cus, and availed the differential duty amounting to **Rs.1,51,79,121/-** in the instant consignment; however, the subject import doesn’t appear eligible for such benefits on the basis of grounds mentioned below: -

I. Discrepancies on the basis of Physical Examination

- As discussed above in detail, during the physical examination of the subject imported consignment the goods were found mis-declared in terms of quantity as the declared quantity was **142280 SQM**, whereas the actual quantity was found to be **204733.24 SQM** on the basis of test report and examination.

II. Discrepancies on the basis of Import documents and Test Reports:

- As per import documents (**RUD-74**), the goods under above mentioned Certificate of origin are under HSN code 54077400- Woven fabrics, containing 85 % or more by weight of synthetic filaments, printed.

- As per Form-I, Importer has provided the operations process to be undertaken as in production process of the impugned goods as *“It is weft knitted fabric. It is knitted with one row of needles, and the originating material in the manufacturing process of final goods are “54077400 - containing 85% or more by weight of **staple fibres of Nylon/ polyamide**”*
- Further, from the test report obtained with respect to the impugned imported goods, the goods are found to be **“(i) Dyed (blue colored) woven fabric, composed of polyester filament yarn (textured) together with Lycra on both sides, (GSM – 136.6), polyester = 95.54 % by wt., Lycra=Balance, classifiable under 54075290 (ii) Dyed (black colored) woven fabric having lamination (translucent film) on one side, composed of polyester filament yarn (textured) and laminated material is composed of polyurethane (PU), (GSM – 129.3), polyester = 90.62 % by wt., Laminating material = Balance, classifiable under 59032090”**.
- Thus, on analysing the same, it appears that the final product i.e fabric of **filament yarn** cannot be manufactured from the raw material of **staple fiber**. Similarly, the raw material used in manufacturing i.e **Nylon/ polyamide** cannot be used for manufacturing of fabric made of **polyester**.
- The goods were found mis-declared and mis-classified as the declared goods were under **HSN – 54077400**, however, as per the test report the goods were found to be classifiable under two categories i.e. **HSN 54075290 and 59032090**.
- Further, as per Form-I, the raw material is declared to be of CTH 54077400 and the imported product as per COO also declared to be of CTH 54077400, further in order to qualify for the Product Specific Rule Country of Origin criteria as per the India-UAE CEPA Notification 22/2022-Cus. (T) & Notification No. 39/2022-Cus (NT) there has to be CTSH level change along with 40% value addition.
- Moreover, as per form I, the manufacturing process mentioned therein is **“knitting”**. However, the manufacturing process of the imported product i.e. ‘woven fabric’ cannot be manufactured by knitting process, rather it is manufactured through **weaving** process.

III. Discrepancies on the basis of documents received under COO verification inquiry: -

Further, in view of above discrepancies found in the import documents, the COO verification was initiated as per Rule 6(1)(b) of CAROTAR, 2020 and on verification of reply received via email dt. 26.08.2025 (**RUD-75**) following observations are pointed out: -

Table -XVII

Query under Questionnaire	Reply received under COO verification through FTA Cell	REMARKS/OBSERVATIONS

Brief Description of the Commercial activity of the Exporter	Digital Printing is an advanced technology wherein digital designs are directly printed onto paper using inkjet printers-eliminating the turnaround time. The printed paper is subsequently utilized in a sublimation machine, where heat and pressure transform the dye into gas without liquefaction. This gaseous dye bonds at a molecular level with polyester fabrics, resulting in vibrant, long-lasting and washable prints.	As per the Form I submitted by the importer, the subject raw material had undergone knitting process with one row of needles, whereas the production process shown by the supplier is only printing ; this is a major contradictory submission .
Copy of the Certificate of Business Registration of the Exporter to be enclosed	Enclosed with Documentation.	In the license certificate No. 24468 of M/s Shuchi Textile (FZC), Issue date 08.05.2025 name of owner is mentioned as 'Manoj Prajapati Shankarbhai Prajapati, Prayagkumar Dineshbhai Patel and name of Manager is mentioned as Shri Kant Sharma; However, during the forensic examination the copy of subject License No. 24468, Issue date 08.05.2024 was recovered and that was having the owner name mentioned as ' <u>Ashok Kumar Sewda</u> , Manoj Kumar Prajapati, and name of Manager is mentioned as <u>Shri Anil Kumar Babulal Runthala</u> ; It is noteworthy that as per the investigation Mr. Anil Runthala and Mr. Ashok Kumar Sewda are the main handler of the instant importing firm.
Identify and obtain copies of documents evidencing procurement of “raw material” declared by the said supplier	Copies of the Bill of Lading (BL) Inward and Packing List (PL) for the sourced raw materials have been attached for verification	Invoice (M/s Modern fabrics Solution (FZC) supplying goods to M/s Shuchi Textile (FZC) are enclosed, bearing Sr. MFS/25/24 dt 28.11.2024 along with the respective Internal transfer document. As per local procurement documents the raw material is ' Dyed polyester

		<p>fabric under CTH 54075200', whereas as per the Form-I submitted at the time of import the raw material is mentioned as “54077400-Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn”, which are <u>contradictory submission</u> of supplier.</p> <p>Further, the seal number of subject container was found mismatched as it is found to be '3777772' in UAE export documents, instead of as mentioned in the respective Bill of Lading '001135'. This fact arises strong suspicion about this shipment.</p>
Details of the production/manufacturing facility available with the Exporter, including details of individual machines/production units. Has the declared production process actually taken place in the exporting country	<p>I. Designed development by specialized software, II. Sublimation paper printing using high resolution digital printers;III. Alignment of printed paper and polyester fabric into the sublimation unit;IV. Exposure to a temperature of 200°C or above depending on print complexity;V. Sublimation phase where ink transforms into gas;VI. Post-process separation and cooling of fabric and paper.VII. Quality assurance through checker and roller machines to identify any defects.VIII. Final product is rolled per customer specifications and securely packed.</p>	<p>No corroborating details/ documents/ machinery setup photos have been provided. Moreover, as per the Form I submitted by the importer the subject raw material was undergone through the Knitting process with 1 row of needles, whereas the production process shown by the supplier in the instant verification report is only printing, this is a major contradiction between supplier's present submission and the Form I issued by the them.</p>
Please provide the following information about the production processes carried	Cost Sheet Attached in the accompany email.	On perusal of submitted cost sheet, it is found that the supplier's local procurement as per local purchase

out for the goods which have been certified as originating in the said CoO:		documents is on 29.11.2024 and the date of export is also on the same dated i.e. 29.11.2024, which is sufficient to show that the timeline between local procurement and export is too short to support any genuinely processed goods or value addition. Moreover, it is worth mentioning here that <u>imported goods are found mis-declared as per test reports and thus, the raw material is nowhere matching with the actually imported goods, which proves that the subject Cost Sheet is fabricated and unreliable.</u>
Please provide the information pertaining to cost of each of the raw materials used to produce the goods which have been certified as originating in the said CoO (Refer: Article 3.2 of Chapter 3 on Rules of Origin for India-UAE CEPA)	Goods status: Exported goods are not wholly obtained in the Country of Export	Evasive reply. However, As discussed above, the Cost sheet provided by the supplier in this regard, is fabricated, and not supported by genuine details/documents and therefore, is unreliable.
Can 'Country of Origin' Certificates be amended retrospectively to change the material origin criteria from 'Wholly Obtained' to 'Product Specific Rule	Not Applicable.	As per COO, the certificate has been issued retrospectively. No specific reply has been provided in this regard.

III. Discrepancies based on forensic data examination in respect of said COO:

- From the forensic data examination, the UAE customs Exit document No. 2410668 dated 29.11.2024 in respect of container number CSDU8858953, has been recovered from the WhatsApp group chat having title as "Document Inward" in the mobile phone of Gaurav Chakrawarti, and as per which discrepancy regarding the seal mismatch has been noticed, as discussed earlier (RUD-51).

From the foregoing facts, examination reports, test results, documentary scrutiny, COO verification replies and forensic evidence, it is conclusively established that the subject imported goods do not fulfil the origin criteria prescribed under the India–UAE CEPA. The goods were found mis-declared in respect of quantity, classification, raw material and manufacturing process, and the Product Specific Rule conditions were not satisfied. The Certificates of Origin relied upon are found to be based on contradictory, fabricated and unreliable documents, and no genuine manufacturing or value addition has taken place in the exporting country. The importer has thus failed to discharge the obligations cast under Section 28DA of the Customs Act, 1962 read with CAROTAR, 2020. Accordingly, the

preferential tariff benefit availed under Notification No. 22/2022-Cus is inadmissible and liable to be denied, with consequential recovery of differential duty, confiscation of goods and initiation of penal action under the relevant provisions of the Customs Act, 1962.

B. Consignments having discrepancies on the basis of Import documents, Form I declaration, Physical Examination and respective Test Reports:

In addition to above discussed import shipments, the shipment vide COO No. **MOE-CoO-CICO-0211319-20241206 Date:06-12-2024** from M/s Shuchi Textile FZC, UAE, under **BE No. 7275866 dated 16.12.2024** having declared goods '54077400- Woven fabrics, containing 85% or more by weight of synthetic filaments, printed, n.e.s., where the importer has availed benefit of Notification No. 22/2022-Cus, and availed the duty amount involved is **Rs. 1,31,18,884/-** in the instant consignment; however, the subject import doesn't appear eligible for such benefits on the basis of grounds mentioned below: -

I. Discrepancies on the basis of physical examination:

- As discussed above, in detail in examination Panchnama, the goods pertaining to instant shipment were examined by the respective port authorities and on physical examination only the goods were found to be mis-declared in terms of quantity as the declared quantity was **142260 SQM**, whereas the actual quantity was found to be **208031.72 SQM** on the basis of test report and examination.

II. Discrepancies on the basis of Import documents, Form I & Test report:

- As per the import documents (**RUD-76**) the goods under above mentioned Certificate of origin are under HSN code **54077400**, Woven fabrics, containing 85 % or more by weight of synthetic filaments, printed.
- As per Form-I, Importer has provided the following operations which were undertaken in production process of the impugned goods. *"It is weft knitted fabric. It is knitted with one row of needles, Originating Criterion 'CTH+VA40%'"* and the originating material in the manufacturing process of final goods are "54077400 - containing 85% or more by weight of **staple fibres of Nylon/ polyamide**"
- Further, from the test report obtained with respect to the impugned imported goods, the goods are found to be 'Dyed black coloured woven fabric, composed of **polyesters filament yarn** (textured) together with lycra on both side polyester 95.97% classifiable under HSN **54075290**'.
- Thus, on analyzing the same, it appears that the final product i.e fabric of **filament yarn** cannot be manufactured from the raw material of **staple fiber**. Similarly, the raw material used in manufacturing i.e **Nylon/ polyamide** cannot be used for manufacturing of fabric made of **polyester**.
- Further, as per Form-I, the raw material is declared to be of CTH 54077400 and the imported product as per COO also declared to be of CTH 54077400, further in order to qualify for the Product Specific Rule Country of Origin criteria as per the India-

UAE CEPA Notification 22/2022-Cus. (T) & Notification No. 39/2022-Cus (NT) there has to be CTSH level change along with 40% value addition.

- Moreover, as per form I, the manufacturing process mentioned therein is “**Knitting**”. However, the manufacturing process of the imported product i.e. ‘woven fabric’ cannot be manufactured by knitting process, rather it is manufactured through **weaving** process.

III. Discrepancies based on forensic data examination in respect of above said COO: -

- During examination of forensic data recovered from the mobile phone of Shri Gaurav Chakrawarti, documents having file name ‘*SHUCHI EXPORT 1425 ROLLS INV ST-MOL-2425-03*’ (containing relevant Invoice No. ST/MOL/2425/03, Export & Exit Document issued by UAE Customs) pertaining to instant shipment/COO (RUD-50) have been recovered, and on verification of the same with import documents it was noticed that the invoice declared by the importer was having different signature from the Invoice found in the forensic examination. Further, the draft copy of subject invoice was also recovered from the forensic data, that clears that situation that they were fabricating the supplier end’s documents.
- Further, forensic examination of digital data recovered an Excel sheet {discussed at point 18 (VII & VIII)} showing that the subject shipments were **internally transferred among UAE-based firms controlled by key persons**, merely to create a façade of local supply.

In view of the foregoing discrepancies in physical examination, import documents, Form-I declarations, test reports and forensic evidence, it is clearly established that the subject consignment does not satisfy the Product Specific Rules prescribed under the India–UAE CEPA. The declared manufacturing process, raw material composition and tariff classification are mutually contradictory and technically untenable, and the mandatory CTSH-level change along with the stipulated value addition, has not been achieved. The forensic evidence further reveals fabrication and manipulation of supplier-side documents to falsely project UAE origin. Accordingly, the Certificate of Origin relied upon for the instant consignment is rendered invalid and inapplicable, and the importer is not entitled to preferential tariff benefit under Notification No. 22/2022-Cus. The said consignment is therefore liable for denial of CEPA benefit, recovery of differential duty and consequential action under the Customs Act, 1962 read with CAROTAR, 2020.

C. Consignments having discrepancies based on Import documents & Form I declarations:

Similar to the above-discussed Certificates of Origin, the following **02** COOs/import consignments supplied by **M/s Shuchi Textile FZC, UAE**, involving **Duty Forgone of Rs. 1,09,46,067/-** also appear to be **not eligible for preferential benefits under Notification No. 22/2022-Customs (India–UAE CEPA)**, as the supplier, the imported goods, and the

declared raw materials are identical to those pertaining to the shipment discussed above, further various inherent discrepancies are also observed on the basis of import documents.

