

 <p>कायालियः 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>	 <p>आज्ञादी का अमृत महोत्सव</p>
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DIN:- 20251271MO000000B8A1

Date: 26.12.2025

Show Cause Notice No.: 42/2025-26/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 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 also referred as M/s KDL), M/s. Gujarat Toolroom Limited (herein also after referred as M/s GTL) and M/s. Murae Organisers Limited (herein after also 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 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.

1.2 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 CTSI 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.”

1.3 As per intelligence, the fabric imported by M/s KKrafton Developers Limited (M/s KDL) (IEC No. AAACP9354K- (**RUD-1**), Seven, A 707, Sun West Bank, Ashram Road, Ahmedabad, Gujarat-380009 (hereinafter referred to as “the importer”), under Container No. CAIU9335352 having BE No.7515449 dated 29.12.2024 & Container No. BWLU5206525 having Bill of Entry 7515467 dated 29.12.2024 by availing benefits of India-UAE CEPA Notification No. 22/2022-Customs dated 30.04.2022 were mis-declared and they were wrongly availing the benefit of subject notification. The subject container pertaining to above mentioned BoE was put on hold through email dated 31.12.2024 (**RUD-2**).

1.4 Whereas, in view of above intelligence, the previous import data of the firm M/s KKrafton Developers Limited (M/s KDL) was analyzed, and it was noticed that they have imported goods classifying under CTH - 60063100, 60063200, 60063400, 54074290, 54077400 from five UAE based suppliers viz (i) M/s Shuchi Textile (FZC),(ii) M/s Majestic Ecopolyfab (FZC), (iii) M/s Arab Textile Manufacturing L.L.C,(iv) M/s Chaman Textiles Processing FZE & (v) M/s Shukran Textiles (FZC) by availing the benefit of Notification No. 22/2022-Customs dated 30.04.2022 and paying NIL Customs duty.

The Following inherent basic product discrepancies were also found during the analysis of the data:

- A. Submission of Suppliers:** Suppliers claim they use staple fiber yarn (under chapter 55) as raw material.
- B. Imported Products:** Goods imported are made up of filament yarn (under chapter 54), indicating potential misrepresentation.

C. Besides above, various other discrepancies like mis-declaration of GSM of the fabric was also found mis-declared on the basis of import documents, respective Form I and respective test reports.

1.5 Accordingly, on the basis of the specific intelligence and verification of above-mentioned indicators, it appeared that the importer remains failed in truthful declaration of their import shipment and therefore the genuineness of their certifications of Origin was doubtful and thus it appeared that the importer M/s KDL has engaged himself in availing undue benefit i.e. exemption from Basic Customs Duty by virtue of India UAE CEPA Notification No. 22/2022-Cus dated 30.04.2022 in the import of fabric/textile from UAE. Moreover, it has also came to notice that the handler of this firm (M/s KDL) were also handling two other importing firms (M/s Gujarat Toolroom Limited, Ahmedabad and M/s Murae Organisor Limited, Ahmedabad) which were importing the same item from same suppliers and by availing the same exemption benefits. Accordingly, the investigation against the said importers was initiated and the investigation in respect of M/s KDL and relevant facts of the same are stated henceforth.

2. In order to investigate the matter and to search the incriminating documents/evidence, **Search Proceedings at M/s. Kkrrafton Developers Limited**, A-707, Sun West Bank, Ashram Road, Ahmedabad, Gujarat – 380009 on 31.12.2024, under the provision of the Customs Act, were carried out under the Panchnama dt.31.12.2024 (**RUD-3**), however the said premise was was locked, and when nearby occupier were inquired in this regard, it was informed that no such firm namely M/s Kkrrafton Developers Limited was being operated from there, and told that the same premise remains locked mostly.

2.1 Further, the officers of the DRI visited the Society Office of the said building, and it was informed that they were not aware of any commercial activity being operated at the said premise, and the premise had been locked since long time. However, the DRI officers kept watch on the subject premise and after some time, one person came and opened the said premises. Thereafter, the officers reached the premises and the person found there introduced himself as Mr. Vikram Maheshbhai Bhill, the cleaning staff. However, no board of the M/s Kkrrafton Developer Limited was found at the premises. Further, the search of the said premises was carried out, but the same was found empty as there was no record or official setup. Whereas, on being enquired, Mr. Vikram Maheshbhai Bhill informed that this office is not been operational for 2-3 months, that he only come for cleaning of office on the direction of one Mr. Praveen Shah (employee of M/s KDL) and the key were provided by Mr. Diwakar Sharma, who is CFO & MD of M/s Godha Cabcon & Insulation Ltd. situated at A-833, SUN WESTBANK, Ashram Road, Ahmedabad and also informed that he is related to M/s Kkrrafton Developer Limited.

2.2 Thereafter, the officers moved towards the office of M/s Godha Cabcon & insulation ltd. at A-833, SUN WESTBANK, Ashram Road, Ahmedabad, where a person present introduced himself as Mr. Diwakar Sharma, and informed that the key of the premises has been given by one Sh. Praveen Shah, who is an employee of

M/s Kkrrafton Developer Limited and has appointed him CFO and MD of M/s Godha Cabcon & Insulation Ltd. and these firms are related.

2.3 As, M/s Godha Cabcon & insulation ltd. and M/s Kkrrafton Developer Limited were found related, therefore, the premises of M/s Godha Cabon & insulation ltd. at A-833, SUN WESTBANK, Ashram Road, Ahmedabad, was searched, and during the search, various documents relevant to the investigation related to M/s Kkrrafton Developer Limited were recovered. Further, there were various documents related to another linked party M/s Gujarat Toolroom Limited, were also recovered. On being inquired Mr. Diwakar Sharma informed that this firm is also related to the persons involved in operation of M/s Kkrrafton Developer Limited. He also informed the officers that the person related to firm M/s Kkrrafton Developer Limited has changed the name of this firm as M/s Bharat Global Developer Limited and they have one more related premise situated at G-block, Uniza corporate Office, Premchand Nagar Rd, Opp. Krishna Complex, Satellite, Ahmedabad, Gujarat 380015. Also, Mr. Diwakar Sharma and Sh. Kirtan Limbasiya, another employee of M/s KDL informed that they used to prepared documents in respect of above firms on the directions of Sh. Anil Kumar Runthala, Sh. Dinesh Sharma & Sh. Ashok Sewada. Further, Mr. Diwakar Sharma provided the contact number of various person/directors related to M/s Kkrrafton Developer Limited and the same were contacted on the numbers to ask them to join the investigation but none of them responded. Whereas, during the search it has been gathered that M/s Godha Cabcon & Insulation Ltd., pertains to Mr. Anil Runthala, Dinesh Sharma and Ashok Sewada. The name of Rakesh Dutta was also emerged to be relevant in that firm. Further, the documents/files and electronic devices related to the said firms were also resumed by the officers for further investigation.

3. Statements of Sh. Kirtan Limbasiya s/o Sh. Kalubhai Limbasiya and Sh. Diwakar Sharma s/o Sh. Madhusudan Sharma recorded on 31.12.2024.

3.1 Sh. Kirtan Limbasiya, in his statement dt. 31.12.2024/01.01.2025 recorded under Section 108 of the Customs Act,1962 (**RUD-4**), inter-alia stated that he was fully agreed with the search proceedings of M/s Kkrrafton Developer Limited, Ahmedabad and M/s Godha Cabcon and insulation limited, Ahmedabad under panchnama dt.31.12.2024; further he added that he has never seen any goods being dealt physically; only papers are prepared in this office as told by Shri Rakesh Dutta; that the work related to M/s Gujarat Toolroom Ltd. and M/s Kkrrfton Developers Ltd. is also managed from that office on direction of Rakesh Dutta.

3.2 Sh. Diwakar Sharma, in his statement dt. 31.12.2024 recorded under Section 108 of the Customs Act,1962 (**RUD-5**), inter-alia stated that:

- M/s Godha Cabcon and Insulation Limited is managed by **Shri Rakesh Datta and Shri Anil Runthala**. Further, **Dinesh Sharma, Ashok Sewda** are also related person as they have only brought him as in this company.
- he did not have any knowledge about other business sales/services except above. However, he is aware that the works related to M/s Gujarat Toolroom Ltd. and M/s Kkrrfton Developers Ltd. are also managed from that office on

direction of Rakesh Dutta who directly instruct Mr. Kirtan Limbasiya to do accounting work of above firms and preparation of fake e-way bills.

- some blank letter head of M/s Murae Organisor Limited and one other document related to this firm were kept in said office by Rakesh Dutta and the copy of both documents were submitted under his dated signature.

4. Search at 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).

Whereas, as discussed above Sh. Diwakar Sharma informed that M/s KDL is presently being operated with new name i.e. M/s Bharat Global Developer Limited at its new premise situated at G-block, Uniza corporate Office, Premchand Nagar Rd, Opp. Krishna Complex, Satellite, Ahmedabad, Gujarat 380015, accordingly, a team of officers of DRI, Jaipur visited the said premises on 31.12.2024. During the visit for search, the premise was found locked; therefore, in order to secure the probable evidences available in the said premise. The proceedings of subject visit for search were recorded under Panchnama dt.31.12.2024 (**RUD-6**).

4.2 Further, on the request of the importer, M/s Kkrrafton Developers Ltd., the search of the said premises was conducted on 03.01.2025 in presence of Sh. Pravin D Shah, employee of the said firm (Manager, Admin & HR) and Shri Gaurav Chakrawarti, employee of the said firm (looking after Customs-related work).