I. In the table below the COOs/import shipments are summarized where discrepancies have been observed I respect of originating material and non-fulfillment of requirement of necessary change of CTH by way of processing of raw materials: -

Table -XVIII

Sr .	BE Date/ COO No.	No./ Item Description as declared	Raw material as per Form I (*)	Productio n process as per FORM I
1	6908216/27-11-2024; MOE-CoO-CICO-0201293-20241125	54077400-Woven Fabrics, containing 85% or More By Weight of Synthetic filaments , Printed, N.E.S.)	54077400-Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn	It is a weft knitted fabric. It is knitted with one row of needles.
2	7091050/06-12-2024; MOE-CoO-CICO-0209003-20241204	60063400- Other knitted or crocheted fabrics, of printed synthetic fibers, n.e.s	60063400- Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn	

* No test reports available on the ICEGATE system

- On examination of above summarized details and respective subject documents, it is found that in the shipment at Sr. no.1 the Form-I states the originating material is containing 85 % or more **staple fiber** of nylon/polyamide, whereas as declared in the import documents the goods are made of **filament yarn**. Polyester and nylon/polyamide fiber are **not interchangeable**, and such a contradiction indicates false declaration of originating materials. This fundamental mismatch establishes that the originating material declared in the COO/Form-I is false and thus the COO appears to be issued on the basis of mis-leading fabricated details/documents.
- Further, in both the shipment, the raw material as per Form-I (54077400/60063400), and imported product declared under the same CTH, and claimed the origin criteria is PSR (CTH+VA 40%), however in order to qualify for the Product Specific Rule Country of Origin criteria as per the India-UAE CEPA Notification 22/2022-Cus. (T) & Notification No. 39/2022-Cus (NT) there has to be CTSH level change in case of Woven Fabric and CTH level change in the case of knitted fabric along with 40% value addition, which is not occurred in the instant shipments, rendering the subject goods ineligible for CEPA benefits.

II. Discrepancies based on forensic data examination in respect of said COO:

- During examination of forensic data recovered from the mobile phone of Shri Gaurav Chakrawarti, documents having file name '*SHUCHI EXPORT ST-MOL-2425-01*' (containing relevant Invoice No. ST/MOL/2425/01, Export & Exit Document issued by UAE Customs) pertaining to instant shipment/COO (**RUD-77**) have been

recovered, and on verification of the same with import documents it was noticed that the invoice declared by the importer was having only stamp of supplier, while the Invoice found in the forensic examination was having seal and signature. Further, the draft copy of subject invoice was also recovered from the forensic data, that clears the situation that they were fabricating the supplier end's documents.

In view of the above, the consignments supplied by M/s Shuchi Textile FZC, UAE appears to be ineligible for preferential rate of duty benefits under Notification No. 22/2022-Customs (India-UAE CEPA) for the reasons mentioned below: -

- a) **Manipulated information submitted to authorities** - The verification of the Certificates of Origin and supporting documents pertaining to the above shipment, like False declaration of manufacturing activity, submission of fabricated cost sheet etc., recovery of draft invoice and other documents, has clearly established that the COO-issuing process was influenced by inaccurate and manipulated information furnished by the supplier entity M/s Shuchi Textile FZC, UAE.
- b) **Failure to satisfy Product specific rule criteria** - Above findings, coupled with the contradictions between the raw material declared in Form-I, the composition of the finished goods, and the mis declared and misclassified tariff headings, Non-fulfilment of Product Specific Rule (PSR) in absence of CTH/CTSH level transformation, reveal a pattern of systematic mis-declaration aimed at availing ineligible preferential duty benefits.
- c) **Importer's failure to submit origin related information as mandated under Rule 4 & 5 of the CAROTAR, 2020** - Further, the importer's failure to furnish Origin related information for several consignments, despite repeated opportunities, reinforces the adverse inference that the manufacturing claims are not supported by authentic documentation.

Such inconsistency indicates incorrect origin information, attracting denial under CAROTAR, 2020 and therefore, the COO issued for these consignments does not satisfy the originating criteria prescribed under the India-UAE CEPA. Accordingly, in terms of Section 28DA of the Customs Act, 1962, the COOs submitted by the importer stand liable for denial of preferential rate of duty.

In view of these established discrepancies and the uniformity of the modus operandi, the other consignments discussed/listed above, being supplied by the same supplier, involving identical type of goods, identical composition and raw materials, and presenting similar inconsistencies, appear ineligible for preferential benefits under Notification No. 22/2022-Customs (India-UAE CEPA) read with Section 28DA of the Customs Act, 1962.

It is also pertinent to note that, as per sub-rule (5) of Rule 22 of the Customs Tariff (Determination of Origin of Goods under the CEPA between India and the UAE) Rules, 2022, notified vide Notification No. 39/2022-Customs (N.T.) dated 30.04.2022, *the proceedings for verification of origin under these Rules shall also apply to products already*

cleared for home consumption under preferential tariff. Accordingly, the findings arising from the verification of the representative COO extend to past consignments of identical nature, where similar discrepancies are evident. Therefore, these consignments too failed to meet the prescribed Product Specific Rule requirements. **Thus, in view of above, it is conclusively emerging that subject imported goods supplied by M/s Shuchi Textiles FZC (LLC), UAE are not eligible for benefits under India UAE CEPA Notification No. 22/2022-Cus.**

26. The import shipments supplied to M/s MOL by M/s Chaman Textiles Processing (FZE), UAE:-

One Consignment vide COO No. **MOE-CoO-CICO-0144478-20240920** dated 21-09-2024, under BE No. **5824744 dated 27.09.2024**, having declared goods 'Other Knitted or Crocheted Fabrics- of Synthetic Fibers: Dyed' declared under CTH 60063200, have been imported by M/s MOL from UAE based supplier M/s Chaman Textiles Processing FZE, UAE, wherein they have availed total duty exemption benefits (duty forgone) of **Rs. 39,68,103/-** by claiming the ineligible benefits of India UAE CEPA Notification No. 22/2022-Cus. The individual COOs & discrepancies found in the subject shipments are discussed below:-

I. Discrepancies on the basis of Import documents and Test report:

- a) As per the import documents (**RUD-78**), the goods under instant shipment are under HSN code 60063200 Other knitted or crocheted fabrics, of synthetic fiber, dyed, n.e.s.
- b) As per Form-I, Importer has provided the following operations which were undertaken in production process of the impugned goods;- Knitting the yarn – Weft and wrap knitting; Originating Criterion as 'CTH+VA40%' and the originating material in the manufacturing process of final goods are "(55091100) containing 85% or more by weight of staple fibers of nylon or other polyamides: single yarn".
- c) Further, from the test report obtained with respect to the impugned imported goods, the goods are found to be "Dyed (pink colored) self-designed knitted fabric, composed of polyester filament yarn along with small amount of lycra, GSM = 173.0, Polyester = 95.2% by wt., Lycra = balance".
- d) Thus, on analysing the same, it appears that the final product i.e fabric of filament yarn cannot be manufactured from the raw material of staple fiber. Similarly, the raw material used in manufacturing i.e Nylon/ polyamide cannot be used for the manufacturing of fabric made of polyester.

II. Discrepancies on the basis of documents received under COO verification inquiry: Further, in view of above discrepancies found in the import documents, the COO verification was initiated as per Rule 6(1)(b) of CAROTAR, 2020 and on

verification of reply received vide email dated 10.10.2025 **(RUD-79)** following observations are pointed out: -

Table- XIX

Query sent under Questionnaire	Reply received under COO verification through FTA Cell	Remarks/Observations
Certificate of Origin (COO) No.: MOE-CoO-CICO-0144478-20240920 Dated 21.09.2024	Copy of certificate of origin enclosed.	The COO uploaded with the Form-I does not contain signature of the Owner whereas the COO provided in the instant verification contains the signature of the owner, which shows fabrication of documents.
Name of Exporter and registered Address:	Chaman Textile Processing (FZE) Block No. E4-04 & 06, Sharjah, U.A. E	The Address provided in Form-I is E4 O4 SAIF-ZONE, Sharjah, U.A.E
Copy of the application submitted by the exporter/manufacturer along with supporting documents for issuance of Certificate of Origin by the Issuing Authority, may please be provided	Enclosed: Exporter's application, invoice (CTP/24/105, 19-09-2024, and production records.	Required documents are not provided; only provided the Import invoice, that is already declared with BE.
Identify and obtain copies of documents evidencing procurement of "raw material" declared by the said supplier	Enclosed: Invoices and bills of lading of raw materials listed below:	The copy of subject Bill of Lading is not provided with the reply. Moreover, in the Invoice regarding procurement of major raw material (polyester yarn) is not specifying the CTH of the procured goods and no other documents (like Bill of Lading or Local transfer document) is provided to show that procured goods fall under CTH 54025200, as shown in the Products Details Forms provided by the supplier. The CTH of raw material is shown as 54025400 (polyester yarn) & 55091100 Polyester viscous yarn, however, no document is submitted to support the subject classification. Furthermore, the invoice regarding supply of goods from china to UAE is also without any signature of issuer. Furthermore, Form I submitted with Bill of Entry is showing the raw material as "Containing 85% or more by weight of staple fiber of nylon or other poly-amides: single yarn" under 55091100. Whereas, as per instant submission by supplier the major raw material is shown as Polyester Yarn under CTH 54025200, this is major contradiction between the two submission of the

		supplier regarding raw material. From which it appears that Invoices are fabricated just to show as if the goods have undergone the required production process.
Details of the production/manufacturing facility available with the Exporter, including details of individual machines/production units. Has the declared production process actually taken place in the exporting country	Location: Sharjah Airport Freezone, UAE. Machinery: Knitting Machines, Dyeing Units, Finishing Equipment. Production Confirmation: Entire Process (knitting, dyeing, finishing) occurred in UAE.	No corroborating details/ documents/ machinery setup photos have been provided to substantiate their claim.
Please provide the following information about the production processes carried out for the goods which have been certified as originating in the said CoO:	provided production process and production cost breakdown.	As discussed earlier, the supporting documents of the subject Cost Sheet are not matching with the details mentioned in the cost sheet, hence the genuineness of the details mentioned in the subject Cost sheet is doubtful. They remain failed to justify whether they have actually procured the raw material and whether the same is actually pertains to CTH mentioned in the Product Detail Form provided by them.
Please provide the information pertaining to cost of each of the raw materials used to produce the goods which have been certified as originating in the said CoO (Refer: Article 3.2 of Chapter 3 on Rules of Origin for India-UAE CEPA)	provided CTH wise details of raw material along with cost of each	The supporting documents of the subject Cost Sheet are not matching with the details mentioned in the cost sheet. Further, in the instant submission by the supplier there is no document that can justify that the CTH of major raw material i.e. Polyester Yarn. As discussed earlier, the instant submission of the importer is contradictory to the earlier submission of the supplier under the declared Form I submitted on E Sanchit, regarding raw material.
If the De-Minimis/ Cumulative/Wholly Obtained Rule is used for determining origin of raw materials /components/inputs, copies of supporting documents (including Certificates of Origin by other FTA members in case of Cumulative Rule) may please be provided	Origin Criterion: PSR** (Product Specific Rule) under India-UAE CEPA. - Supporting Docs**: COO and supplier declarations for UAE-origin materials (Bleach, Caustic Soda, etc.).	The supplier is showing the originating criteria as PSR, however, they remain failed to justify the basic fact i.e. CTH of the major raw material. Moreover, in respect of the other raw material (Polyester dyed Viscose yarn, Caustic Soda Flakes, etc.) only Proforma Invoice are submitted.
The following information about other	1 Labour Cost Production wages	The details of the raw material (classification) as mentioned in the

production costs (i.e. other than the cost of raw materials), such as Labour Cost, Overhead Cost and any other relevant elements which are relevant to the origin determination of the product involved in the production of final product, may be provided (Refer: Article 3.2 of Chapter 3 on Rules of Origin for India-UAE CEPA)	29,997.41 10% 2 Overhead Cost Utilities/rent 14,998.71 5% Calculated at 15% of invoice value (USD 299,974.11).	Product Detail form are not supported with proper documents, hence the genuineness of the production process and its cost, cannot be ascertained.
Can 'the said raw material' thus obtained by the suppliers qualify as Wholly obtained or PSR as claimed in terms of the CEPA Rules	UAE Value Addition: 74.66% (exceeds India-UAE CEPA threshold).- Non-Originating Materials: Polyester Yarn (0.65 USD/kg) excluded from origin criteria.	The details of the raw material & its classification, as mentioned in the Product Detail form are not supported with proper documents, whereas the same are completely different from the details submitted with the Bill of Entry. Hence the genuineness of the production process and originating criteria as PSR cannot be ascertained. Hence, it appears that they have merely submitted fabricated detailed without support of proper documents.

In addition to the discrepancies observed in the Certificate of Origin (COO) verification report, the extent of deliberate fabrication and manipulation is evident from the fact that the Product Detail Form (Cost Sheet) dated 24.06.2024, along with its supporting documents, namely Commercial Invoice No. 610214 dated 10.07.2024 issued by M/s BSL Ltd., Proforma Invoice No. AGI-0978 dated 17.05.2024, Commercial Invoice No. SFI-1018 dated 18.07.2024, and Proforma Invoice No. PFR/03/09/2024, are **identical replicas of the documents earlier submitted during the COO verification proceedings in respect of COO No. MOE-CoO-CICO-0123292-20240827 dated 27.08.2024, pertaining to the related importing firm, M/s Kkrrafton Developer Limited.** The reply received in respect of subject COO is attached as **RUD-80** for ready reference.