4.3 Whereas, Shri Gaurav Chakrawarti admitted that the official premises mentioned in IEC of M/s. Kkrrafton Developers Ltd., Seven, A-707, Sun West Bank, Ashram Road, Ahmedabad, Gujarat, 380009, is non-functional and most of the work related to the firm M/s KDL, which now has been renamed as M/s Bharat Global Developers Ltd., is being handled from G Block, Uniza Corporate Office, Premchand Nagar Road, Opposite Krishna Complex, Satellite, Ahmedabad, Gujarat. He further informed that as M/s. Godha Cabcon & Insulation Ltd, A, 833, Sun Westbank, Ashram Road, Ahmedabad, Gujarat-380009, is a related firm, and trading related work in respect of M/s. Kkrrafton Developers Ltd., was being managed at premises of M/s. Godha Cabcon & Insulation Ltd.

4.4 Whereas, On perusal of the documents related to Import in financial year 2024-25 till date, it was noticed that copies of Purchase Orders were not found available in physical copies of import documents, to which Shri Gaurav Chakrawarti agreed and admitted that physical copies of Purchase Orders are not available and he was also not sure whether these copies were available on email as he was unable to login to firm's email account (account@kkrraftondevelopersltd.com) and accounts@bgdl.co.in.

4.5 Whereas, on asking about the operations of M/s Bharat Global Developers Ltd., (Formerly known as M/s Kraffton Developers Ltd, Shri Gaurav Chakrawarti informed that one, Shri Ashok Sewda is director of the firm, who lives in Dubai and he only knows more about the operational side of the firm. On request of DRI officers Shri Gaurav Chakrawarti contacted Shri Ashok Sewda using whatsapp call on +2348028785038 (overseas number), on which Shri Ashok Sewda informed that he was outside India. On request of DRI Officer to contact other

director, Shri Gaurav Chakrawarti informed that Shri Dinesh Sharma is also a director in this company, whose contact details are not available with him. He further informed that Shri Rakesh Dutta is working as an independent director of the firm, who was contacted on his mobile number 8866012277, and he informed that he is currently outstation. Further, on enquiry regarding owner of M/s. Shuchi Textiles FZC and M/s. Shukran Textiles FZC, Shri Gaurav Chakrawarti informed that they used to contact one person namely Shri Srikant Sharma, having mobile number, +971569489571, regarding to business activities of both the firms and he is dealing/ handling both the above-mentioned firms M/s. Shuchi Textiles FZC and M/s. Shukran Textiles FZCs. The import documents, sales documents pertaining to imported goods, documents related to payments particulars thereof & electronic devices were resumed for further verification. Search proceedings were recorded under Panchnama dated 03.01.2025(**RUD-7**).

5. Whereas, the **statement of Sh. Gaurav Chakrawati**, (who used to handle the Import and Export related documentation, of M/s KDL, M/s GTL & M/s MOL) was recorded under section 108 of the Customs Act, 1962, on 03.01.2025 (**RUD-8**), wherein he inter-alia stated:

- That he is MBA in International Business (MBA). His email Id is: gchakrawarti92@gmail.com and mobile number are: 7984265777 and 9919106969.
- He was working as Import Export Assistant Manager in M/s KDL. His responsibility is to maintain the import-export documentation part, to coordinate with CHA/forwarders/shipping lines/transporter. He gets directions from Shri Ashok Sewda, Director of M/s KDL. He also used to get directions from Shri Shrikant Sharma, contact person/Manager of M/s Suchi Textile, Sharjah, UAE and M/s Shukran Textiles, UAE.
- For any import of containers, he gets documents from the supplier like Shuchi Textiles, Shukran Textiles, Majestic Ecopolyfab (FZC), on email (account@kkrraftondevelopersltd.com)/ whatsapp (7984265777). He usually get Commercial Invoice, Packing List, COO, Bill of Lading. In addition of this as and when required supplier also provide the Suppliers side Customs clearance documents like Form-I. Then, he coordinates 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@kkrraftondevelopersltd.com) or sometime on his whatsapp (7984265777), then on being verified by him in supervision of Shri Ashok Sewda, and the CHA files the BoE with customs. Duty payment is 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.
- 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, which were got printed. Details of the said documents are as under: -

- Form I certificate issued by M/s Shuchi Textile (FZC) to M/s KDL and its relevant COO pertaining to BoE No. 5276825/27.08.2024
- Form I certificate issued by M/s Shuchi Textile (FZC) to M/s KDL and its relevant COO, Packing List, Sharjah Customs documents pertaining to BoE No. 5276825/27.08.2024
- Form I certificate issued by M/s Shuchi Textile (FZC) to M/s KDL and its relevant COO pertaining to BoE No. 4986408/10.08.2024
- Form I certificate issued by M/s Shuchi Textile (FZC) to M/s KDL and its relevant COO pertaining to BoE No. 4928136/07.08.2024
- Form I certificate issued by M/s Shuchi Textile (FZC) to M/s KDL and its relevant COO pertaining to Invoice No. ST/2425/007 dated 17.07.2024.
- Besides above similar documents in respect of M/s GTL & M/s MOL were also recovered.

Further subsequent to the said chat communication of above documents dated 30.10.2024 one voice note was found in the same chat 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, on direction of Ashok Kumar Sewda)

- During his statement, he certified truthfulness of the subject electronic record gathered from his mobile device, under section 138C of the Customs Act, 1962;
- Further, he voluntarily surrendered his mobile phone, One Plus Nord CE3 Lite 5G, for further investigation.

6. Examination of the Live Import shipments: -

6.1 Whereas, examination of the two import containers of M/s Kkrrafton Developers Limited bearing Container No. CAIU9335352 having BE No.7515449 dated 29.12.2024 & Container No. BWLU5206525 having Bill of Entry 7515467 dated 29.12.2024, which were put on hold vide email dated 01.01.2025 was conducted on 02.01.2025 at M/s Saurashtra Freight Pvt. Ltd., Bharat CFS-Zone-1, MPSEZ, Mundra Port, Gujarat-370421 and proceedings of the examination were recorded under Panchnama dt. 02.01.2025 (**RUD-9**) in presence of Sh. Jignesh Sinh Jadeja, Authorized Representative of the CHA, M/s World Cargo Logistics and Sh. Narendra Singh Jadeja, H-Card Holder of M/s World Cargo Logistics, CHA.

6.2 Whereas, during examination of container no. CAIU9335352, it was found that the goods were fabric and packed in form of rolls and each roll having label mentioning order number, Roll number, Colour number, Colour code, TTL (total) meter and lot Number the goods were found having two types of rolls on the basis of Order numbers (Order No.- MFS-12 & MFS-15). The sample labeling are as under -

**Image I****Image II**

6.3 Whereas, the goods were segregated as per the order number, labelling and accordingly inventory of goods was prepared by the officers as tabulated below:

Table: I

Goods labelled as Order No. MFS-12 (Sr 1-10) & MFS 15 (Sr 11-20)			
Sr. No.	Description of Goods as declared	Color (Type) found as per examination	Size of Fabric found on examination (sq. mtr)
1	Woven fabrics, containing 85% or more by weight of synthetic filaments, Printed, n.e.s.	Black (Non-laminated)	32550
2	Woven fabrics, containing 85% or more by weight of synthetic filaments, Printed, n.e.s.	Navy (Non-laminated)	13500
3	Woven fabrics, containing 85% or more by weight of synthetic filaments, Printed, n.e.s.	D-grey (Non-laminated)	10200

4	Woven fabrics, containing 85% or more by weight of synthetic filaments, Printed, n.e.s.	Olive (Non-laminated)	8100
5	Woven fabrics, containing 85% or more by weight of synthetic filaments, Printed, n.e.s.	Airforce (Non-laminated)	11802
6	Woven fabrics, containing 85% or more by weight of synthetic filaments, Printed, n.e.s.	Wine (Non-laminated)	8715
7	Woven fabrics, containing 85% or more by weight of synthetic filaments, Printed, n.e.s.	L-grey (Non-laminated)	4800
8	Woven fabrics, containing 85% or more by weight of synthetic filaments, Printed, n.e.s.	Bottle green (Non-laminated)	8700
9	Woven fabrics, containing 85% or more by weight of synthetic filaments, Printed, n.e.s.	White (Non-laminated)	6150
10	Woven fabrics, containing 85% or more by weight of synthetic filaments, Printed, n.e.s.	Red (Non-laminated)	8850
11	Not declared	Black (Laminated)	44850
12	Not declared	Navy (Laminated)	29100
13	Not declared	L-Grey (Laminated)	5581
14	Not declared	Surd White (Laminated)	4557
15	Not declared	Mustard (Laminated)	4050
16	Not declared	Red (Laminated)	1432.5
17	Not declared	Air Force (Laminated)	150
18	Not declared	D-Grey (Laminated)	4350
19	Not declared	Marron (Laminated)	4500
20	Not declared	Wine (Laminated)	3000
	Total fabric size of 1436 rolls		214937.5

6.4 Whereas, the declared quantity/fabric size as per Bill of Entry No. 7515449 dated 29.12.2024 was 143364 SQM while on examination it was found 214937.5 SQM. In this regard, the officers unroll some of rolls randomly and measured the width and length of fabric rolls with the help of measuring tape and it was found that the rolls were having length as labelled on the roll (most of the rolls were labelled as 100 except few small rolls), whereas the width of all rolls was

1.5 meters. Therefore, it was found that the roll which was labelled as 100 square meters was actually of 150 square meters.