The submission of same documents in two separate and distinct COO verification proceedings, without any variation in transactional details, clearly indicates that the said documents are not transaction-specific but have been fabricated and reused to falsely substantiate the claim of preferential tariff benefit under the India-UAE CEPA. Accordingly, it appears that the importer, in connivance with the overseas supplier, has knowingly submitted false and fabricated documents with the intent to misrepresent facts before the Customs authorities and to wrongfully avail the benefit of concessional duty.

In view of the above, the above consignments supplied by M/s Chaman Textile Processing FZE, UAE appear to be ineligible for preferential benefits under Notification No. 22/2022-Customs (India–UAE CEPA) for the reasons mentioned below: -

- a) **Importer's failure to submit origin criteria related information for several import consignments** - The importer's failure to furnish origin related information, despite repeated opportunities, reinforces the adverse inference that the manufacturing claims are not supported by authentic documentation.
- b) **Submission of manipulated and fabricated information to the authorities:** - The verification of the Certificate of Origin (COO) and the supporting origin-related documents has revealed that inaccurate, contradictory, and unverifiable information was furnished by the overseas supplier during the COO issuance as well as during the subsequent verification proceedings. The discrepancies noted in the COO copies, contradictions in raw material declarations, absence of corroborative procurement and production documents, and reuse of identical Product Detail Forms (Cost Sheets) and invoices across different COO verifications clearly indicate that the COO-issuing process was influenced by manipulated and fabricated information, thereby vitiating the genuineness of the Certificate of Origin relied upon for claiming preferential benefit. And the importer in connivance of supplier still trying the misguide the investigation by submitting false and fabricated documents.
- c) **Failure to satisfy the Product Specific Rules (PSR) prescribed under India–UAE CEPA:** The contradictions between the raw material declared in Form-I (nylon/polyamide staple fibre under CTH 55091100), the actual composition of the imported goods as established by test report (polyester filament knitted fabric with lycra), and the inconsistent tariff classification of raw materials submitted during COO verification proceedings demonstrate that the declared production process is technically implausible and unsubstantiated and this reveal a pattern of systematic mis-declaration aimed at availing ineligible preferential duty benefits. Consequently, the claimed compliance with Product Specific Rules and value addition criteria under the India–UAE CEPA remains unproven, rendering the goods non-originating in nature.

Such inconsistency indicates incorrect origin information, attracting denial under CAROTAR, 2020 and therefore, the COO issued for these consignments does not satisfy the originating criteria prescribed under the India-UAE CEPA. Accordingly, in terms of Section 28DA of the Customs Act, 1962, the COOs submitted by the importer stand liable for denial of preferential rate of duty. **Thus, in view of above, it is conclusively emerging that subject imported goods supplied by M/s Chaman Textile Processing FZE, UAE are not eligible for benefits under India UAE CEPA Notification No. 22/2022-Cus.**

M/s MOL and its key person and Directors as per IEC documents, had not co-operated in the investigation undertaken by DRI, Jaipur, as discussed earlier in the foregoing paragraphs of the notice. Whenever they were summoned for appearance, either they provided evasive replies or did not respond. Although some of the summons communications remain undelivered through speed post due to non-acceptance of locked premise, however every time the communications were also delivered on their concerned email ids. They were aware of the summons and letter being issued to them because in the mid of investigation they have filed writs before Hon'ble high court and in such writs, they acknowledged the receipt of the such communication. By filling such writs, they tried to distract the investigation **(RUD-81)**. Moreover, some of the summons were replied through their consultant, to evade the appearance, which also proves that they were aware of summons/letters being issued to them. Thus, it is clear they were deliberately evading the investigation.

28 Conclusion on the basis of Investigation, Legal Provisions and above-mentioned individual discussion of the respective COOs: -

- From the comprehensive investigation carried out by the Directorate of Revenue Intelligence, it emerges that the importer, M/s Murae Organisor Limited (IEC – 0813001757), has claimed preferential duty benefit under India-UAE Comprehensive Economic Partnership Agreement (CEPA) vide Notification No. 22/2022-Customs, dated 30.04.2022, on the strength of Certificates of Origin (COOs) issued by UAE authorities. However, detailed scrutiny of documentary evidence, electronic data, test reports, COO verification through FTA Cell and statements recorded under Section 108 of the Customs Act, 1962 reveals that the said preferential claim is based on mis-declaration, falsified documentation, and non-fulfilment of origin criteria prescribed under the CEPA Rules of Origin.
- The forensic analysis of mobile phones, servers, and recovered WhatsApp communications clearly establish that import documents such as Form-I, commercial invoices, packing lists, and even UAE export and local-supply documents were being fabricated and altered in India by the importer's representatives, under the directions of Shri Anil Kumar Runthala and Shri Ashok Kumar Sewda, in the names of supplier firms M/s Shuchi Textile FZC, UAE and M/s Shukran Textile FZC, UAE and others. This evidences a concerted design to procure fraudulent COOs showing UAE origin for goods actually sourced from Hong Kong and other third countries.
- The Central Revenue Control Laboratory (CRCL) test reports of samples drawn under examination, categorically confirm that the imported fabrics are made of polyester filament yarn, whereas the respective Form-I declarations describe the raw materials as nylon/polyamide staple-fibre yarn. It is technically impossible to manufacture polyester filament fabric from nylon/polyamide staple yarn, thus proving that the declarations in Form-I and COOs are factually incorrect and misleading.

- Further scrutiny of several consignments reveals that both the declared raw material and the finished product fall under the same tariff heading (CTH) while claiming the PSR criterion “CTH + 40 % Value Addition.” In such cases, no tariff-heading transformation has occurred, and therefore the Product-Specific Rule (PSR) requirement under Annex 2B to India–UAE CEPA, read with Notification No. 39/2022-Customs (N.T.), dated 30.04.2022, remains unfulfilled. Hence, the claimed originating status fails both on factual and legal grounds.
- The chain of evidence—comprising duplicate and unsigned invoices, altered seal numbers between UAE export documents and corresponding Bills of Lading and differing versions of COOs (including those marked “Issued retrospectively”)—further substantiates tampering and fabrication of export documentation at the supplier/importer’s end, thereby vitiating the authenticity of the COOs.
- Despite repeated requisitions issued under Rule 5 of the CAROTAR Rules, 2020, the importer failed to furnish the complete origin information and supporting documents (Form-I, cost statements, manufacturing records, etc.) within the prescribed period. Such failure constitutes violation of Rule 4(a)–(c) (duty to possess and maintain truthful origin information) and attracts consequences under Rule 8, which mandates denial of preferential tariff treatment where origin cannot be established or where false information is furnished.
- Accordingly, it stands conclusively established that the imported consignments do not satisfy the Product-Specific Rules or value-addition criteria stipulated under the India–UAE CEPA Notification No. 22/2022-Customs. The Certificates of Origin submitted by the importer are invalid and not supported by any genuine manufacturing or value-addition activity in UAE. The preferential duty exemption has therefore been wrongly availed through mis-declaration and submission of fabricated documents.
- In view of the foregoing, the goods imported by M/s Murae Organisr Limited are held to be liable to confiscation under Sections 111(m), 111(l) and 111(o) of the Customs Act, 1962, for mis-declaration of origin and contravention of the conditions of exemption. The importer is liable to payment of differential duty under Section 28(4), along with interest under Section 28AA, and further penal action is attracted under Sections 112(a) and 114AA of the Customs Act, 1962, for acts of abetment, falsification, and use of forged documents.

29 The Modus Operandi

- The investigation has revealed a well-orchestrated scheme devised by **M/s Murae Organisr Limited (MOL)** and its key managerial persons to **fraudulently avail**

preferential duty benefits under the India–UAE CEPA Notification No. 22/2022-Customs. In pursuance of this design, the company, through its main handler and Mastermind Shri Anil Kumar Runthala and associates, device fabrication of local procurement/supply documents while routing them through UAE-based entities, namely M/s Shuchi Textile FZC, M/s Shukran Textile FZC and M/s Majestic Ecopolyfeb, which were under his control. Fictitious manufacturing details and **forged Form-I and Certificate of Origin (COO) documents** were generated in the UAE showing the goods as “knitted fabrics of synthetic fibres, originating in UAE.” In reality, the UAE entities performed no manufacturing activity but merely repacked and re-labelled the consignments for re-export to India.

- Also, it has been revealed during the investigation that M/s Murae Organisor Limited was being operated through a structured arrangement of dummy directors, while actual control was exercised by a separate group of individuals, with the apparent objective of evading regulatory scrutiny and shifting legal liability. Also, two more names Mr. Bhumisth Patel and Mr. Arjunbhai other than Mr. Anil Runthala and Ashok Sevda, surfaced as the ones who were issuing instructions, handling business affairs, and coordinating statutory activities, including AGM proceedings and import-related matters. Also, it appears that Mr. Bhumisth Patel and Mr. Arjunbhai were involved in identifying dummy directors by carefully selecting individuals who can be used as scapegoats to shield the real decision-makers from legal scrutiny while retaining actual control over operations, finances, and strategic decisions.
- To sustain the false origin claim, **editable templates of Form-I, invoices and packing lists** were circulated among M/s MOL officials and the UAE suppliers through e-mail and WhatsApp. These were modified in India under the instructions of Shri Runthala & Shri Ashok Sewda.. The documents were fabricated/manipulated to deliberately mis-describe the raw material (e.g., “nylon/polyamide staple yarn”) and manufacturing process (“weft knitted fabric with one row of needles”), to show compliance with the Product-Specific Rule of **CTH/CTSH + 40 % VA**, though the **test reports analysis proved the goods were 100 % polyester filament fabrics** incapable of being produced from such raw materials. The recurring and identical discrepancies noticed across multiple consignments demonstrate a consistent pattern of mis-declaration, evidencing a systematic modus operandi rather than isolated lapses. The falsified documents were transmitted to the Customs Broker, *M/s World Cargo Logistics*, who filed Bills of Entry without verifying their authenticity. Mr. Manthan Rameshbhai Tilva and Mr. Akshay Sanepara, in their respective statements stated that they were unaware of the import related activities, however, their versions cannot be accepted as both were educated professionals and shared their personal credentials in lieu of monetary gratifications; thereby allowing fraudulent activity. Also, the other Directors as per IEC, Mr. Nitin Tomar, Mr. Vinodbhai Bhadarka, Mr. Sanket Ladani, appeared to be aware of these CEPA-based imports and failed to exercise due diligence or respond to repeated summonses, thereby allowing continuation of the fraudulent activity. Their persistent non-appearance, despite service of lawful summons under Section 108 of the Customs Act, 1962, clearly reflects conscious

guilt and deliberate evasion of inquiry. As has been consistently held in departmental jurisprudence, “*avoidance of investigation and non-response to lawful summons is itself indicative of a guilty mind and corroborates the charge of deliberate mis-declaration.*” Such conduct lends strong credence to the conclusion that the importer and its directors were fully aware of the falsity of their claims and intentionally suppressed material facts to defraud the exchequer.

- The combined actions of the importer, its directors and associated entities thus constituted a **deliberate and systematic manipulation of origin documentation** to secure ineligible duty exemption under CEPA, supported by **fabricated paperwork, false declarations and non-cooperation during investigation**, clearly attracting the penal provisions of **Sections 112(a)(ii), 114A, 114AA** of the Customs Act, 1962.

30 Valuation, Classification & Duty Calculation: -

In view of the above discussion, it appears that the importer is not eligible for benefit of preferential rate of duty under India – UAE CEPA notification 22/2022 in view of the non-fulfilment of the PSR condition/ criteria and wilful mis declaration found on the basis of test report. Accordingly, the differential duty / foregone as per above said notification appear to be demanded and recovered from the importer as per Customs Act 1962. As, there are 3 types of Bills of Entry, the duty calculation for each type is discussed separately.

- 1) 5 Live Consignment (Annexure A)
- 2) 2 Provisionally assessed BoE (Annexure B)
- 3) 17 Finally assessed BoE (Annexure C)

I. Duty calculation in respect of seized 5 live import shipments - ANNEXURE-A

➤ The above subject shipments, vide Bills of Entry as per Annexure A were examined by DRI and found to be mis-declared/ mismatched as per the respective test reports, Form I submission and declaration in BoEs. The details of mis-declaration / mis-classification noticed are tabled as under –

Table: XXI

BE No. Date	CTH & Description as per BOE/Form-I	Details of originating material declared in Form-I (manufacturing process)	Item actually found as per Test Report along with GSM	Declared CTH	Proper CTH with % of cargo found in examination
7275863 dated 16.12.2024	54077400 - Woven Fabric, Containing 85% or more by weight of synthetic Filament, Printed	Containing 85 % or more by weight of staple fiber of nylon or other polyamides : single yarn (it is weft knitted fabric knitted with one row of middle)	Cut piece of dyed (blue coloured) woven fabric , composed of polyester filament yarn (textured) together with lycra on both sides, GSM (as such) = 136.6, width (selvedge to selvedge) = 149 cm , polyester = 95.54%, Lycra = 4.46%	54077400	54075290

			Cut piece of dyed (black coloured) woven fabric having lamination (translucent film) on one side. , base material composed of polyester filament yarn (textured) and laminated material is composed of polyurethane, GSM (as such) = 129.3, width (selvedge to selvedge) = 147 cm , polyester = 90.62%, laminating material = 9.38%		59032090
7275866 dated 16.12.2024	54077400 - Woven Fabric, Contaning 85% or more by weight of synthetic Filament, Printed	Contaning 85 % or more by weight of staple fiber of nylon or other polyamides : single yarn (it is weft knitted fabric knitted with one row of niddle)	Cut piece of dyed (black) coloured woven fabric, composed of polyester filament yarn (textured) together with lycra on both sides, GSM (as such) = 131.13 , width= 147 cm, polyester= 95.97%, lycra = 4.03%	54077400	54075290
7515434, dated 29.12.2024	60063100 - Other Knitted or Crocheted Fabrics, of unbleached or bleached synthetic Fibers, N.E.S. (Man made 100 % polyester knitted fabric grey undyed)	Contaning 85 % or more by weight of staple fiber of nylon or other polyamides : single yarn (circular knitting, product is obtained by knitting of polyester yarn of different quality to obtain the product)	Cut piece of white knitted fabric, Wholly made of polyester, filament yarn, bleached- (GSM – 154.32)	60063100	60063100
			Cut piece of white tubular knitted fabric, wholly made of polyester, spun yarn, bleached-- (GSM – 91.67)		60063100
			Cut piece of white knitted fabric, Wholly made of polyester, filament yarn, bleached--(GSM – 169.52)		60063100
			Cut piece of white knitted fabric, made of polyester = 96.93% and elastomeric yarn =3.07%, filament yarn, bleached (GSM – 255.54)		60063100
7515448, dated 29.12.2024	60063100 - Other Knitted or Crocheted Fabrics, of unbleached or bleached synthetic Fibers, N.E.S. (man made 100% polyester fabric Grey undyed)	Containing 85 % or more by weight of staple fiber of nylon or other polyamides: single yarn (circular knitting, product is obtained by knitting of polyester yarn of different quality to obtain the	Cut piece of white knitted fabric, Wholly made of polyester, spun and filament yarn, bleached (GSM – 155.20)	60063100	60063100
			Cut piece of white knitted fabric, Wholly made of polyester, filament yarn, bleached (GSM – 117.93)		60063100
			Cut piece of white knitted fabric, Wholly made of polyester, filament yarn, bleached - (GSM –		60063100

			120.12)		
7515447, dated 29.12.2024	60063100 - Other Knitted or Crocheted Fabrics, of unbleached or bleached synthetic Fibers, N.E.S.	product) Containing 85 % or more by weight of staple fiber of nylon or other polyamides : single yarn (circular knitting, product is obtained by knitting of polyester yarn of different quality to obtain the product)	Cut piece of white knitted fabric, Wholly made of polyester, filament yarn , bleached - (GSM - 173.97)	60063100	60063100
			Cut piece of white knitted designed fabric, Wholly made of polyester, filament yarn , bleached (GSM - 179.76)		60063100
			Cut piece of white knitted designed fabric, Wholly made of polyester, filament yarn , bleached - (GSM - 230.96)		60063100
			Cut piece of white knitted fabric (net type), Wholly made of polyester, filament yarn , bleached -- (GSM - 62.08)		60063100
			Cut piece of white knitted fabric having napped surface on one side , Wholly made of polyester, filament yarn , bleached -- (GSM - 240.36)		60063100
			Cut piece of white knitted fabric, Wholly made of nylon, filament yarn, bleached --(GSM - 40.03)		60063100
			Cut piece of white knitted fabric, Wholly made of polyester, filament yarn , bleached --(GSM - 307.07)		60063100
			Cut piece of white knitted fabric having cut piles on one side, Wholly made of polyester, filament yarn, bleached -- (GSM - 196.97)		60019200
			Cut piece of special type of white fabric made of two layers of knitted fabric having vertical monofilament yarn linking both layers (wrap) , made up of polyethylene =53.73%, nylon=31.25% and polyester=15.02%, mono and multifilament yarn , bleached -- (GSM - 383.54)		60063100
			Cut piece of knitted fabric, Wholly made of polyester, filament yarn, dyed - (GSM - 306.99)		60063200

			Cut piece of special type of white fabric made of two layers of knitted fabric having vertical multi filament yarn linking both layers (wrap) , Wholly made of polyester, filament yarn, bleached - (GSM – 632.57)		60063100
			Cut piece of white woven fabric , Wholly made of polyester, filament yarn, Textured, bleached -- (GSM – 148.98)		54075129
			Cut piece of white designed woven fabric , Wholly made of polyester, filament yarn, Textured on one side, bleached, coated yarn on one side --(GSM – 82.75)		54075129

In view of above, the goods are mis-declared in terms of colour, description, quantity and classification as the goods were found to be white coloured instead of grey as declared. Further, as per the report, the GSM of the fabric found to be ranging from 40.03 to 632.57, while the GSM of the goods as per declaration by the importer, should be 250, from which it appears the quantity of fabric in SQM is also mis-declared. Further, as per the declaration the import item was "60063100 - Other Knitted or Crocheted Fabrics, of unbleached or bleached synthetic Fibers," while as per the test report vide Test Memo No. 52/2025(15A) & 53/2025 (16A) items were found to be "woven fabric, wholly made of polyester, textured/coated on one side" therefore the classification of subject items should be 54075129 instead of declared classification 60063100. Further, as per the test report vide TM No. 48/2025(11A) the goods were found to be "white knitted fabric having cut piles on one side, wholly made of polyester filament yarn, bleached" therefore, the classification of subject items should be 60019200 instead of the declared classification 60063100 and therefore the goods are re-classified on the basis of test reports, as discussed in respective Table XXI & XXII.

Further, during the examination of the above-mentioned Bill of entries, the goods were found mis-declared in terms of quantity (SQM) also. The declared and the actual quantity found on examination is detailed below:

Table -XXII

S.no.	BE/date	Declared SQM	Actual SQM	Differential SQM
1	7275863 dated 16.12.2024	142280	204733.24	62453.24
2	7275866 dated 16.12.2024	14260	208031.72	193771.72
3	7515434, dated 29.12.2024	70901.02	106584.95	35683.93
4	7515448, dated 29.12.2024	61569.2	127711.56	66142.36
5	7515447, dated 29.12.2024	58149.6	121983.9	63834.3
		347159.82	769045.37	421885.55

Consequently, the excess quantity as mentioned above remained undeclared in the Bill of Entry. Therefore, the declared value was also liable to be rejected and re-determined accordingly.

Rejection and redetermination of declared value:

As no transaction value was available for the undeclared portion and the declaration made by the importer was found to be incorrect and incomplete, the declared value for the above-mentioned live consignments are liable to rejection under **Rule 12 of the Customs Valuation (Determination of Value of Imported Goods) Rules, 2007**, read with Section 14 of the Customs Act, 1962.

Accordingly, for Bills of Entry No. 7515434 and 7515448 both dated 29.12.2024 the goods were mis-declared in term of quantity (SQM) and classification, the assessable value was required to be re-determined strictly in terms of Rule 3(4) of the Valuation Rules. In the absence of an acceptable transaction value for the goods, valuation is required to be based on the transaction value of identical goods as per Rule 4. Thus, the value of the undeclared quantity of 35683.93 sqm and 66142.36 sqm, respectively is proposed to be re-determined on the basis of identical goods imported in same import consignment, accordingly the actual value is being calculated on the pro-rata basis.

BE No. 7515448 dated 29.12.2024; Declared Item : 60063100 - Other Knitted or Crocheted Fabrics, of unbleached or bleached synthetic Fibers, N.E.S.(man made 100% polyester fabric Grey undyed)				
Declared Quantity (SQM)	Actual Quantity (SQM)	Declared Ass. Value (Rs.)	Actual Ass. Value (Rs.)	Applicable duty payable (Rs.)
61569.20	1602.22	15465564.23	402460.64	113091.44
	2108.57		529652.26	148832.29
	124000.77		31147746.22	8752516.69
Total	127711.56	15465564.23	32079859.12	9014440.41
BE No. 7515434 dated 29.12.2024; Declared Item : 60063100 - Other Knitted or Crocheted Fabrics, of unbleached or bleached synthetic Fibers, N.E.S. (Man made 100 % polyester knitted fabric grey undyed)				
Declared Quantity (SQM)	Actual Quantity (SQM)	Declared Ass. Value (Rs.)	Actual Ass. Value (Rs.)	Applicable duty payable (Rs.)
70901.20	50401.55	17871293.99	12704170.71	3537224.29
	25107.92		6328681.31	1762095.75
	3433.37		865412.06	240956.82
	27642.11		6967445.43	1939946.95

Total	106584.95	17871293.9 9	26865709.51	7480223.82
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Further, for Bills of Entry No. **7515447 dated 29.12.2024**, the subject goods were mis-declared in term of quantity (SQM) and classification, in, the assessable value was required to be re-determined strictly in terms of **Rule 3(4)** of the Valuation Rules. In the absence of an acceptable transaction value for the goods, valuation is required to be based on the **transaction value of identical goods** as per **Rule 4**. Thus, the value of the quantity of 119430.10 sqm in respect of goods found classifiable under CTH 60063100 is being calculated on pro-rata basis based as per the transaction value of identical goods imported under instant Bill of Entry;

Whereas, for the value of the remaining goods classifiable under CTH 60063200, 60019200 and 54075129, determination of value under Rule 4 was found to be not feasible, as no contemporaneous imports of identical goods, matching in all material particulars such as description, composition, GSM, construction, end-use, country of origin, commercial level and quantity, were available on record during the relevant period. Accordingly, valuation under Rule 4 was ruled out. Accordingly, the assessable value of the impugned goods has been determined by applying the provisions of Rule 5 of the Customs Valuation (Determination of Value of Imported Goods) Rules, 2007, on the basis of the transaction value of similar goods imported BE No. 6310543 dated 24.10.2024 and 5773592 dated 24.09.2024, at or about the same time, in the manner prescribed therein. The contemporaneous import data for the similar goods for correctly classified goods was analyzed and it was found that the importer's declared value was approximately equal or higher than the contemporaneous average. Accordingly, the actual value is being calculated on the pro-rata basis.

BE No. 7515447 dated 29.12.2024; Declared Item : 60063100 - Other Knitted or Crocheted Fabrics, of unbleached or bleached synthetic Fibers, N.E.S.				
Declared Quantity (SQM)	Actual Quantity (SQM) and CTH	Declared Ass. Value (Rs.)	Actual Ass. Value (Rs.)	Applicable duty payable (Rs.)
58149.60	46191.87 (60063100)	14556053.23	11562785.47	3249142.72
	3371.16 (60063100)		843871.79	237127.97
	6520.61 (60063100)		1632244.09	458660.59
	13273.20 (60063100)		3322556.74	933638.45
	270.43 (60063100)		67693.67	19021.92
	46590.06 (60063100)		11662459.52	3277151.13
	2338.23 (60063100)		585307.32	164471.36
	1462.15 (60019200)		366006.93	102847.95
	849.98 (60063100)		212766.79	59787.47

	100.88 (60063200)		25253.05	7096.11
	24.57 (60063100)		6149.49	1728.01
	845.75 (54075129)		211709.08	59490.25
	145.02 (54075129)		36300.29	10200.38
Total	121983.90	14556053.23	30535104.24	8580364.29

Whereas, it appears that the goods imported under Bill of Entry No. 7275863 dated 16.12.2024 and 7275866 dated 16.12.2024 were mis-declared in terms of quantity (Square Metres) and classification, rendering the declared transaction value unacceptable. In view of the provisions of Rule 3(4) of the Customs Valuation (Determination of Value of Imported Goods) Rules, 2007, where the transaction value is liable to be rejected, the assessable value is required to be re-determined by proceeding sequentially in accordance with the said Rules. Since no acceptable transaction value is available for the undeclared/excess goods, the assessable value is required to be determined. However, determination of value under Rule 4 was found to be not feasible, as no contemporaneous imports of identical goods, matching in all material particulars such as description, composition, GSM, construction, end-use, country of origin, commercial level and quantity, were available on record during the relevant period. Accordingly, valuation under Rule 4 was ruled out.

Subsequently, the assessable value of the impugned goods has been determined by applying the provisions of Rule 5 of the Customs Valuation (Determination of Value of Imported Goods) Rules, 2007. In this regard, it is observed that similar goods, falling under the same CTH, imported under comparable commercial conditions and of similar quality and description, were imported vide Bill of Entry Nos. 5993207 dated 07.10.2024, 6139542 dated 15.10.2024 and 6407130 dated 29.10.2024. On comparison, it is found that the median unit value declared in the said contemporaneous imports matches the value declared for the goods in live Bills of Entry, as revealed during examination. Accordingly, the assessable value of the undeclared/excess quantity of the subject goods has been re-determined on a pro-rata basis, adopting the transaction value of the similar goods, strictly in terms of Rule 5 of the Customs Valuation Rules, 2007, read with Section 14 of the Customs Act, 1962.