6.5 Whereas, during the examination, the officers found that some of the rolls had a handwritten label over packing material in Chinese language. Photo of one such label is reproduced below: -



Image : III

6.6 Whereas, in order to determine the exact contents of the fabric rolls testing of the representative samples was to be done. Therefore, randomly 03 representative sample from all the 20 varieties of fabrics rolls (samples marked as 1A, 1B & 1C to 20 A, 20 B, 20 C) were drawn.



Image IV: The image of non-laminated fabric (Labelled as Order No. MFS-12) rolls from which samples drawn is as under

Image V: The image of laminated fabric (Labelled as Order No. MFS-15) rolls from which samples drawn

6.7 Further, on examination of another container No. BWLU5206525, it was found that the goods were fabric and packed in form of roll and each roll having a label mentioning order number, Roll number, Color number, Color code, TTL (total) meter and lot Number. The goods were found having two types of rolls on the basis of Order numbers (Order No.- MFS-12 & MFS-15). The sample photos of labelling found are as under –

**Image : VI****Image: VII**

6.8 Whereas, the goods were segregated as per the order number labelling and fabric color & type and accordingly inventory of goods was prepared by the officers as tabulated below:

Table: II

Goods labelled as Order No. MFS-12 (Sr 1-10) & MFS 15 (Sr 11-20)			
Sr. No .	Description of Good s as declared	Color (Type) found as per examination	Size of fabric found on examination in (SQM)
1	Woven fabrics, containing 85% or more by weight of synthetic filaments, Printed, n.e.s.	Black (Non-laminated)	27300

2	Woven fabrics, containing 85% or more by weight of synthetic filaments, Printed, n.e.s.	Navy (Non-laminated)	28050
3	Woven fabrics, containing 85% or more by weight of synthetic filaments, Printed, n.e.s.	Olive (Non-laminated)	15900
4	Woven fabrics, containing 85% or more by weight of synthetic filaments, Printed, n.e.s.	Wine (Non-laminated)	8028
5	Woven fabrics, containing 85% or more by weight of synthetic filaments, Printed, n.e.s.	D Gray (Non-laminated)	13800
6	Woven fabrics, containing 85% or more by weight of synthetic filaments, Printed, n.e.s.	L Gray (Non-laminated)	7050
7	Woven fabrics, containing 85% or more by weight of synthetic filaments, Printed, n.e.s.	Red (Non-laminated)	900
8	Woven fabrics, containing 85% or more by weight of synthetic filaments, Printed, n.e.s.	Air Force (Non-laminated)	2250
9	Woven fabrics, containing 85% or more by weight of synthetic filaments, Printed, n.e.s.	Bottle Green (Non-laminated)	900
10	Woven fabrics, containing 85% or more by weight of synthetic filaments, Printed, n.e.s.	Super White (Non-laminated)	150
11	Not declared	Red (Laminated)	8100
12	Not declared	Maroon (Laminated)	11938.5
13	Not declared	Air Force (Laminated)	24450
14	Not declared	Olive (Laminated)	25050
15	Not declared	D Gray (Laminated)	19950
16	Not declared	Black (Laminated)	8850
17	Not declared	Mustard	150

	(Laminated)	
Total fabric size of 1352 Rolls in SQM	202816.5	

6.9 Whereas, on examination it was observed that the declared fabric size as per Bill of Entry No. 7515467 dated 29.12.2024 was 134635 SQM while on examination it was found 202816.5 SQM. In this regard, some of rolls were randomly unrolled and width and length of fabric rolls with the help of measuring tape was measured and it was found that the rolls were having length as labelled on the roll (most of the rolls were labelled as 100 except few small rolls), whereas the width of all rolls was 1.5 meters. Therefore, it was found that the roll which was labelled as 100 square meters was actually of 150 square meters.

6.10 Whereas, during the examination, it was found that some of rolls were having a handwritten label over packing material in chines language. Photo of one such label is reproduced below:



Image: VI

6.11 One of such stickers from both the containers were resumed and placed the same in a green envelop and sealed properly under the signature of the signatories of this panchnama;

6.12 Whereas, in order to determine the exact composition of the fabric rolls, 03 representative sample (samples marked as 21 A, 21 B & 21 C to 37 A, 37 B & 37 C) from all the 17 varieties of fabrics rolls were drawn as categorized in table above.



Image: VII The image of non-laminated fabric (Labelled as Order No. MFS-12) rolls from which samples drawn are as under	Image: VIII The image of laminated fabric (Labelled as Order No. MFS-15) rolls from which samples drawn i
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6.13 Whereas, approximately the first half part of both the containers was found filled with the declared type of rolls (non-laminated; Labelled as Order No. MFS-12) while the backward half portion of the container was found filled with a different type of rolls (laminated; Labelled as Order No. MFS-15). Thus, it appeared the importer intentionally concealed the laminated fabric rolls behind the non-laminated fabric rolls.

7. TESTING OF SAMPLES PERTAINING TO CONTAINER CAIU9335352 & BWLU5206525:

7.1 Whereas the sample drawn during the examination of Container No. CAIU9335352 pertaining to BoE No.7515449 dt. 29.12.2024 & BWLU5206525 pertaining to BoE 7515467 dt. 29.12.2024 under Panchnama dated 02.01.2025 were sent to Central Revenue Control Laboratory (CRCL), New Delhi vide Letter dt. 08.01.2025 and the test reports were issued by CRCL vide its letter dated 20.01.2025 (**RUD-10**). The outcome of respective test reports is summarized in table below:

Table: III

Declared Item Description	Raw material declared in Form-I	Item actually found as per Test Report	Proper / Actual CTH
BE No.7515467 dated 29.12.2024			
54077400- Woven fabrics, containing 85% or more by weight of synthetic filaments, printed, n.e.s.	Containing 85% or more by weight of staple fibers of nylon or other polyamides: single yarn (welf knitted, knitted with one row of needles.)	Dyed woven fabric, made of textured filament yarns of polyster along with elastomeric yarns, it is other than coated fabric. Polyester = 96.20 to 96.64%, Elastomeric yarns=Balance, GSM (such as) = 127 to 134, (For MFS 12) Dyed woven fabric, laminated with polymeric film on one side. Base fabric is made of textured filament yarns of polyester whereas laminated film is made of compounded polyurethane. Laminated film is visible with naked eye. Polyester = 92.48 to 96.59%, Polymeric film=Balance, GSM (such as) = 127 to 131, (For MFS 15)	540752 90 590320 90

BE No. 7515449 dated 29.12.2024			
54077400- Woven fabrics, containing 85% or more by weight of synthetic filaments, printed, n.e.s.	Containing 85% or more by weight of staple fibers of nylon or other polyamides: single yarn (welf knitted, knitted with one row of needles.)	Dyed woven fabric, made of textured filament yarns of polyster along with elastomeric yarns, it is other than coated fabric. Polyester = 94.35 to 96.62%, Elastomeric yarns=Balance, GSM (such as) = 121 to 143, (For MFS 12) Dyed woven fabric, laminated with polymeric film on one side. Base fabric is made of textured filament yarns of polyster whereas laminated film is made of compounded polyurethane. Laminated film is visible with naked eye. Polyester = 92.24 to 92.93%, Polymeric film=Balance, GSM (such as) = 121 to 132, (For MFS 15)	540752 90 590320 90

7.2 In this regard, it is specifically noted that the importer had declared the goods under CTH 54077400; however, upon examination and laboratory testing, the goods were found to be appropriately classifiable under CTH 54075290 and 59032090, clearly indicating incorrect tariff declaration in the Bill of Entry. Such mis-declaration has direct bearing on duty liability and on the legitimacy of any preferential origin claim made under the India-UAE CEPA.

7.3 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 fiber 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.

7.4 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 fiber (Polyester instead of declared Nylon/Polyamide), nature of yarn (filament yarn instead of declared staple fiber), GSM variation, and mismatch in classification (CTH 54075290 and 59032090 instead of declared CTH 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 Notification No.22/2022-Customs dated 30.04.2022 for the subject import consignments.

8. Whereas, in order to confront the findings of the examination of the live shipments, the summons dated 08.01.2025 was issued to Shri Ahsok Kumar Sewada, Director, M/s KDL, however, he neither appeared not responded.

9. However, the importer vide their email dated 21.01.2025 shared the Icegate duty payment receipt of an amount of Rs 20,00,000/- voluntarily deposited vide challan no. 1055810374 & 597233573 both dated 18.01.2025 in respect of BOE No.7515449 & 7515467 both dated 29.12.2024 respectively under examination by this office in view of misdeclaration (**RUD-11**).

10. As no one has appeared in response to summons dated 08.01.2025 to Director of M/s KDL, therefore, further, summons dated 23.01.2025 was re-issued to Mr. Ashok Kumar Sewda for inquiry in respect of origin related information, confrontation of test reports and other facts on record. Simultaneously, summons dated 23.01.2025 was also issued to concerned CHA M/s World Cargo Logistic.

11. Further, in response to summons dt. 23.01.2025 issued to **Mr. Ashok Kumar Sewda**, Director in M/s Kkrrafton Developers Limited, Ahmedabad; Mr. **Rakesh Dutta**, independent director in M/s Kkraffton Developers Limited, appeared before the competent authority on **29.01.2025** and tendered his statement (**RUD-12**), wherein he inter alia stated:

- he is MBA (Finance)-(Part-time) from NIRMA university, Ahmedabad. His email id is rdutta1305@gmail.com, mobile numbers are 8866012277 and 9662260562.
- he submitted an authority letter dated 28.01.2025 issued by Sh. Ashok Kumar Sewda. He submitted that he is an independent director in M/s Kkraffton Developers Limited (Now renamed as M/s Bharat Global Developer Limited (M/s BGDL), Ahmedabad, and he looks after or supervises all the accounts related to statutory requirements pertaining to the company at Tier-II (supervisory) level. He got Rs. 10,000/- per board meeting from M/s Kkrraftion Developers Limited (Now renamed as M/s Bharat Global Developer Limited (M/s BGDL), Ahmedabad; he submitted that Sh. Ashok Kumar Sewda, Managing Director, M/s KDL (BGDL), is presently not available in Gujarat, and he presented himself on behalf of Ahok Kumar Sewda, as authorized and directed.
- On being shown the Panchnama dt.02.02.2025 drawn at M/s Saurashtra Freight Pvt. Ltd., Bharat CFS Zone-I, Mundra Port in respect of Container No. CAIU9335352(BoE No.7515449 dt.29.12.2024) and container no. BWLU5206525 (BoE No.7515467 dt.29.12.2024), he completely agreed with the panchnama proceedings and put his dated signature on the same.
- Further, on being shown the panchnama dt. 31.12.2024 drawn at M/s KKrrafton Developer Limited, A-707, Sun West Bank, Ashram Road, Ahmedabad, Gujarat-380009 which continued at M/s Godha Cabcon and Insulation Limited, 8th Floor, A-833, Sun West Bank, Ashram road, Ahmedabad, Gujarat-380009 & Panchnama dt. 03.01.2025 drawn at M/s Bharat Global Developers Ltd., G block, Uniza Corporate Office, Premchand Nagar Road, Opposite Krishna Complex, Satellite, Ahmedabad, Gujarat-

380009, he agreed completely with the proceedings and as a token put his dated signature on the same.

- further, he fully agreed with the fact that M/s. Kkrrafton Developers Ltd., (also known as M/s Bharat Global Developers Ltd) was not operational from A-707, Sun West Bank, Ashram Road, Ahmedabad, Gujarat – 380009, at the time of search by DRI at the said premise. Also, he knew that on the direction of Mr. Ashok Kumar Sewda and Mr. Anil Kumar Runthala, some work of M/s M/s. Kkrrafton Developers Ltd was also managed from the premise of M/s Godha Cabcon and Insulation Limited, 8th Floor, A-833, Sun West Bank, Ashram Road, Ahmedabad, Gujarat – 380009.
- on being asked about the import process work in respect of M/s. Kkrrafton Developers Ltd., he submitted that he only supervises accounts related to statutory requirements that too at the Tier-II level. Thus, He checks the chain of import documents i.e. Commercial Invoice, Packing List, Bill of Lading, Bill of Entry, Country of Origin document, etc, whether they are present or not. He doesn't check any technicalities related to Customs, and he doesn't know about the import process as he doesn't deal with the same. However, overall work related to Import/export, along with financial transactions, is looked after by Sh. Ashok Kumar Sewda, MD in M/s Kkrrafton Developers Limited, Ahmedabad (M/s BGDL) and he is the correct person to tell import/customs related technicalities and complete process and also to some extent Sh. Gaurav Chakrawati can explain.

11.1 In continuation to his statement dt.29.01.2025, Mr. Rakesh Dutta s/o Sh. Rajkumar Dutta, Independent Director in M/s Kkraffton Developers Limited, appeared before the competent authority on 30.01.2025 and tendered his statement, wherein he inter alia stated:

- he submitted 1 complete set of documents (i.e Bill of Entry (BoE), Country of origin Certificate, Bill of Lading, Packing List, Form-I, Commercial invoice) in respect of overseas suppliers of M/s KDL with his dated signature.
- he voluntarily tendered his OPPO A78 5G (CPH2495) mobile phone for further investigation, which was forensically examined during his statement only in his presence under panchanama dated 30.01.2025.

12. Whereas, in response of summons dated 23.01.2025 issued to the CHA M/s World Cargo Logistics (hereinafter also referred as M/s WCL) of the importer, and in compliance of the same, **Sh. Jigneshsin Chandubha Jadeja** s/o Sh. Chandubha Jadeja, authorised signatory of M/s WCL appeared before the competent authority on **29.01.2025** and tendered his statement (**RUD-13**), wherein, he inter-alia stated that:

- he handles Customs clearance-related work of import and export at Mundra Port.
- 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.
- on being asked about the process of the import clearance, he mentioned that they get Commercial Invoice, packing list, COO, Bill of lading, Form-I etc from

the importer's email id - account@kkrraftondevelopersltd.com on their mail id- docs@maamarineservices.com and krushnaraj@maamarine services.com and on the basis of the documents their staff prepares the checklist under their supervision and forward the same to M/s Kkrrafton Developers Limited through email for verification; on being verified by the importer, they file bill of entry with customs and get the customs clearance as per procedure.

- on being shown the Panchnama dated 02.01.2025 regarding the examination of container no. CAIU9335352 (BE No. 7515449/29.12.2024) and container no. BWLU5206525 (BE No. 7515467 dated 29.12.2024), he stated that he was present during the Panchnama proceedings and completely agreed to the proceedings mentioned therein. He agreed that during the examination misdeclaration was found in the import shipment. The imported goods were declared as "Woven fabrics, containing 85% or more by weight of synthetic filaments, Printed, n.e.s." while on examination, two types of goods were found there as per physical appearance, which included laminated fabric, which was not declared by the importer.
- he submitted that Mr. Gaurav Kumar (Mob. No.7984265777) was the contact person of the importer.
- on being shown the test results of the samples received from CRCL, New Delhi, in respect of examined import consignment of M/s KDL, he admitted that all the goods under both the shipment were declared to be "**Woven fabrics, containing 85% or more by weight of synthetic filaments, Printed, n.e.s.**" under CTH 54077400 under its import documents (including BL, Invoice, COO), while as per the test report the goods are found to be of two type:-

- a. ***dyed woven fabric, made of textured filament yarns of polyester along with elastomeric yarns, it is other then coated fabric. Polyester = 94.35 to 96.62%, Elastomeric yarns=Balance, GSM (such as) = 121 to 143, Banned azo dyes are not detected in the sample.***
- b. ***Dyed woven fabric, laminated with polymeric film on one side. Base fabric is made of textured filament yarns of polyester, whereas laminated film is made of compounded polyurethane. Laminated film is visible with the naked eye. Polyester = 92.24 to 92.93%, Polymeric film=Balance, GSM (such as) = 121 to 132, Banned azo dyes are not detected in the sample.***

- Further, he admitted that the goods were mis-declared in terms of description and classification as the laminated woven fabric was not declared by the importer and as the fabric was declared to be printed while all the fabric is found dyed. Further, as per the report, the GSM of the fabric was found to be 121 to 143, while the average GSM of the goods, as per declaration by the importer comes to be 191.59 (7515449/29.12.2024) and 190.79 (7515467/29.12.2024), from which it appears the quantity of fabric in SQM is also mis-declared. Therefore, in view of the above report, he admitted that the CTH of imported goods was mis-declared as the CTH in respect of

item type (i) mentioned above should be 54075290 and the proper CTH in respect of item type (ii) mentioned above should be 59032090.

- Also, he completely agreed that both the COO of M/s KDL are not valid and proper because the CTH mentioned in the subject COOs are 54077400, while the goods are actually found to be classifiable under CTH 54075290 and 59032090.
- Also, he agreed that the importer is not eligible to avail the benefits of subject India-UAE CEPA Notification No.22/Customs dt.30.04.2022.
- Further, he submitted that the importer is aware that the mis-declaration found during the examination of their import shipment, they have already started depositing the applicable duty, surrendering the benefit of India-UAE CEPA Notification No. 22/2022-Customs dated 30 April 2022. In this regard, Rs. 10,00,000/- has already been deposited by the importer against BoE No. 7515449/29.12.2024 and Rs. 10,00,000/- has already been deposited by the importer against BoE No. 7515467/29.12.2024. He, further submitted the copy of the respective challans under his dated signature. Further, he had calculated the duty liability for the above-mentioned import shipment, which comes to Rs. 1,70,99,865/- for BoE No. 7515467/29.12.2024 and Rs. 1,62,07,734/- for BoE No. 7515449/29.12.2024.
- Further, he requested to record his remaining statement on the next day due to being tired.

12.1 In continuation to his statement dt. 29.01.2025, **Sh. Jigneshsinh Chandubha Jadeja**, authorized signatory of M/s WCL, appeared before the competent authority on **30.01.2025 (RUD-14)** and he inter-alia stated that:

- to ascertain the accuracy of the documents provided by the importer they used to receive all the documents from the importer through e-mail, and to further verify the COO Certificate they scan the QR Code mentioned on the subject COO.
- regarding eligibility of CEPA Notification, they have to rely on the declaration and documentation provided by the importer and they check the CTH in terms of applicability of CEPA benefits.
- on being asked how they ascertain the good meeting the PSR criteria, they prepare the checklist for BOE based on documents provided by the importer and file BOE only after confirmation from the importer.
- he submitted that the classification of the subject goods is provided by the importer only, and they verify the same from the CTH mentioned over BL and COO. Also, they verify the description of goods as per tariff.
- Further, he went through the CEPA Notification No.39/2022-Customs (N.T) dt. 30.04.2022 and agreed that the importer is not eligible for the benefits of CEPA notification no.22/2022(Cus), because it has not fulfilled the procedure laid under the said notification.
- further, on being shown the panchnama dt.31.12.2024 in respect of search proceedings at M/s Kkraffton Developers Limited, found non-operational, he submitted that he had visited the said premises in the initial phase when the party was existent at the said address. However, the importer never informed about shifting its premises.