BE No. 7275863 dated 16.12.2024; Declared Item: 54077400 - Woven Fabric, Containing 85% or more by weight of synthetic Filament, Printed				
Declared Quantity (SQM)	Actual Quantity (SQM) and CTH	Declared Ass. Value (Rs.)	Actual Ass. Value (Rs.)	Applicable duty payable (Rs.)
142280	99450.95 (54075290)	36353964.13	25410713.60	7140410.52
	105282.29 (59032090)		26900678.71	9856408.68
Total	204733.24	36353964.13	52311392.31	16996819.20
BE No. 7275866 dated 16.12.2024; Port: INMUN1; Declared Item : 54077400 - Woven Fabric, Containing 85% or more by weight of synthetic Filament, Printed				

Declared Quantity (SQM)	Actual Quantity (SQM) & CTH	Declared Ass. Value (Rs.)	Actual Ass. Value (Rs.)	Applicable duty payable (Rs.)
142260	208031.72 (54075290)	36348853.93	53154187.81	14936326.52
Total	208031.72	36348853.93	53154187.81	14936326.52

The detailed redetermined value Rs 19,49,46,253/- and duty calculated in respect of subject BE is attached to this notice as **Annexure A**.

The duty in respect of the subject Bills of Entry is calculated and the applicable duty payable is found to be Rs.5,70,08,174/-, which is liable to be paid by the importer. Out of the subject applicable duty amount, the importer had already deposited Rs.10,00,000/- against the BOE No.7515447 dt.29.12.2024 vide challan no.5679738260 dt.18.01.2025, therefore, the same needs be appropriated towards the payable applicable duty.

II. Duty calculation in respect of import shipment cleared under provisional assessment- ANNEXURE-B

Total 02 import consignment as mentioned in Annexure B having declared value **Rs.3,89,40,910/-** were cleared under provisional assessment, where the benefit of India UAE CEPA Notification No. 22/2022-Cus dated 30.04.2022 were availed by the importer; and thereby forgone duty amounting to Rs.**89,95,350/-**. However, as discussed above in details the said exemptions of subject CEPA Notification are liable to be denied in respect of subject import consignments and the forgone duty amount **Rs. 89,95,350/-**, is liable to be demanded and recovered from the importer M/s MOL.

The detailed duty calculated in respect of provisionally assessed BEs is attached to this notice as **Annexure B**; and an abstract of the duty calculation is summarised in the table below;

Table: XXIV

Sr.	BE/Date	Differential duty (BCD+SWS + IGST)
1	5931994/03-10-2024	5027247
2	5824744/27-09-2024	3968103
Total		Rs. 89,95,350/-0

In view of above, the total duty forgone/ differential duty recoverable in respect of the provisionally assessed Bills of Entry amounts to **Rs. 89,95,350/-** which is required to be paid by the importer.

III. Duty calculation in respect of import shipment cleared under Final assessment- ANNEXURE-C

Total 17 import consignment as mentioned in Annexure C having declared value **Rs. 30,29,76,305/-** were already cleared for home consumption, where the benefit of India UAE

CEPA Notification No. 22/2022-Cus dated 30.04.2022 were availed by the importer; and thereby forgone duty amounting to Rs.6,99,87,526/-. However, as discussed above in details the said exemption of subject CEPA Notification are liable to be denied in respect of subject import consignments and the forgone duty amount Rs.6,99,87,526/-, is liable to be recovered from the importer M/s MOL.

The detailed duty calculated in respect of Finally assessed BEs is attached to this notice as **Annexure C**; and abstract of the duty calculation is summarized in table below;

Table: XXV

S.no.	BE Number/Date	Duty Forgone (Rs.)
1	5932282/ 03-10-2024	3929780.97
2	6575271/08-11-2024	4071139.90
3	6575804/08-11-2024	3906822.50
4	6575805/08-11-2024	4015142.17
5	6696041/15-11-2024	3874167.43
6	6696038/15-11-2024	3836965.10
7	6696039/15-11-2024	3883568.97
8	6696040/15-11-2024	3792872.82
9	6908216/27-11-2024	8225722.49
10	6942116/28-11-2024	4214754.64
11	6984673/30-11-2024	4010739.08
12	6942118/28-11-2024	3824618.12
13	7091050/06-12-2024	2720344.75
14	6801365/21-11-2024	4282365.45
15	7224437/13-12-2024	3984128.29
16	7224486/13-12-2024	4070067.45
17	7320343/18-12-2024	3344326.19
	Total Amount	69987526

In view of above, the total duty forgone/differential duty recoverable in respect of the provisionally assessed Bills of Entry amounts to **Rs. 69987526/-**, which is required to be paid by the importer.

Also, the benefits of the CEPA preferential benefit are liable to be rejected as discussed above for all these Bills of Entry as per material and documents discrepancies discussed in forensic analysis of data and COO verification documents.

31. In view of the above-discussed fact and position it is worth to discuss here about the provision of Section 28DA of the Customs Act, 1962 read with India UAE CEPA Notification No. 22/2022 and CAROTAR.

- The subsection (1) (ii) of the Section 28DA states that :-
 - the importer making claim for preferential rate of duty, shall possess sufficient information as regards the manner in which country of origin criteria, including the regional value content and product specific criteria, specified in the rules of

origin in the trade agreement, however in the present case the importer didn't provide the requisite information at the time of clearance and even they remain failed to provide the same on being asked repeatedly.

- The subsection (1) (iii) of the Section 28DA states that
 - the importer was required to furnish such information in the form prescribed by rules, however the importer didn't declare the same information under prescribed Form I, in various import shipment.
- The subsection (1) (iv) of the Section 28DA states that
 - the importer needs to exercise reasonable care as to the accuracy and truthfulness of the information provided, where in the subject import shipments as well as during the investigation they provided false and incorrect information to justify their claim.
- As per the subsection (2) of the Section 28DA, just submission of a Certificate of Origin (COO) from the Issuing Authority **does not absolve** the importer from exercising reasonable care, he needs to justify the same with genuine supporting documents and truthful information.
- In accordance with subsection (3) of the Section 28DA, as discussed above there were several reasons to believe that the origin criteria are not met, and therefore more information was sought from the importer consistent with the trade agreement, however they remain failed to furnish the same.
- And therefore, in accordance with Sub-section (4) of the Section 28DA, further verification consistent with the trade agreement was initiated.

Although the supplier firm were managed by the mastermind and key persons of the importing firm, but as discussed above, still they remain failed to provide the information/documents/evidence that can genuinely justify their origin criteria claim and therefore, the CEPA benefits claimed by them are liable to be denied.

31.1 As referred above, the provisions of Customs (Administration of Rules of Origin under Trade Agreements) Rules, 2020 (CAROTAR, 2020), notified under Section 28DA of the Customs Act, 1962, are applicable to imports claiming preferential tariff treatment under India-UAE CEPA Notification No. 22/2022-Cus, stand clearly violated, as detailed below:

- Violation of Rule 3 – Conditions for availing preferential tariff treatment: Rule 3 of CAROTAR, 2020 provides that preferential tariff claim may be denied, without verification, where the Certificate of Origin is issued for an item not eligible under the trade agreement, and such certificate is to be marked as “INAPPLICABLE”. In the present case, the imported goods in various shipments were found to be mis-declared and mis-classified, resulting in import of goods other than those covered under the Certificate of Origin. The importer thus failed to make a true and correct declaration, and thus violated the Rule 3 of CAROTAR, 2020, rendering the preferential tariff claim inadmissible.

- Violation of Rule 4 – Failure to furnish prescribed information (Form-I): Rule 4 of CAROTAR requires the importer to submit information in the prescribed Form-I, containing detailed particulars regarding origin, production process and value addition, whenever called upon by the proper officer. However, the importer failed to submit Form-I in multiple import consignments and did not provide the required origin-related particulars even during investigation, despite repeated requisitions; further, where the Form I was available, they remained fail to '*exercise reasonable care to ensure the accuracy and truthfulness of the aforesaid information and documents*' as mandated under Rule 4(c), in terms of mis-match of raw material, incompatible raw material, mis declared & mis-classified import, thus, rendering the preferential tariff claim inadmissible.
- Violation of Rule 5 – Failure to maintain and produce supporting documents: As per Rule 5, the importer is required to maintain all supporting documents substantiating the claim of origin and produce the same for verification as and when demanded by Proper officer, wherein, in the instant case, the importer failed to maintain and produce authentic documents such as manufacturing records, procurement details of raw materials, cost sheets, production flow charts and transport documents, thus rendering the origin claim unverifiable. The said failure constitutes a violation of Rule 5 of CAROTAR, 2020 and empowers the Principal Commissioner or Commissioner of Customs, to **disallow the claim of preferential rate of duty, even, without further verification**, for such reasons to be recorded in writing.
- Violation of Rule 6 – The Rule 6(7) states that the proper officer may deny claim of preferential rate of duty without further verification where: (b) the Verification Authority does not provide the requested information in the manner as provided in this rule read with the Rules of Origin; or (c) the information and documents furnished by the Verification Authority and available on record provide sufficient evidence to prove that goods do not meet the origin criteria prescribed in the respective Rules of Origin.

In the present case, complete information as requested was not provided and the information/detail provided, has revealed material discrepancies between the declarations made in the COO/Form-I and the actual nature of the imported goods as per the UAE local procurement/processing documents, as established with the help of findings of respective examination reports, test reports and forensic data/document retrieved, clearly indicating that false and misleading information was furnished to claim preferential tariff treatment.

- Action under Rule 7 – Applicability on Identical goods: Rule 7 of CAROTAR, 2020 provides that where it is determined that goods imported from a particular exporter or producer do not meet the origin criteria prescribed under the Rules of Origin, the Principal Commissioner or Commissioner of Customs may, **without further**

verification, reject other claims of preferential rate of duty, filed either prior to or subsequent to such determination, in respect of **identical goods** imported from the same exporter or producer.

In the instant case, as discussed hereinabove, the verification of Certificates of Origin has clearly established that the subject imported goods do **not fulfil the prescribed origin criteria**. Accordingly, the denial of preferential tariff treatment under the subject Certificates of Origin is **squarely applicable to all consignments of identical goods imported from the same exporter/producer**, and the benefit of preferential rate of duty is liable to be denied for such consignments under Rule 7 of CAROTAR, 2020.

Thus, it is evident that the importer has failed to comply with the mandatory obligations prescribed under CAROTAR, 2020, by claiming preferential tariff treatment without possessing or furnishing requisite origin-related information, by submitting false and misleading declarations, and by failing to cooperate in verification proceedings. Accordingly, the importer's claim of preferential duty under Notification No. 22/2022-Cus is unsustainable and liable to be rejected, with consequential action under the Customs Act, 1962.

In view of above-mentioned fact, evidences and revelations under concerned statements under section 108 of the Customs Act, 1962, it is noted that M/s MOL declared in subject Bills of Entry that the imported goods qualify for duty exemption under the India-UAE CEPA. However, the actual goods differ materially from the declared description and HS classification, and do not meet the origin criteria required for CEPA. Under CAROTAR 2020, the importer is required to declare in the bill of entry that the goods are "originating" and to furnish a valid certificate of origin procured under valid supporting documents which justifies the valid origin criteria as mandated.

The importer's wilful intent to fraudulently avail the CEPA benefits on the basis of mis-declared import shipments becomes amply clear from the examination of live shipments which was further backed up by the test reports and again backed up with the recovery of incriminating documents from the forensic examination and COO verification inquiry, which again show their wilful intent of mis-declaration. Various other evidences are also gathered in respect of previously cleared import shipments, as discussed above in detail, these facts show the wilful intent of mis-declaration. Accordingly, the benefit availed under Notification No. 22/2022-Cus (India-UAE CEPA) stands wrongly claimed, leading to **short-payment of customs duty**. Since the non-payment/short-payment of duty has occurred by reason of **collusion** between the importer and the UAE-based supplier, **wilful misstatement and suppression of material facts** regarding the true nature, composition and origin of the goods, the extended period is invocable. Therefore, recovery of differential customs duty is warranted under **Section 28(4)** of the Customs Act, 1962.

As discussed above, in respect of the above discussed import shipments, the bill of entry and supporting documents contains false particulars of product type and origin. Such

misdeclaration renders the goods ineligible for the CEPA exemption and liable to confiscation under Section 111 of the Customs Act. Accordingly, the impugned goods as mentioned in **Annexure A, B & C** to this notice, imported by M/s MOL having total declared value of **Rs. 46,25,12,945/-** and redetermined value of **Rs. 53,68,63,468/-** are liable for confiscation under **Section 111(l)** and **Section 111(m)** for misdeclaration of quantity (SQM) of imported goods under the live Bill of Entry and all the BEs are liable for confiscation on account of misdeclaration of description, quality, characteristics and composition in the subject Bills of Entry and supporting documents, including false declarations in COO and Form-I. Import of goods by falsely claiming preferential origin amounts to violation of the conditions of the exemption notification. Further, the subject goods are liable for confiscation under **Section 111(o)** for contravention of the conditions of the exemption notification (India-UAE CEPA Notification No. 22/2022-Cus), since the importer failed to fulfil the mandatory origin and PSR requirements, rendering the exemption wrongly claimed.

The above discussed discrepancies are glaring and repetitive; thus, the documents provided during the COO verification process lack credibility and cannot be relied upon. The discrepancies identified are not merely clerical but strike at the core of origin determination. For instance, the raw material declared in the COO (CTH 55091100 – **staple fibre** of nylon/polyamide) is technically incapable of producing the imported fabric which is found, upon test, to be an undyed knitted **fabric composed of polyester filament yarns**. Further, the declared manufacturing operation of “circular knitting” using **nylon/polyamide** staple fibres cannot result in **polyester-based filament fabric** falling under CTH 60063100. These inconsistencies indicate deliberate **misdeclaration of origin, composition, and manufacturing process** with the intent to wrongfully claim preferential duty benefit under CEPA.