➤ further, on being shown the BoE no.4134448 dt.22.06.2024 (print taken from ICES/e-sanchit portal), he stated that the importer had declared the item "WOVEN FABRICS OF SYNTHETIC FILAMENT YARN CONTAINING 85% OR MORE BY WEIGHT OF FILAMENTS OF NYLON" under CTH "54074290" whereas the as per test report, the goods have also been found to be mis declared. Though, he submitted that he was not the CHA of the said Bill of Entry.

13. Further, on the basis of above facts, test reports issued by the CRCL, New Delhi, and confrontation of the same by above mentioned relevant persons, it was found that the goods, namely "Woven Fabrics, containing 85% or more by weight of synthetic filaments, printed, n.e.s" pertaining to BoE No.7515467 dt. 29.12.2024(Container No.BWLU5206525) and BoE No.7515449 dt.29.12.2024 (Container No. CAIU9335352) having re-determined value of Rs.55111042.3/- & Rs.52003157.71/- respectively are mis declared in terms of quantity and description, therefore, the said goods are liable for confiscation under the provisions of Section 111 of the Customs Act,1962 and accordingly, the same were seized vide **seizure Memo dt. 01.02.2025 (RUD-15)**.

14. Whereas, in order to inquire the importer regarding above mentioned discrepancies and in order to gather the documents/details/information as mandated under Rule 4 & 5 of the CAROTAR, 2020, summons dated 11.02.2025 were issued to Sh. Ashok Kumar Sewda, Director of M/s Kkrrafton Developers Ltd. (now known as M/s Bharat Global Developers Limited), however, Mr. Priyadarshi Manish, Advocate, appointed by Ashok Kumar Sewda, vide letter dt. 15.02.2025 along with Medical reports submitted that the Noticee is suffering from backache and is completely bedridden, therefore cannot travel from Ahmedabad to Jaipur.

15. Whereas, the importer (M/s KDL) has 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. Further, as per the provisions of the CAROTAR Rules 2020, the origin related information, as indicated in respective Form-I of the import documents, is to be possessed by the importer and the importer shall provide the same within the 10 working days, if the authority sought the same. 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.**

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 12.02.2025 (**RUD-16**), in respect of relevant import shipments, however no response was submitted by the importer in this regard.

16. Further, Summons dt.19.02.2025, were issued to Sh. Dinesh Sharma, Director of M/s Kkrrafton Developers Limited (now known as M/s Bharat Global Developers Limited) & Sh. Anil Kumar Babulal Runthala, however neither of the said persons appeared before the competent authority and tendered their statement. However, Mr. Priyadarshi Manish, Advocate, authorized person of Sh. Dinesh Kumar Sharma, vide letter dt.03.03.2025 submitted that due to family function, the notice is unable to appear before the competent authority.

17. Whereas, the importer had failed to furnish the required information to this office in response to above discussed letter dated 12.02.2025. Therefore, this office sent a reminder letter dated 04.03.2025 (**RUD-17**) to the importer 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 response was received from the importer within the prescribed time limit.

18. Meanwhile, as discussed above the importer and its key persons/directors were not cooperative and didn't join the investigation, therefore, in order to inquire about the already cleared import shipments of M/s KDL, this office issued the summons to Sh. Jigneshsinh Chandubha Jadeja, authorized signatory of M/s WCL, who, appeared before the competent authority on 01.05.2025(**RUD-18**), and he inter alia stated that:

- In respect of his earlier statement dt.29.01.2025 regarding Question no.08, he slightly modified his submission and stated that initially Mr. Anil Kumar Runthala(+971501314780) contacted him for the clearance of import shipment of M/s KDL; further, on the behest of Anil Kumar Runthala, Mr. Gaurav Kumar(7984265777) started coordinating and later on after the DRI enquiry Sh. Ashok Kumar Sewda(07573919742) and Sh. Anil Kumar Runthala, started contacting on behalf of M/s KDL; overall Sh. Anil Kumar Runthala & Sh. Ashok Kumar Sewda were the main handlers of the said firm.
- Further, he submitted the authority letter dated 22.05.2024 issued by the importer M/s KDL, wherein they were authorized to clearance and handling of their import shipment and to coordinate with any agencies related to their import export shipment on their behalf.
- On being shown BEs. No. 3720189/29.05.2024, 3720190/29.5.2024, 3733306/30.05.2024, 3733307/30.05.2024, 4985500/10.08.2024, 5276825/27.08.2024, 5323376/30.08.2024 and 5824638/27.09.2024 of M/s KDL along with respective import documents, Form-I and respective test report as uploaded on the e-sanchit portal, he submitted the gist of information as under: -

Table: IV

BE/ Date	Declared Item as per BOE	Declared originating Material as per FORM- I	Origin, Critaria, Production process as per FORM-I	Ori gin Crit aria	Items as per Test Reports
372018 9 / 29.05.2 024	60063100- other knitted or crocheted fabrics of unbleached synthetic fibers n.e.s. (man made 100% virgin spun knitted fabri	Other kintted or crocheted fabrics of unbleached or bleached synthetic fibers	Wholly obtained, Polyester yarn-knitted into grey knitted fabric- packed into role	PS R	Cut piece of white (undyed) knitted fabric (appears to be crocheted) treated with cellulosic material, composed of polyster filament and spun yarn, GSM (as such)=170.92
372019 0/ 29.05.2 024	60063100- other knitted or crocheted fabrics (other detail as per	Other knitted or crocheted fabrics	Wholly obtained, Polyester yarn-knitted	PS R	Off white self designed knitted fabric, composed of polyster

	invoice packing list)	(other detail as per invoice packing list)	into grey knitted fabric-packed into role		filament yarn (textured), GSM (as such)-121.4
373330 6/ 30.05.2 024	60063100-other knitted or crocheted fabrics (other detail as per invoice packing list)	Other knitted or crocheted fabrics (other detail as per invoice packing list)	Wholly obtained, Polyester yarn-Knitted into grey knitted fabric, finished knitted fabric packed in rolls for sale	PS R	dyed (peach colored) knitted fabric, composed of polyester filament yarn GSM (as such)-94.6
373330 7/ 30.05.2 024	60063100- OTHER KNITTED OR CORCHETED FABIRCS (OTHER DETAILS AS PER INVOICE AND PACKING LIST)	Other knitted or crocheted fabrics (other detail as per invoice packing list)	Wholly obtained, Polyester yarn-Knitted into grey knitted fabric, finished knitted fabric packed in rolls for sale	PS R	White (net type) knitted fabric, composed of filament yarn, of polyester together with elastomeric yarn (lycra), GSM (such as)- 135.2, width in cm=122; % of polyester (% by weight)-97.1%, % of lycra (% by weight)=balance.
498550 0/ 10.08.2 024	60063400- other knitted or crocheted fabrics, of synthetic fibers, dyed print 100% polyester knitted fabric)	60063400- Containing 85% or more by weight of staple fibers of nylon or other polymides : single yarn	CTH+VA 40%, Welf knitted fabric, knitted with one raw of needles	PS R	yarn dyed knitted fabric having self-designed on one side, composed of polyester filament yarn , nylon filament yarn together with lycra. GSM (as such) = 85.8% composition nylon = 50.35% polyester= 44.70 %
527682 5/ 27.08.2 024	60063400- other knitted or crocheted fabrics, of synthetic fibers, dyed	60063400- containing 85% or more by weight of	CTH+VA 40%, Welf knitted fabric, knitted with one raw of	PS R	A cut piece of dyed (yellow coloured) knitted fabric. Composed of polyester

	print 100% polyester knitted fabric	staple fibers of nylon or other polyamides s : single yarn	needles		filament yarn. GSM (as such) = 130.72, width (selvedge) = 152 cm,
532337 6/ 30.08.2 024	60063400- other knitted or crocheted fabrics, of synthetic fibers, dyed print 100% polyester knitted fabric	60063400- Containing 85% or more by weight of staple fibers of nylon or other polyamides s : single yarn	CTH+VA 40%, Welf knitted fabric, knitted with one raw of needles	PS R	Printed fabric, Composed of polyester filament yarn along-with small amount of lycra, GSM (as such)= 213.2 width (selvedge to selvedge)=153cm, % composition – polyester= 95.2 5 by wt., Lycra= balance.
582463 8/ 27.09.2 024	60063200- other knitted or crocheted fabrics, of synthetic fibers n.e.s. (single jersey mmf spun 100% polyester grey knitted fabric)	55091100- Containing 85 % or more by weight of staple fibers of nylon or other poly-amides: Single yarn.	CTH+VA 40%, Circular knitting (product is obtained by knitting polyester yarns of different quality to obtain the product)	PS R	white, knitted fabric.; Composition:; it is composed of Polyester filaments yarns. GSM (as such)= 190.30 Selvedge to Selvedge width (cms)=194;

In view of above, he submitted that as per Form-I declaration by the supplier, the product under BE No.4985500/10.08.2024, 5276825/27.08.2024, 5323376/30.08.2024 and 5824638/27.09.2024 is made up 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 an originating goods under PSR criteria, the originating goods must have undergone sufficient working which result in change at CTH level with Value Addition of 40%, however on perusal of above discussed BEs No.4985500/10.08.2024, 5276825/27.08.2024, 5323376/30.08.2024 and supporting documents including Form-I, it appears that no CTH level change has taken place. Further, in respect of BE no. 5824638/27.09.2024, although CTH has changed, however finished product does not match with the originating material. Further, in respect of BEs. No. 3720189/29.05.2024, 3720190/29.5.2024, 3733306/30.05.2024, 3733307/30.05.2024, as per COO the originating criteria is

“PSR”, while the submitted Form-I shows originating criteria as **“Wholly Obtained”**, therefore, the respective COO certificate appears to be improper and the importer does not appear eligible for exemption benefits under India-UAE CEPA Notification No.22/2022-Customs dated 30.04.2022.