Further, the forensic data retrieved from the resumed/seized electronic devices has yielded ample evidence that shows that the importer, in connivance with supplier firm, was deliberately involved in fabrication/manipulation of supplier end documents to claim the required manufacturing process as per PSR criteria and procure the UAE origin certification of origin of PSR originating criterial. However, the evidences in form of examination of live import shipment, various statements, COO verification report, details/documents/audio notes, recovered from forensic examination have collectively unmasked a deliberate modus operandi to falsely project compliance with origin criteria. Further, the inward and outward consignment data (recovered from mobile phone of Gaurav Chakrawarti and maintained by mastermind & their key persons of importer Shri Anil Kumar Runthala and Shri Ashok Sevda, who also controlled the supplier firm), makes amply clear that no actual manufacturing process took place at UAE, they were just routing the goods between the UAE local firms and preparing/ fabricating the documents to falsely justify their originating criteria. Moreover, as discussed above, the supplier firm and the importing firm are related party, however it was not disclosed by importer before the Customs authority.

Accordingly, the act of **collusion** between the importer and the UAE-based supplier, **wilful misstatement and suppression of material facts** while filing an incorrect declaration in the Bill of Entry, submitting a Certificate of Origin containing materially false statements, and presenting documents that do not correlate with the actual goods imported, renders the importer liable for penal action under **Section 112(a) (ii) and 114A** of the Customs Act, 1962

32. The investigation in the instant matter, has uncovered evidence of collusion between the India based importer and UAE based supplier. The origin documentation (Form-I) and related certificates produced by the importer exhibit material discrepancies: the good's description, HSN code and supplier details in the Form-I do not match the test report and the exporter's invoices. The laboratory test report of respective consignment contradicts the declared product parameters. Even during the inquiry for COO verification was initiated, the importer in collusion with the supplier manipulated the documents to show as if the goods would have actually gone through the required production process and value addition criteria as per the origin criteria declared in COO, however, the evidences gathered from forensic data retrieval has unmasked their fraudulent intent. These facts indicate deliberate misstatement and suppression of information by the importer and exporter. The fabrication and use of any false or incorrect declaration in connection with the import transactions invoke **Section 114AA** of the Customs Act, which prescribes penalty for using false material particulars.

33. The importer, **M/s Murae Organisr Limited**, has taken ineligible benefit of preferential duty under **Notification No. 22/2022-Customs (CEPA-India-UAE)** as discussed in this notice. M/s MOL neither possessed nor verified true origin documents as mandated under **Rule 4 of the CAROTAR Rules, 2020** and thus wilfully mis-declared the origin to evade customs duty. Further, the concerned persons of the importing firm never joined the investigation, which itself depicts that they have nothing to submit in their defence. Further, the relevant persons who have appeared to tender their voluntarily statement under section 108 of the Customs Act, 1962 have tendered sufficient evidences and reasonable grounds that makes amply clear that the M/s MOL has deliberately and intentionally mis-declared and mis-represented the documents and information at the time of filing the Bills of Entry in order to get the ineligible benefit of India UAE CEPA benefits. Shri Gaurav Chakrawarti has revealed that a group of importing firms including M/s MOL as well as UAE based supplier firms were being handled by the mastermind/key persons of instant case.

Further, when the **examination** of five live consignment of M/s. Murae Organisr Limited, Ahmedabad, was conducted, mis-declaration in respect of quantity (SQM of fabric) and quality (declared classification 54077400 & 60063100, actual classification 54075129, 54075290 & 59032090) was noticed in the imported goods. Also, respective test reports issued by CRCL, New Delhi also supported the fact of the mis-declaration in terms of dyed/printed, GSM of fabric, quantity & value of goods and composition of originating material and mis-classification in the above-mentioned import shipment, pointed towards misdeclaration by supplier while claiming the process of COO certification to the Government authorities of supplier country i.e UAE. Moreover, the respective declaration

submitted by the importer on behalf of the supplier, shows the raw material used in the manufacture of final product as **staple fiber yarn of nylon or other polyamides**, while as per the test report, the imported goods were made up of **polyester filament yarn**. Therefore, it is observed that the requisite PSR (Product Specific Rules) value addition criteria i.e. CTH/CTSH +VA 40% under the CEPA Notification No. 22/2022-Customs dated 30.04.2022 was not met by the suppliers in the manufacturing of the impugned goods.

The concerned authorized representative of the CHA M/s World Cargo Logistics has also admitted that there were various material discrepancy between the supplier's declaration and findings of respective test reports and therefore they agreed that respective COOs were not proper because the originating material was not aligning with the imported product and thus importer doesn't appear eligible for such exemption benefits under India UAE CEPA Notification.

Further, the importer was repeatedly provided opportunity to give their submission regarding the test reports, Panchnama, other evidences/information available on record, however they never joined the investigation, ever they remain failed to file any submission when the test reports were shared with them through above discussed communications. Further, the importer was repeatedly requested to submit the origin related information, as mandated under CAROTAR Rules. Moreover, in absence of any submission from the importer side, the COO inquiry was initiated and it was noticed that the handlers of the importing firm who were also the handler of supplier firm, and they tried to mis-guide the investigation by submitted false and mis-leading information and fabricated/manipulated documents.

In short, the documents submitted by the supplier were bundle of manipulated document, which were individually discussed above and therefore the COO certificate does not appear to be backed with genuine manufacturing documents and therefore the subject imported goods don't appear eligible to avail the CEPA benefits. The traditional Hindi proverb is relevant here that says "*To hide one lie, a hundred more lies have to be told*".

Accordingly, M/s MOL appears liable to pay the differential duty under **Section 28(4)**, along with the applicable interest under **Section 28AA**. **The duty already deposited by the importer is required to be appropriated towards the payable differential duty. As discussed above M/s MOL is liable for penalty under Sections 112(a)(ii), 114A and 114AA;** and the imported goods mentioned under Annexure A, B & C are liable for confiscation under **Sections 111 (l), (m) & (o)** of the Customs Act, 1962.

34 Role of each individual/Mastermind and key persons: -

34.1 Shri Anil Kumar Runthala – (Mastermind)

On the basis of the forensic data analysis, documentary evidences and recorded statements, it is evident that Shri Anil Kumar Babulal Runthala functioned as a mastermind

for the importers as well as supplier entities, as per the investigation and exercised de facto control over the manipulation and circulation of supplier-side documentation relied upon to claim preferential duty benefit under CEPA. A licence document recovered from the parties' digital records shows Shri Anil Kumar Babulal Runthala as the owner/manager of M/s Shukran Textile (FZC), UAE, M/s Shuchi Textile, UAE. Further, M/s Majestic Ecopolyfeb FZC was also found to be under his control. Further, multiple communications in the extracted WhatsApp data indicate that he routinely directed documentation, instruction and decision-making for the UAE supplier firms.

As discussed earlier, the reflection of name of Shri Anil Runthala on the supplier firm licence as Manager in M/s Shuchi Textile FZC, UAE and owner in M/s Shukran Textile FZC, UAE. He had actively participated in and directed the creation and alteration of Supplier documents, which were subsequently used to support COO/formal origin claim as follows:

- (a) posted the supplier licence and other documents into the operative WhatsApp groups;
- (b) supplied scanned images of a rubber stamp and scanned signature to importer personnel for use on supplier-side documents;
- (c) provided draft invoices, dates and quantities to be inserted into local-supply invoices; and

There are concrete evidences suggesting his involvement in manipulation of documents across supplier and importer entities. On simultaneous perusal findings under Panchnama of search proceedings and examination proceeding with Statements of Gaurav Chakravarti, Jignesh Singh Jadeja, Diwakar Sharma recorded during the investigation along with the forensic data examination, confirm the role of Shri Anilkumar Runthala along with Shri Ashok Kumar Sewda, as mastermind & key person, and it was found that importer personnel prepared supplier-side documents at the Ahmedabad office under directions received from Shri Runthala and Shri Sewda. These combined documentary evidences and statements therefore demonstrate common control and a single modus operandi operating across the importers namely M/s GTL, M/s KDL and M/s MOL operated by him.

The sequence of events—including circulation of editable draft invoices in group chats, sharing of scanned signature and stamp images, retrospective manual alterations to tariff classifications and COO-related particulars, and the issuance of COOs bearing the remark 'Issued Retrospectively'—clearly establishes that the documentary trail was systematically constructed to project conformity with the prescribed PSR requirements, despite the absence of any genuine qualifying processing or inputs by him. The pattern of repeated document fabrication across multiple consignments strongly supports the inference that Shri Runthala acted as the main conspirator.

Further, despite being a key participant in the preparation and circulation of falsified CEPA-related documents, **Shri Anil Kumar Runthala repeatedly dishonoured the lawful summons issued under Section 108 of the Customs Act, 1962**. Instead of appearing for examination, he submitted self-serving letters asserting blanket innocence, which stand contradicted by the recovered digital evidence, including WhatsApp chats, editable invoices.

Neither he nor his authorised representative ever appeared for recording of his voluntary statement, thereby **deliberately obstructing the investigation and evading lawful inquiry**. Such persistent non-appearance, despite adequate opportunities, is consistent with a wilful attempt to avoid confrontation with incriminating material and further reinforces his complicity in the fraudulent scheme to secure ineligible preferential duty benefits. Further, the forensic data image retrieval (as discussed above) also contained media reports of Shri Anil Kumar Runthala's earlier involvement in a GST refund fraud, indicating that he is a habitual offender engaged in systematic manipulation of documentation to facilitate illegitimate benefits.

In light of these facts, Shri Anil Kumar Runthala concerned himself in act of rendering the goods liable for confiscation and is **liable to penalty under Section 112 (a) (ii) of Customs Act 1962**; furthermore, his active role in producing and using fabricated documentation for intentional mis-statement/suppression and use of false material in Customs proceedings attracts **penalty under 114AA of Customs Act 1962**.

34.2 Shri Ashok Kumar Sewda – Associate of Mastermind & Key Person

Based on the recovered digital evidence, statements recorded, and the forensic examination of communication exchanges, it emerges that **Shri Ashok Kumar Sewda** also played a central coordinating role in orchestrating the preparation and manipulation of supplier-side documents used for claiming preferential origin under the India–UAE CEPA. The recovered WhatsApp chats, editable drafts, and circulated templates show that Shri Sewda was directly involved in issuing instructions, providing inputs on invoice particulars, and guiding importer personnel—particularly Shri Gaurav Chakrawarti—on the content, dates and quantities to be inserted in local invoices and other origin-related documents. The investigation clearly revealed that Shri Sewda also acted as a key link between the offshore UAE-based operator, Shri Shrikant Sharma, and the on-ground team in India, ensuring that retrospectively altered or fabricated supplier documents aligned with the Bills of Entry filed in India.

As discussed earlier, the reflection of the name of Shri Ashok Kumar Sewda on the supplier firm licence as owner in M/s Shuchi Textile FZC, UAE, itself makes the picture clear that they were only controlling the supplier as well as importing firms.

Shri Ashok Sewda was actively engaged in engineering an artificial documentary trail to support CEPA origin claims despite the absence of any qualifying processing in the UAE. His involvement in the creation, circulation and retrospective modification of these documents establishes prima facie collusion with Shri Anil Kumar Runthala and others, with the common intent of facilitating wrongful availment of preferential duty benefits. These combined documentary evidences and statements therefore demonstrate common control and a single modus operandi operating across the importers namely M/s GTL, M/s KDL and M/s MOL operated by him.

Further, despite being a key participant in the preparation and circulation of falsified CEPA-related documents, **Shri Ashok Sewda repeatedly dishonored the lawful summons issued under Section 108 of the Customs Act, 1962**. Neither Shri Sewda nor his authorized representative ever appeared for recording of his voluntary statement, thereby **deliberately obstructing the investigation and evading lawful inquiry**. Such persistent non-appearance, despite adequate opportunities, is consistent with a conscious attempt to avoid confrontation with incriminating material and further reinforces his complicity in the fraudulent scheme to secure ineligible preferential duty benefits.

In light of these facts, Shri Ashok Sevda concerned himself in act of rendering the goods liable for confiscation and is **liable to penalty under Section 112(a)(ii) of Customs Act 1962**; furthermore, his active role in producing and using fabricated documentation for intentional mis-statement/suppression and use of false material in Customs proceedings attracts **penalty under 114AA of Customs Act 1962**.

34.3 Shri Bhumishth Patel – Ex Director/promoter.

Based on the statements of Mr. Manthan Talsibhai Tilva, it emerges that **Bhumishth Patel** is one of the **facilitator** of M/s Earum Pharmaceuticals Limited, later renamed as M/s Murae Organisor Limited (MOL). He purposely appointed the people on a modest salary and subsequently induced them to accept the key position with an enhanced salary, while assuring them that all legal and regulatory responsibilities would be handled personally by him. This assurance itself indicates that Sh. Patel retained real control over the company's affairs despite placing other individuals as a nominal Directors.

Further, the dummy directors had no financial stake, no real managerial authority, and no understanding of the basis of their appointment as Directors, and that no formal appointment letters were ever issued. Despite their appointments, **Sh. Bhumishth Patel continued to exercise complete control over the company alongwith Mr. Anil Runthala**, operating from his own office, issuing directions, and managing all affairs, clearly establishing that the dummy directors were only a **name-lenders**, while real control vested with Sh. Bhumishth Patel.