- On being shown a document recovered from forensic of mobile of Mr. Gaurav Chakravarti, he stated that the said document is a license certificate issued by the government of Sharjah for M.s Shuchi Textile(FZC) wherein name of Sh. Ashok Kumar Sewda is reflecting as owner of said firm and Sh. Anil Kumar Runthala is reflecting as Manager of the said firm; however, the importer never informed about being related party and therefor, they never referred the subject imports to Customs SVB.

19. Whereas, in the statement dated 29/30.01.2025, Sh. Jigneshsinh Chandubha Jadeja, authorised signatory of M/s WCL, submitted that M/s WCL was not the CHA in respect of BoE no. 4134448 dated 22.06.2024 of M/s KDL, and the same was cleared by M/s Krishna Logistic and Clearing Service. Accordingly, summons dated 16.10.2025 was issued to said CHA, and **Sh. Sunil Kumar, proprietor of M/s Krishna Logistic and Clearing Service**, appeared before the competent authority on **29.10.2025 (RUD-19)** and tendered his statement, wherein he inter-alia stated that

- M/s Kkrrafton Developers Limited is the only firm claiming CEPA benefits whose Customs Clearance-related work was done by them;
- Only 3 BoEs 4134445/22.06.2024, 4127102/22.06.2024 & 4134448/22.06.2024 of M/s Kkrrafton Developers Limited were cleared by their firm.
- Mr. Anil Kumar Runthala (+971501314780) contacted them for the clearance of the said firm. Further, Mr. Gaurav Chakrawarty (Mobile No.7984265777) used to contact them on behalf of Anil Kumar Runthala for clearance of related queries.
- On being asked regarding the import process, he stated that they prepare the checklist on the basis of the documents provided by the importer and files the BE only after verification of checklist form the importer; he submitted one such email communication in support of his statement.
- Further, he had gone through the test reports issued in respect of above consignments/BOEs and in view of subject test reports and respective import documents he mentioned the gist of information as below:-

Table: V

BE No./Date	Declared item as per BE	Origin criteria and production process as per Form I	Raw Material as per Form I	Item as per Test Report

4134445 / 22.06.202 4	60063100 - OTHER KNITTED OR CROCHETED FABRICS OF UNBLEACHED OR BLEACHED SYNTHETIC FIBERS N.E.S MAN MADE 100% POLYESTER KNITTED FAB	PSR, Circular Knitting (Product is obtained by Knitting of Polyester Yarns of Different quality to obtain the product)	Containing 85 % or more by weight of staple fibers of nylon or other poly-amids: single yarn	<i>white knitted fabric treated with cellulosic material. It is composed of polyester filament yarn. Average GSM(as such)=161.1, width (selvedge to selvedge)=182 cm, whether the sample is bleached or not could not be ascertained.</i>
4127102 / 22.06.202 4	60063100 - OTHER KNITTED OR CROCHETED FABRICS OF UNBLEACHED OR BLEACHED SYNTHETIC FIBERS N.E.S MAN MADE 100% POLYESTER KNITTED FAB	PSR, Water Jet Waving – Warp Process	Containing 85 % or more by weight of staple fibers of nylon or other poly-amids: single yarn	<i>The sample marked as A is in the form of a cut piece of white(undyed) knitted fabric and the sample markeed as B & C are in the form of cut piece of white(undyed) circular knitted fabric and each of the three samples is composed of polyester filament yarn treated with cellulosic material.</i>
4134448 / 22.06.202 4	54074290 -WOVEN FABRICS OF SYNTHETIC FILAMENT YARN CONTAINING 85% OR MORE BY WEIGHT OF FILAMENTS OF NYLON	PSR, Water Jet Waving – Warp Process	Containing 85 % or more by weight of staple fibers of nylon or other poly-amids: single yarn	<i>The sample packet received contains three sample black, yellow & grey coloured cut piece of fabric. The black & yellow coloured cut pieces of the fabrics are dyed wovn fabric composed of polyester yarns. Average (GSM) as such black-159.12 & yellow-145.82. The grey coloured cut piece of the</i>

				<i>fabric is dyed knittd fabric made of filament yarn together with lycra.</i>
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- In view of above report, he admitted that the goods found in the above consignments were made up either **filament yarn or polyester filament yarn** whereas as per Form-I submitted by the importer at the time of filing Bill of Entry the description of originating materials or components used in manufacturing of the final goods is “*Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn*” which shows mis declaration and manipulation of documents by the importer.
- Further, based on said discrepancies, he agreed that the importer is not eligible to avail the benefits of India-UAE CEPA Notification No.22/2022-Customs dated 30.04.2022, and it appeared that the importer has manipulated the documents to get the COO by fraudulent means to avail the benefits of India-UAE CEPA Notification No.22/2022-Customs dated 30.04.2022.

19.1 From the statement of the representative of M/s World Cargo Logistics and M/s Krishna Logistic and Clearing Service (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, various shipment appears not eligible for CEPA benefits on account of non-declaration of Form I.
- e) Both the CHA confirmed that the entire import operations of M/s KDL were managed and controlled by Shri Anil Kumar Runthala and Ashok Kumar Sewda, with coordination through Rakesh Dutta and Gaurav Kumar, corroborating centralized and intentional planning behind the mis-declaration and wrongful exemption claim.

20. Further, summonses dated 22.05.2025 were issued for confronting the respective test reports, FORM I submission and for origin criteria related information etc to Sh. Ashok Sewda, MD & Director, Sh. Anil Kumar Runthala, Mastermind & Key person, M/s KDL, Sh. Dinesh Kumar Sharma, Director, Sh. Vinod Kumar Mishra, Director, Sh. Maneck Sorabji Painter, Director, Ms. Nirali Prabhatbhai Karella, Director. However, apart from the reply furnished by Sh. Anil

Kumar Runthala, Sh. Maneck Sorabji Painter & **Nirali P Karethia** through their, authorized representative (Advocate), no response has been received from the remaining parties.

20.1 Reply of Sh. Anil Kumar Runthala, in response to the summons dt.

22.05.2025 (RUD-22): Sh. Priyadarshi Manish, Advocate as an authorized representative of the noticee vide its letter dt. 29.05.2025 submitted an evasive reply that the Noticee has no role in the day-to-day affairs of M/s Bharat Global Developers (Kkrraftion Developers Ltd.) and therefore, he is not the right person to give response to query raised and requested to withdraw the summons issued to the notice and absence of the Noticee shall not be treated as non-compliance of the said summons.

20.2 Sh. Maneck Sorabji Painter, Director's reply in response to summons

dt. 22.05.2025 (RUD-23):Sh. Priyadarshi Manish, Advocate as an authorized representative of the noticee vide its letter dt.29.05.2025 submitted an evasive reply that the noticee is out of town due to which, he is not in position to appear and requested to waive the personal hearing and absence of the Noticee shall not be treated as non-compliance of the said summons. However, Sh. Painter, never appeared in response to further summons issued to him as detailed in table below.

20.3 Ms. Nirali Prabhatbhai Karethia, Director's reply in response to

summons dt. 22.05.2025 (RUD-25): Sh. Priyadarshi Manish, Advocate as an authorized representative of the noticee vide its letter dt.29.05.2025 submitted an evasive reply that the noticee is medically indisposed and therefore, she is not in a position to appear and requested to waive the personal hearing and absence of the Noticee shall not be treated as non-compliance of the said summons.

21. Further, summonses dated 05.06.2025 were again issued to Sh. Ashok Sewda, MD & Director, Sh. Anil Kumar Runthala, Mastermind & Key person, M/s KDL, Sh. Dinesh Kumar Sharma, Director, Sh. Vinod Kumar Mishra, Director, Sh. Maneck Sorabji Painter, Director, Ms. Nirali Prabhatbhai Karethia. However, neither any one of them appeared nor any response received from them.

22. Further, summonses dated 17.07.2025 were again issued to the importer M/s KDL, Sh. Ashok Sewda, MD & Director, Sh. Anil Kumar Runthala, Mastermind & Key person, M/s KDL, Sh. Dinesh Kumar Sharma, Director, Sh. Vinod Kumar Mishra, Director, Sh. Maneck Sorabji Painter, Director, Ms. Nirali Prabhatbhai Karethia. However, apart from the reply furnished by Sh. Vinod Kumar Mishra, and Ms. Nirali P Karethia no response has been received from the remaining parties.

22.1 In response to this office's summons dt.17.07.2025 (RUD-25), Sh. Nirali Prabhatbhai Karethia, vide its email letter dt.22.07.2025 (RUD-25), submitted that she was a Director of M/s Bharat Global Developers Limited(earlier known as Kkrraftion Developers Limited), her role was that of a non-executive director. She was not involved in the day-to-day operations, management or financial affairs of the company. Therefore, She do not possess any information on documents related

to the import of goods from the UAE or the specific transactions mentioned in your enquiry concerning N/s KDL.