Further, the manner in which statutory and financial compliances were conducted highlights Sh. Bhumishth Patel's dominant role. Financial statements were prepared with the **forged signatures of the dummy directors**, and the AGM was conducted in a **staged and artificial manner**, with the dummy directors made to read a pre-written script before a camera, while Sh. Patel and Mr. Runthala holding all strings from the background.

It appears that Shri Bhumishth Patel had complete knowledge of the fraudulent activities in respect of import of fabric under preferential rate of duty provided under India-UAE CEPA Notification No.22/2022 dt.30.04.2022, therefore, he alongwith his family members, systematically resigned from the post of Directors and appointed dummy persons

as Directors so that when legal consequences of the fraudulent activities have to be faced, the burden can be transferred to the dummy directors.

Further, despite being a key participant in the preparation and circulation of falsified CEPA-related documents, **Shri Bhumishth Patel repeatedly dishonoured the lawful summons issued under Section 108 of the Customs Act, 1962 and submitted the same evasive reply of resigning from the post of Director wef 08.08.2023 to misguide the investigation agency.** Neither Shri Patel nor his authorized representative ever appeared for recording of his voluntary statement, thereby **deliberately obstructing the investigation and evading lawful inquiry.** Such persistent non-appearance, despite adequate opportunities, is consistent with a conscious attempt to avoid confrontation with incriminating material and statements of and further reinforces his complicity in the fraudulent scheme to secure ineligible preferential duty benefits.

In light of these facts, **Shri. Bhumishth Patel** concerned himself in act of rendering the goods liable for confiscation and is **liable to penalty under Section 112(a) (ii) of Customs Act 1962**; furthermore, his active role in producing and using fabricated documentation for intentional mis-statement/suppression and use of false material in Customs proceedings attracts **penalty under 114AA of Customs Act 1962.**

34.4 Shri Gaurav Chakrawarti – Import Export documentation handler of M/s MOL

The investigation has revealed that **Shri Gaurav Chakrawarti**, an MBA-qualified employee associated with M/s Kkrafton Developer Limited, M/s Gujarat Toolroom Limited (GTL), and M/s Murae Organisor Limited, played a crucial operational role in the fraudulent import scheme designed and executed by the masterminds, Shri Anil Kumar Runthala and Shri Ashok Sewda. His admitted responsibilities included handling import and export documentation, coordinating between suppliers in UAE/Hong Kong, the Indian importer firms, and the clearing agent M/s World Cargo Logistics, and ensuring smooth submission of documents required for Customs clearance. He acted as the primary documentation handler and executor of instructions issued by Shri Ashok Sewda, Shri Anil Runthala and UAE-based coordinator Shri Shrikant Sharma, who worked under the directions of Shri Runthala and Shri Sewda.

Digital forensics and recorded statements have clearly established that **Gaurav routinely received editable invoices, Form-I declarations, packing lists, COO drafts, and supplier documents.** He admitted of receiving scanned signatures of Shri Anil Kumar Runthala for placement on UAE-supplier documents, confirming that COO-supporting records were fabricated in the Ahmedabad office under instructions of Shri Runthala and Shri Sewda. Screenshots retrieved from his phone further establish that Shukran Textiles FZC and Shuchi Textiles FZC were effectively controlled by the same masterminds, and that he circulated edited invoices and document drafts for M/s GTL, M/s KDL and M/s MOL, clear repetitive use of the fraudulent modus operandi to avail the CEPA benefit. His refusal to open the relevant email accounts—on the pretext of “server issues”—and his contradictory claim

of innocence despite admitting that all documentation was prepared at Ahmedabad under their instructions clearly show deliberate non-cooperation and conscious involvement.

In light of these facts, **Shri Gaurav Chakrawarti** concerned himself in act of rendering the goods liable for confiscation and is **liable to penalty under Section 112(a) (ii) of Customs Act 1962**; furthermore, his active role in producing and using fabricated documentation for intentional mis-statement/suppression and use of false material in Customs proceedings attracts **penalty under 114AA of Customs Act 1962**.

34.5 Shri Manthan Rameshbhai Tilva & Sh. Akshay Talshibhai Sanepara – Directors (M/s MOL)

Shri Manthan Rameshbhai Tilva & Sh. Akshay Talshibhai Sanepara, in their respective statements submitted that they were appointed only in a **nominal or dummy capacity** and were **misled and exploited by the real owner and controller of the firm**. They have stated that they neither made any financial investment nor exercised any decision-making authority in the company. Their appointments were allegedly made on the assurance that they would not be required to manage the company's affairs and that all operational, financial, and legal responsibilities would be handled by the real owners. They were not issued proper appointment letters, were not given access to company records, and were unaware of the true nature and fraudulent nature of business activities being carried out in their names.

However, both being educated professionals, they were expected to exercise basic diligence before accepting directorship, such as understanding the nature of the business, insisting on formal appointment letters, verifying statutory filings, and ensuring that their signatures were not misused. Acceptance of a directorial position, even in name, implies awareness of the legal obligations attached to such a role under corporate and fiscal laws.

As Directors, they were collectively responsible for policy oversight, statutory compliance, and financial approvals, including monitoring of company imports and the payment of Customs duty, but in lieu of small amount of remuneration, they let fraudulent activities happen in their names. Also, at no stage did any of them raise objections, seek clarification, or report the irregularities to any competent authority, despite being in positions where such irregularities ought to have been immediately flagged.

It appears they have participated in board discussions concerning CEPA-based imports and were aware of actual scenario, however they never pointed out the same before any proper authority, so that subject duty evasion could be avoided. Their silence and failure to prevent misuse indicate tacit approval. It appears they were signatory's authority for various Customs related, Bank related declarations and thus they appear to be aware of fraudulent activities being done in the company. It appears there were silent agreement between the mastermind and the directors of the importing firm regarding the mis-use of India UAE CEPA benefits. Thus, this indicates that the Directors were not merely passive

signatories but active enablers who allowed the misuse of CEPA provisions for evasion of Customs duties. It appears that there existed an understanding—implicit if not explicit—between the primary masterminds and these Directors regarding the continued use of manipulated documents and mis-declared country of origin to unlawfully avail CEPA exemption.

In view of the above, the cumulative conduct of the said persons reflects wilful and intentional blindness at the minimum, and collusive involvement at the maximum, thereby establishing their abatement in facilitating, permitting, and shielding the fraudulent import activities of the company.

In light of these facts, above mentioned persons have concerned themselves in act of rendering the goods liable for confiscation and is liable to penalty under Section 112 (a) (ii) of Customs Act 1962

34.6 Shri Sanket Ladani, Sh. Vinodbhai Rajabhai Bhadaraka, Sh. Nitin Tomar, – Directors (M/s MOL)

Despite multiple summons **Shri Sanket Ladani, Sh. Vinodbhai Rajabhai Bhadaraka, Sh. Nitin Tomar** failed to appear before the competent authority and participate in the instant investigation. As a Director they appear to be responsible for policy and compliance, they appear to have access to company imports and financial approvals. Their conduct shows a deliberate attempt to evade the investigation and avoid furnishing material information that was expected from persons occupying senior managerial and directorial positions in the importing firms.

As Directors, they were collectively responsible for **policy oversight, statutory compliance, and financial approvals**, including monitoring of company imports and the payment of Customs duty. It appears that they were regularly involved in internal decision-making processes concerning UAE–India CEPA-based imports and were fully aware of the manner in which supporting documents—such as invoices, BLs, COO papers, and supplier declarations—were being procured and used. At no stage did any of them raise objections, seek clarification, or report the irregularities to any competent authority, despite being in positions where such irregularities ought to have been immediately flagged.

It appears they have participated in board discussions concerning CEPA-based imports and were aware of actual scenario, however they never pointed out the same before any proper authority, so that subject duty evasion could be avoided. Their silence and failure to prevent misuse indicate tacit approval. It appears they were signatory's authority for various Customs related, Bank related declarations and thus they appear to be aware of fraudulent activities being done in the company. It appears there were silent agreement between the mastermind and the directors of the importing firm regarding the mis-use of India UAE CEPA benefits Thus, this indicates that the Directors were not merely passive signatories but **active enablers** who allowed the misuse of CEPA provisions for evasion of

Customs duties. It appears that there existed an **understanding—implicit if not explicit—between the primary masterminds and these Directors** regarding the continued use of manipulated documents and mis-declared country of origin to unlawfully avail CEPA exemption.

In view of the above, the cumulative conduct of the Directors reflects **wilful and intentional blindness at the minimum, and collusive involvement at the maximum**, thereby establishing their abatement in facilitating, permitting, and shielding the fraudulent import activities of the company. In light of these facts, above mentioned persons have concerned themselves in act of rendering the goods liable for confiscation and is **liable to penalty under Section 112 (a)(ii) of Customs Act 1962**.

34.7 Shri Gaurav Bachani, Company Secretary,

Shri Gaurav Bachani, **Company Secretary of M/s MOL** has carried out statutory compliances and regulatory filings, by **submitting false, misleading, and fabricated information**. Being a qualified professional entrusted with ensuring compliance with corporate laws, the Company Secretary is expected to verify the authenticity of records, resolutions, financial statements, and directorial details before filing them with statutory authorities. However, the facts indicate that filings were made despite forged signatures, staged meetings, and incorrect disclosures regarding management, registered office, and business activities, thereby actively facilitating the continuation of fraudulent operations.

Such actions go beyond mere procedural lapses and point towards **active connivance or wilful neglect of statutory duties**. By certifying and submitting documents that did not reflect the true state of affairs of the company, the Company Secretary helped create a false appearance of compliance and legitimacy, which misled regulatory authorities. This conduct suggests that the Company Secretary played a **crucial enabling role** in shielding the real controllers of the firm from scrutiny and accountability, making him an important link in the execution and concealment of the firm's fraudulent activities.

Also, **Sh. Bachani has made selective and incomplete disclosures to the investigating agency**, thereby impeding a fair and transparent inquiry. Instead of furnishing full and truthful information, the Company Secretary allegedly disclosed only such records and explanations as suited the narrative projected by the real controllers of the firm, while **withholding material facts and documents** relating to actual management, forged signatures, sham meetings, and control of operations. Such selective disclosure had the effect of misleading the authorities and delaying the detection of the true nature/handler of the fraudulent activities in M/s MOL.

In light of these facts, above mentioned person has concerned themselves in act of rendering the goods liable for confiscation and is **liable to penalty under Section 112 (a) (ii) and 114AA of Customs Act 1962**.

34.8 M/s World Cargo Logistics – Customs Broker of M/s MOL at Mundra port

The firm acted as CHA for filing 24 Bills of Entry under CEPA claim. Statement recorded on 29.04.2025 admits that they accepted importer-supplied documents without independent verification, which is contrary to **Regulation 10 (d) & (e) of CBLR 2018**. Whereas, in various import shipments, he filed the Bill of Entry on behalf of importer, while didn't procure and submitted the mandatory document Form I, which is required to be submitted for CEPA benefit claim as mandated under CEPA Notification and CAROTAR, 2020. Further, as discussed above various discrepancies were found on basis of the import documents only, while the respective CHA remains failed to identify the same and disclose of the same before Customs authorities. Thus, it appears, CHA not only failed to exercise due diligence but also facilitated the importer's wrongful CEPA claims by neglecting mandatory verification obligations and suppressing material discrepancies. Their omission facilitated clearance of goods under false origin, constituting abetment under **Section 112(a)(ii)**. Separate recommendation will be made to the jurisdictional Commissioner for action under **CBLR 2018**.

Whereas, name of Shri Shrikant Sharma and Mr. Arjunbhai also surfaced during the investigation. Mr. Shrikant Sharma as UAE based employee of Sh. Anil Kumar Runthala, however, the available whereabouts of Shrikant Sharma was only the WhatsApp numbers +971569489571, and the same was a foreign contact number (UAE based), therefore the investigation could not be extended at this end. Further, the CAF details (**RUD-82**) obtained in respect of the mobile numbers of Arjunbhai (keypersons of M/s MOL) +9198401179514 & 8488819221 were obtained from the respective operators however it appears that the credentials of random people have been utilised to obtain the said numbers, therefore, the investigation cannot be extended further.

35 Now, therefore, by M/s Murae Organisator Limited (IEC - 0813001757), having registered address at A-1311, Sun West Bank, Ashram Road, Ahmedabad, Gujarat – 380009 and branch address at A-1106, Empire Business Hub, Near AUDA Water Tank, Science City Road, Sola, Ahmedabad, Gujarat 380060 is hereby called upon to show cause to the Principal Commissioner/ Commissioner of Customs, Custom House Mundra, Port User Building, Mundra Port, Mundra, Kutch-370421, within 30 days of the receipt of this notice as to why: -

I. In respect of the 05 live import consignment as per Annexure A :

- (i) The description, CTH and value of imported goods i.e. “54077400 - Woven Fabric, Containing 85% or more by weight of synthetic Filament, Printed” & “60063100 - Other Knitted or Crocheted Fabrics, of unbleached or bleached synthetic Fibers, N.E.S.” at the time of filing of Bills of Entry, should not be rejected and re-determined **as per Annexure A** to show cause notice.
- (ii) Imported goods vide **Bills of Entry as per Annexure A** i.e. “54077400 - Woven Fabric, Containing 85% or more by weight of synthetic Filament, Printed” & “60063100 - Other Knitted or Crocheted Fabrics, of unbleached or bleached synthetic Fibers, N.E.S.”, having re-determined valued as **Rs. 19,49,46,253/-** should

not be held liable for confiscation as per the provisions of Section 111 (l), (m) and 111(o) of Customs Act, 1962;

- (iii) Accordingly, the duty exemption under Notification No. 22/2022-Cus, availed by M/s MOL on subject shipments, should not be disallowed, on account of grounds mentioned above, in terms of section 28DA of the Customs Act, 1962 read with Circular No. 38/2020-Customs dated 21.08.2020 and CAROTAR Rules, 2020
- (iv) The goods Imported vide above Bills of Entry, as detailed in Annexure-A, should not be reassessed after considering the differential Customs Duty of **Rs. 5,09,78,387/-** (Rupees Five Crore Nine Lakh Seventy Eight Thousand Three Hundred and Eighty Seven Only), in terms of Section 17 of the Customs Act, 1962.
- (v) The voluntarily deposited amount Rs. 10,00,000/- vide challan no.5679738620 dated 18.01.2025 in respect of BoE 7515447, should not be appropriated towards the payable differential duty.
- (vi) Penalty should not be imposed on M/s MOL under Section 112 (a)(ii) of the Customs Act, 1962.
- (vii) Penalty should not be imposed on M/s MOL under Section 114AA of the Customs Act, 1962.