22.2 Sh. Vinod Kumar Mishra, Director's reply in response to summons dt.

17.07.2025: Sh. Vinod Kumar Mishra, vide his letter dt.21.07.2025 (RUD-24), submitted that his reply be considered as his statement in compliance of the said summons. He was associated with M/s Bharat Global Developers Ltd.(formerly known as Kkrrafton Developers Ltd.) as an Independent Additional Director from 13.10.2023 to 21.10.2024 & as an Independent Director from 14.02.2024 to 15.10.2024 as per records of the Ministry of Corporate Affairs, holding DIN:07552109; during his tenure he had never attended any board meeting, nor signed any document on behalf of the company at any time; he had no role whatsoever in the day to day operations, management, or decision-making of the company as an Independent Director. Further, he had never received any salary, nor held any share or ownership in the company.

He, further submitted that if any additional clarification or his personal appearance is required, he will fully cooperate in the proceedings. Though Sh. Vinod Kumar Mishra submitted that he had no role in the operations of the said company; however, to elicit information about the main handlers and import-related information of the said company summons dated 25.08.2025 for personal appearance was again issued to Sh. Vinod Kumar Mishra, however, instead of cooperating in the ongoing investigation, Sh. Vinod Kumar Mishra vide its reply dt.03.09.2025 (RUD-24) in response to a summons dt.25.08.2025 issued in a similar enquiry in the matter of M/s Gujarat Toolroom Limited submitted that as he had already informed that he was the independent director and during the tenure of holding the post of independent director he was not participating in the day-to-day activities of the company and was not even conversant with the fact of the import made by the importer company, that he has not attended any board meeting, nor signed any document, however, your goodself has not considered the same and being aggrieved from the same, the Noticee has challenged the summons before the Hon'ble High Court of Madhya Pradesh at Jabalpur vide writ petition bearing No.WP/35744/2025(Pending for appropriate Bench).

23. Concurrently, the importer remained fail to provide the information/details/documents sought from them within stipulated time under the Rules of CAROTAR Rules 2020, requested for verification of origin criteria vide this office letter dated 12.02.2025 & 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 consignment 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 origin related information 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 already discussed in para supra, 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.

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

Table: VI

S.No .	Name of the person to whom the summons issued	Summons dated	Appearance date as per summons	Appeared/ Not Appeared
1	Sh. Ashok Kumar Sewda, Director, KDL (RUD-20)	08.01.2025	20.01.2025	Sh. Rakesh Dutta, Independent Director, appeared on behalf of Sh. Ashok Kumar Sewda, Director on 29.01.2025 and 30.01.2025
		23.01.2025	29.01.2025	
		11.02.2025	17.02.2025	
		12.03.2025	24.03.2025	
		06.04.2025	16.04.2025	
		22.05.2025	28.05.2025	
		05.06.2025	11.06.2025	
		17.07.2025	25.07.2025	
2	Sh. Dinesh Kumar Sharma, Director, KDL (RUD-21)	19.02.2025	03.03.2025	Not Appeared; response vide email dated 03.03.2025.
		12.03.2025	20.03.2025	
		06.04.2025	15.04.2025	
		22.05.2025	28.05.2025	
		05.06.2025	11.06.2025	
		17.07.2025	25.07.2025	
3	Sh. Anil Kumar Babulal Runthala, related person KDL (RUD-22)	19.02.2025	04.03.2025	Not Appeared
		12.03.2025	21.03.2025	
		06.04.2025	17.04.2025	
		22.05.2025	29.05.2025	
		05.06.2025	11.06.2025	

4	Sh. Maneck Sorabji Painter, Director (RUD-23)	22.05.2025	29.05.2025	Not Appeared. Reply received from Mr. Priyadarshi Manish(Advocate), on behalf of Mr. Anil Kumar Runthala
		05.06.2025	12.06.2025	Not Appeared
		17.07.2025	25.07.2025	Not Appeared
5	Sh. Vinod Kumar Mishra, Director, 0, Amrit hights, Aaga Chowk, Life Medicity Hospital, Jabalpur-482002 (RUD-24)	22.05.2025	28.05.2025	Not Appeared
		05.06.2025	12.06.2025	Not Appeared
		17.07.2025	25.07.2025	Reply received vide email dt. 21.07.2025
		25.08.2025	03.09.2025	Reply received vide email dt. 03.09.2025
6	Ms. Nirali Prabhatbhai Karethia, Director (RUD-25)	22.05.2025	29.05.2025	Not Appeared. Reply received from Mr. Priyadarshi Manish(Advocate), on behalf of Mr. Anil Kumar Runthala
		05.06.2025	12.06.2025	Not Appeared
		17.07.2025	25.07.2025	Not Appeared. Reply received vide email dt. 22.07.2025
7	M/s KDL (M/s BGDL) (RUD-26)	17.07.2025	25.07.2025	Not Appeared
		14.10.2025	30.10.2025	Not Appeared
		07.11.2025	17.11.2025	Not appeared

In addition to above, summonses were also issued to Mr. Anilkumar Babulal Runthala and Mr. Ashok Kumar Sewada in respect of the investigation being conducted with respect to M/s GTL & M/s MOL **(RUD-27)**.

24.1 All the above-mentioned summons and other communications were dispatched through speed post as well as to their respective mail ids. Some of the summons delivered through speed post were returned undelivered with remark "Left/Address left without instruction/Not known etc". However, all the communications sent through mail were always delivered. In addition, 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 KDL. However, still they have not joined the investigation which show their deliberate

intention to avoid the investigation and shows that they have nothing to submit in their defense.

25. 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, some of which are listed below: -

- In some of the import shipments, the origin criteria as per Form I is "**Wholly obtained**", while as per the COO the origin criteria is "**PSR**" (Product Specific Rules) (CTH+VA 40%). This discrepancy raises initial suspicion regarding the accuracy of the origin credentials declared by the supplier.
- 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 (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 along with 40% value addition, whereas no change in CTH or CTS defense.
- 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, whereas no change in CTH level has occurred.
- Moreover, in some of the shipments, 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.

26. Therefore, it is felt that the requisite PSR (Product Specific Rules) value addition criteria i.e. CTS defense/ 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 09.05.2025 **(RUD-28)**, which was further referred to Indian Embassy, Abu Dhabi, UAE. As, the ongoing investigation includes a live shipment, hence, a reminder letter dated 17.07.2025 (RUD-28) was issued to International Customs Division, New Delhi, in respect of verification request sent by this office vide latter dated 09.05.2025, with request to expedite the reply. The reply and documents received from UAE authority have been analyzed in later in discussion part of the notice.

27. The goods were put on hold on 31.12.2025, and examination of the goods was done on 02.01.2025 under the Panchnama, and the goods were seized on 01.02.2025. 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 09.05.2025 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 12.06.2025 and mail dated 13.06.2025 **(RUD-29)**.

28. In response to this officer letter dated 09.05.2025 and 17.07.2025 regarding COO verification inquiry, reply was received from the competent authority vide email dt. 21.08.2025 (01 COOs), 25.08.2025 (02 COO) & 09.10.2025 (04 COO) **(RUD-30)** wherein the submissions of the above supplier in respect to the questionnaires pertaining to the above COOs along with the letter dated 21.08.2025, 25.08.2025 and 09.10.2025 issued by FTA Cell, was forwarded to this office, which mentions that the subject verification report and response to questionnaire received from the UAE authority may kindly be examined and necessary action thereof may be taken as deemed fit. The analysis of details/information/documents received from the verification authority are analyzed in details and outcome of the same is discussed in the later part of the notice.

29. Meanwhile, the importer was again provided an opportunity vide this office letter dated 10.10.2025 **(RUD-31)** to submit the information in respect of origin criteria and production process of overseas supplier along with respective documents, however, they still remained fail to respond.

30. Forensic Examination of seized/resumed electronic devices: -

The forensic examination of Five digital devices i.e (i) Redmi A3 Mobile (Sh.Diwakar Sharma) (ii) VIVO T1 5G mobile(Sh.Kirtan Limbasiya) (iii) One HP AIO Product ID-00356-24736-58908-AAOEM(resumed under Panchnama dt.31.12.2024 drawn at M/s Kkrrafton Developers Limited, A-707, Sun West Bank, Ashram Road, Ahmedabad, Gujarat-380009 and at M/s godha Cabcon and Insulation Limited, 8th Floor, A-833, Sun West Bank, Ashram Road, Ahmedabad Gujarat-380009) (iv) One Server-CPU printed with "intel Core i5"(resumed under Panchnama dt.31.12.2024 drawn at M/s Kkrrafton Developers Limited, A-707, Sun West Bank, Ashram Road, Ahmedabad, Gujarat-380009 and at M/s Godha Cabcon and Insulation Limited, 8th Floor, A-833, Sun West Bank, Ashram Road, Ahmedabad Gujarat-380009), and (v) One server CPU-Lenovo Think System resumed under panchnama dt.03.01.2025 drawn at 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) in the presence of independent Panch and Sh. Kishan Lal Navhal s/o Om Prakash Sharma , authorized person of M/s Bharat Global Developers Ltd.(M/s KDL), Ahmedabad and Sh. Diwakar Sharma and Sh. Kirtan Limbasiya of M/s Godha Cabcon and Insulation Limited, Ahmedabad and proceedings of the same were recorded under Panchnama dt. 03-05.02.2025. **(RUD-32)** Sh. Kishan Lal Navhal has submitted authorization letters from the concerned persons in this regard.

30.1 Forensic of Mobile Phone (One Plus Nord CE3 Lite 5G, Model – CPH2467 having IMEI No. 862529062200816 & 862529062200808) of Sh. Gaurav Chakrawarti:-

- 5.
- 6.
- 7.
- 8.