II. In respect of the provisional bill of entries: 02 Bill of entry as per Annexure B

- (i) The duty exemption under Notification No. 22/2022-Cus, availed by M/s MOL on subject shipments, should not be disallowed, on account of grounds mentioned above, in terms of section 28DA of the Customs Act, 1962 read with Circular No. 38/2020-Customs dated 21.08.2020 and CAROTAR Rules, 2020 and the 02 bills of Entry mentioned in Annexure B should not be reassessed.
- (ii) Imported goods vide said two provisional Bills of Entry as per Annexure B, having assessable value of **Rs.3,89,40,910/-** (Rupees Three Crore Eighty-Nine Lakh Forty Thousand Nine Hundred Ten Only) should not be held liable for confiscation as per the provisions of Section 111(m) & 111(o) of the Customs Act, 1962.
- (iii) The goods Imported vide above Bills of Entry, as detailed in Annexure-B, should not be re-assessed after considering the differential Customs Duty of **89,95,350 /-**(Rupees Eighty-Nine Lakh Ninety-Five Thousand Three Hundred Fifty Only) ;
- (iv) Penalty should not be imposed on M/s MOL under Section 112(a)(ii) of the Customs Act, 1962.
- (v) Penalty should not be imposed on M/s MOL under Section 114AA of the Customs Act, 1962.

III. In respect of the Finally assessed bill of entries: 17 Bill of entry as per Annexure C

- (i) The duty exemption under Notification No. 22/2022-Cus, availed by M/s MOL on subject shipments, should not be disallowed, on account of grounds mentioned above, in terms of section 28DA of the Customs Act, 1962 read with Circular No. 38/2020-Customs dated 21.08.2020 and CAROTAR Rules, 2020.

- (ii) Imported goods vide said 17 Bills of Entry as per Annexure C, having assessable value of Rs. **30,29,76,305/-** (Rupees Thirty Crore Twenty-Nine Lakh Seventy-Six Thousand Three Hundred Five Only) should not be held liable for confiscation as per the provisions of Section 111(m) & 111(o) of the Customs Act, 1962
- (iii) Differential duties of Customs aggregating to Rs.6,99,87,526/-(Rupees Six Crore Ninety-Nine Lakh Eighty-Seven Thousand Five Hundred Twenty-Six Only) in respect of subject Bills of Entry, evaded by M/s. MOL on the said goods, should not be demanded and recovered under Section 28(4) of the Customs Act, 1962 along with applicable interest under provisions of Section 28 AA of the Customs Act, 1962;
- (iv) Penalty should not be imposed on M/s MOL under Section 114A of the Customs Act, 1962.
- (v) Penalty should not be imposed on M/s MOL under Section 114AA of the Customs Act, 1962.

36 Shri Anil Kumar Runthala (Mastermind), of M/s MOL is hereby called upon to Show Cause to the Principal Commissioner/ Commissioner of Customs, Custom House Mundra, Port User Building, Mundra Port, Mundra, Kutch-370421 within 30 days of the receipt of the notice, as to why penalty should not be imposed on him under Section 112 (a) (ii) and Section 114AA of the Customs Act, 1962, for the reasons discussed above.

37 Shri Ashok Kumar Sewda, Key person/handler of M/s MOL, is hereby called upon to Show Cause to the Principal Commissioner/ Commissioner of Customs, Custom House Mundra, Port User Building, Mundra Port, Mundra, Kutch-370421 within 30 days of the receipt of the notice, as to why penalty should not be imposed on him under Section 112 (a) (ii) and Section 114AA of the Customs Act, 1962, for the reasons discussed above.

38 Shri Bhumishth Patel, Ex Director/Promoter of M/s MOL is hereby called upon to Show Cause to the Principal Commissioner/ Commissioner of Customs, Custom House Mundra, Port User Building, Mundra Port, Mundra, Kutch-370421 within 30 days of the receipt of the notice, as to why penalty should not be imposed on her under Section 112 (a) (ii) and Section 114AA of the Customs Act, 1962, for the reasons discussed above.

39 Shri Manthan Rameshbhai Tilva – Director of M/s MOL is hereby called upon to Show Cause to the Principal Commissioner/ Commissioner of Customs, Custom House Mundra, Port User Building, Mundra Port, Mundra, Kutch-370421 within 30 days of the receipt of the notice, as to why penalty should not be imposed on him under Section 112 (a) (ii) of the Customs Act, 1962, for the reasons discussed above.

40 Ms. Akshay Talsibhaibhai Sanepara – Director of M/s MOL is hereby called upon to Show Cause to Principal Commissioner/ Commissioner of Customs, Custom House Mundra, Port User Building, Mundra Port, Mundra, Kutch-370421 within 30 days of the receipt of the notice, as to why penalty should not be imposed on him under Section 112 (a) (ii) of the Customs Act, 1962 , for the reasons discussed above.

41 Shri Vinodbhai Bhaderka – Director of M/s MOL is hereby called upon to Show Cause to the Principal Commissioner/ Commissioner of Customs, Custom House Mundra, Port User Building, Mundra Port, Mundra, Kutch-370421 within 30 days of the receipt of the notice, as to why penalty should not be imposed on him under Section 112 (a) (ii) of the Customs Act, 1962, for the reasons discussed above.

42 Shri Nitin Tomar Director of M/s MOL is hereby called upon to Show Cause to the Principal Commissioner/ Commissioner of Customs, Custom House Mundra, Port User Building, Mundra Port, Mundra, Kutch-370421 within 30 days of the receipt of the notice, as to why penalty should not be imposed on him under Section 112 (a) (ii) of the Customs Act, 1962, for the reasons discussed above.

43 Shri Sanket Ladani, Director of M/s MOL, is hereby called upon to Show Cause to the Principal Commissioner/ Commissioner of Customs, Custom House Mundra, Port User Building, Mundra Port, Mundra, Kutch-370421 within 30 days of the receipt of the notice, as to why penalty should not be imposed on him under Section 112 (a) (ii) of the Customs Act, 1962, for the reasons discussed above.

44 Shri Gaurav Chakrawarti, employee of M/s MOL is hereby called upon to Show Cause to Principal Commissioner/ Commissioner of Customs, Custom House Mundra, Port User Building, Mundra Port, Mundra, Kutch-370421 within 30 days of the receipt of the Notice, as to why penalty should not be imposed on him under Section 112 (a) (ii) and 114AA of the Customs Act, 1962, for the reasons discussed above.

45 M/s World Cargo Logistics, CHA for M/s MOL, is hereby called upon to Show Cause to Principal Commissioner/ Commissioner of Customs, Custom House Mundra, Port User Building, Mundra Port, Mundra, Kutch-370421 within 30 days of the receipt of the Notice, as to why penalty should not be imposed on him under Section 112 (a) (ii) of the Customs Act, 1962, for the reasons discussed above.

46 Sh. Gaurav Bachani, Company Secretary for M/s MOL, is hereby called upon to Show Cause to Principal Commissioner/ Commissioner of Customs, Custom House Mundra, Port User Building, Mundra Port, Mundra, Kutch-370421 within 30 days of the receipt of the Notice, as to why penalty should not be imposed on him under Section 112 (a) (ii) and 114AA of the Customs Act, 1962, for the reasons discussed above.

47 The noticees should clearly state in their written replies to this notice as to whether they desire to be heard in person or through their legal representative before the adjudicating authority. If no reply to this notice is received from them within 30 days from the date of receipt of this notice or if they fail to appear for the personal hearing on the date and time intimated to them, the case is liable to be decided on the basis of the evidence available and merits, without any further reference to them.

48 If no cause is shown against the action proposed to be taken against them within the stipulated period as shown above, or if they fail to appear before the adjudicating authority

when the case is posted for hearing, the case will be decided *ex-parte* on the basis of pieces of evidence available on the record.

49 The department reserves the right to add, alter, amend, modify, or supplement this notice at any time on the basis of any evidence which may come to the notice of the department after the issue of this notice and prior to adjudication of the case.

50 This Show Cause-cum-Demand Notice is issued under the Customs Act, 1962 without prejudice to any other action that may be taken against the noticees or any other person(s) under the provisions of the Customs Act, 1962 and the Rules & Regulations made there under or any other law for the time being in force.

51 The noticees also have an option to avail provisions of Chapter XIVA Settlement of Cases of the Customs Act, 1962 to settle their case through the Settlement Commission by filing an application if desired and eligible.

52 The documents relied upon in this Show Cause Notice are listed in **Annexure- R** to this notice and are enclosed with the Show Cause Notice in soft form in DVD.

Encl.: 1. Annexure-A to C

2 . Annexure-R-List of relied-upon documents

3. All RUDs

(Nitin Saini)
Commissioner of Customs,
Customs House, Mundra

File No.: GEN/ADJ/COMM/766/2025-Adjn

SCN No. 44/2025-26/COMM/N.S./Adjn/MCH

(i) **M/s Murae Organisor Limited (IEC - 0813001757)** ,A-1311, Sun West Bank, Ashram Road, Ahmedabad, Gujarat – 380009 and branch address at A-1106, Empire Business Hub, Near AUDA Water Tank, Science City Road, Sola, Ahmedabad, Gujarat 380060

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(iv) **Shri Bhumishth Patel**, Ex-Director/Promoter of **M/s Murae Organisr Limited (IEC - 0813001757)** ,A-1311, Sun West Bank, Ashram Road, Ahmedabad, Gujarat – 380009 and branch address at A-1106, Empire Business Hub, Near AUDA Water Tank, Science City Road, Sola, Ahmedabad, Gujarat 380060.

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(v) **Shri Manthan Rameshbhai Tilva**, Director of **M/s Murae Organisr Limited (IEC - 0813001757)** ,A-1311, Sun West Bank, Ashram Road, Ahmedabad, Gujarat – 380009 and branch address at A-1106, Empire Business Hub, Near AUDA Water Tank, Science City Road, Sola, Ahmedabad, Gujarat 380060

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(vii) **Shri Sanket Ladani**, Director of **M/s Murae Organisor Limited (IEC - 0813001757)**, A-1311, Sun West Bank, Ashram Road, Ahmedabad, Gujarat – 380009 and branch address at A-1106, Empire Business Hub, Near AUDA Water Tank, Science City Road, Sola, Ahmedabad, Gujarat 380060.

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(viii) **Shri Nitin Tomar**, Director of **M/s Murae Organisor Limited (IEC - 0813001757)**, A-1311, Sun West Bank, Ashram Road, Ahmedabad, Gujarat – 380009 and branch address at A-1106, Empire Business Hub, Near AUDA Water Tank, Science City Road, Sola, Ahmedabad, Gujarat 380060.

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(ix) **Shri Vinodbhai Rajabhai Bhadarka**, Director of **M/s Murae Organisor Limited (IEC - 0813001757)**, A-1311, Sun West Bank, Ashram Road, Ahmedabad, Gujarat – 380009 and branch address at A-1106, Empire Business Hub, Near AUDA Water Tank, Science City Road, Sola, Ahmedabad, Gujarat 380060.

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(x) **Shri Gaurav Chakrawarti**, Import-Export handler; **M/s Murae Organisor Limited (IEC - 0813001757)**, A-1311, Sun West Bank, Ashram Road, Ahmedabad, Gujarat – 380009 and branch address at A-1106, Empire Business Hub, Near AUDA Water Tank, Science City Road, Sola, Ahmedabad, Gujarat 380060.

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(xi) **M/s World Cargo Logistics**, 140, Ecstasy Business Park, Citi of Joy, JSD Road, Mulund, Mumbai-400080 (docs@maamarineservices.com, krushnaraj@maamarineservices.com, jigneshiadeia@rocketmail.com, jigneshiadeia1987@gmail.com)

(xii) **Shri Gaurav Bachani**, Company Secretary, **M/s Murae Organisor Limited (IEC - 0813001757)**, A-1311, Sun West Bank, Ashram Road, Ahmedabad, Gujarat – 380009 and branch address at A-1106, Empire Business Hub, Near AUDA Water Tank, Science City Road, Sola, Ahmedabad, Gujarat 380060.

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(1) **The Additional Director, Directorate of Revenue Intelligence, Regional Unit,** Plot No. S-10, Bhawani Singh Lane, Bhawani Singh Marg, C-Scheme, Jaipur-302005, Email: ad-dri-rj@nic.in

(2) **Guard File.**

(3) **Notice Board.**