Whereas, the mobile phone (One Plus Nord CE3 Lite 5G, Model – CPH2467, having IMEI No. 862529062200816 & 862529062200808) voluntarily surrendered by Sh. Gaurav Chakrawarti was subjected to forensic examination on 15.01.2025, and the proceedings were recorded under panchnama dt.15.01.2025 **(RUD-33)** in the presence of Sh. Gaurav Chakrawarti himself and two independent Panchas; the respective Certificates u/s 63(4)(c) of BSA, 2023 were issued by Shri Gaurav Chakrawarti and the forensic engineer Mr. Mudit Pareek.

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

30.2 Output of forensic data examination of One Plus Nord CE3 Lite 5G Mobile phone, pertaining to Shri Gaurav Chakrawarti :-

I. During the forensic data analysis of subject mobile phone of Shri Gaurav Chakrawarti, one pdf file having title as “Adobe Scan 23 Mar 2024 (2).pdf” (**RUD-34**) 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. The said document is reproduced here for ready reference: -

ج.م.د. الشارقة GOVERNMENT OF SHARJAH		SAIF ZONE SHARJAH AIRPORT INTERNATIONAL FREEZONE AUTHORITY	
شهادة ترخيص License Certificate.			
LICENSE NO.	24401	رقم الرخصة	٢٤٤٠١
NAME	SHUKRAN TEXTILES (FZC)	الاسم	شکرا تکستائلز (ش.م.د)
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 الياف النسيج
OWNER(S)	ANILKUMAR BABUL RUTHALA BABUL RAMPTRATAP RUTHALA NARENDRASINH MANUBHA ZALA MANUBHA JALAMSANG ZALA	الملاك	أنيل كومار بابول رونثلا بابول رامبراتاب رونثلا ناريندراسينه ماتوبها زالا ماتوبها جلامسنج زالا
MANAGER	NARENDRASINH MANUBHA ZALA MANUBHA JALAMSANG ZALA	المدير المسؤول	ناريندراسينه ماتوبها زالا ماتوبها جلامسنج زالا
SAIF-ZONE ADDRESS	600 M2 Warehouse A2-086 Sharjah - U.A.E	العنوان في المنطقة الحرة	مستودع ٦٠٠ م٢ إيه ٢-٠٨٦ الشارقة - أ.ع.م
INCORPORATION DATE	22 March 2024	تاريخ عقد التأسيس	٢٢ مارس ٢٠٢٤
ISSUE DATE	22 March 2024	تاريخ الاصدار	٢٢ مارس ٢٠٢٤
EXPIRY DATE	21 March 2025	تاريخ الانتهاء	٢١ مارس ٢٠٢٥
REMARKS	<p>THIS LICENSE IS ISSUED AND BASED UPON EMIRI DECREE NO. 2 OF 1995 ISSUED IN SHARJAH ON MAY 5, 1995.</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>SALES IN U.A.E. SHALL BE CARRIED OUT IN ACCORDANCE WITH THE VALID LAWS AND REGULATIONS THEREOF.</p> <p>هذه الرخصة صادرة استناداً إلى المرسوم الأميري رقم ٢ لسنة ١٩٩٥، الصادر في الشارقة بتاريخ ٥ مايو ١٩٩٥.</p> <p>هذه الرخصة منحها للرخصي له فقط ولا يجوز تأجيرها أو توريدها إلا بموافقة هيئة المنطقة الحرة榆طن الشارقة الدولي.</p> <p>تم إصدار البيع داخل الدولة وفقاً للنظم والقوانين السارية فيها.</p>		
ملحوظات			
<p>To check the validity of the license:</p> <p>1- Send an SMS to 2514 with License number. 2- Scan the QR code. 3- Visit the website: https://portal.saif-zone.com/LicenseDetail.aspx</p> <p>التحقق من صلاحية الرخصة:</p> <p>1- رسالة نصية تかりف (SMS) إلى الرقم 2514 مع رقم الرخصة. 2- مسح رمز الاستجابة السريع (QR Code). 3- زيارة الموقع الإلكتروني.</p> <p>https://portal.saif-zone.com/LicenseDetail.aspx</p>			
* هذه الوثيقة رسمية ولا تحتاج لختم أو توقيع * This document is official and it does not need to be stamped or signed			
Date : 22/03/2024 *AVW*		* ٢٢/٠٣/٢٤ * التاريخ:	
PO Box 8000, Sharjah, U.A.E T +971 6 557 0000 F +971 6 557 1010 saif-zone.com +971 6 557 0078 +971 6 557 0057 +971 6 557 0056			

Image IX

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: -

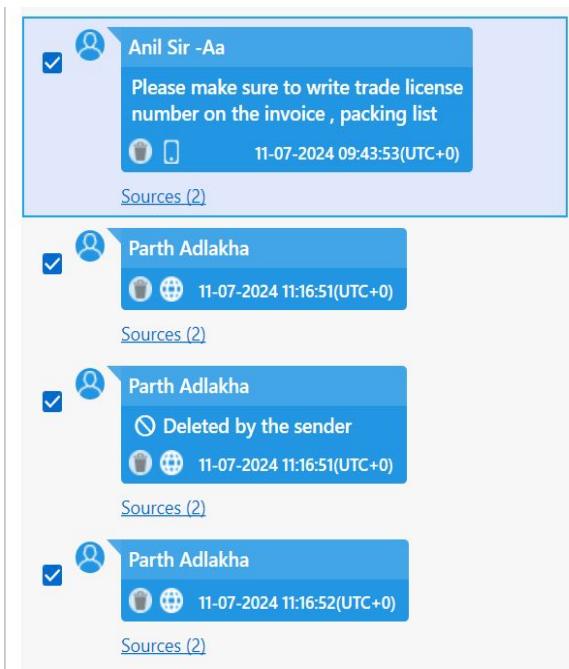


Image X

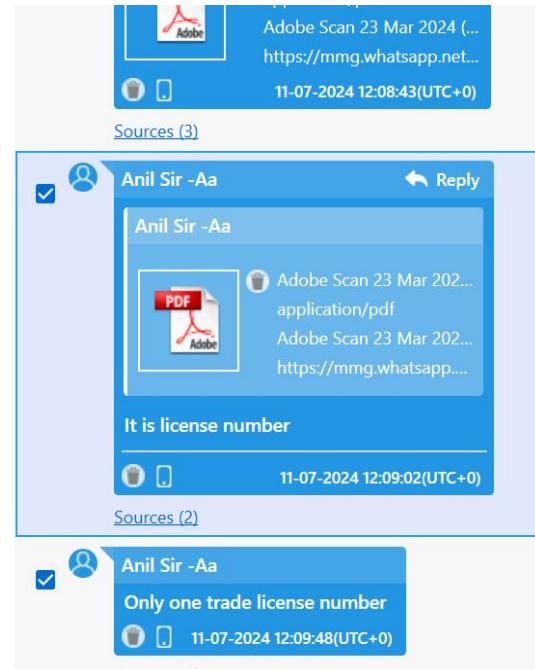


Image XI

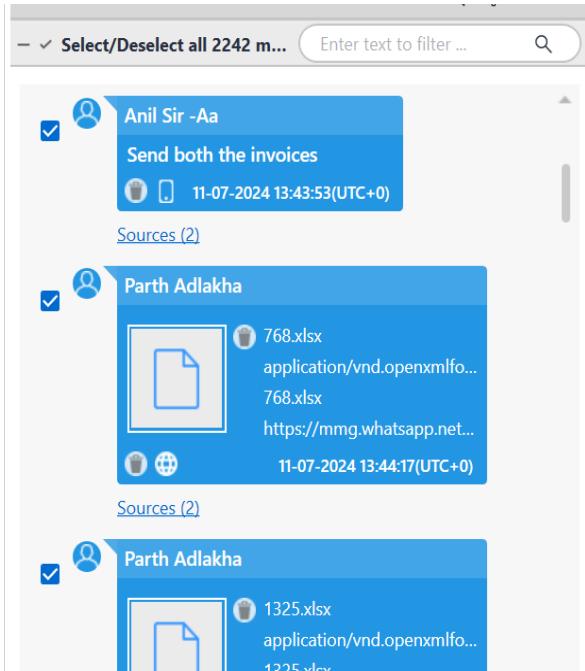


Image XII

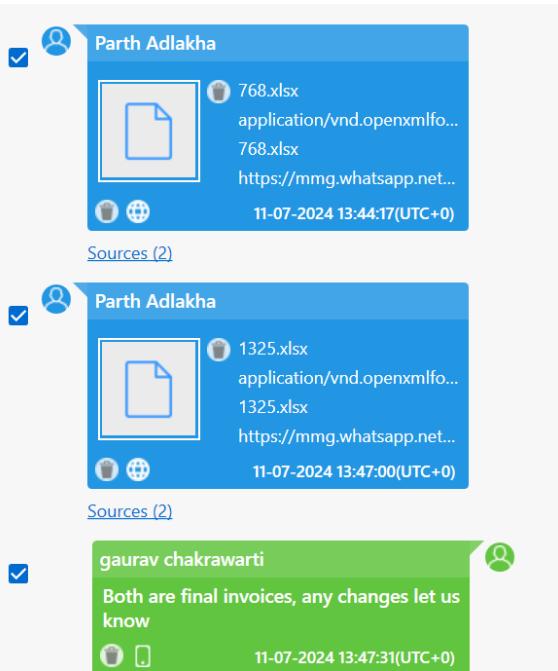


Image XIII

In the above said conversation only, Sh. Anil Kumar has posted a 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 (Shukran). The above conversation clearly shows that Anil Kumar 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 M/s KDL. 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**.

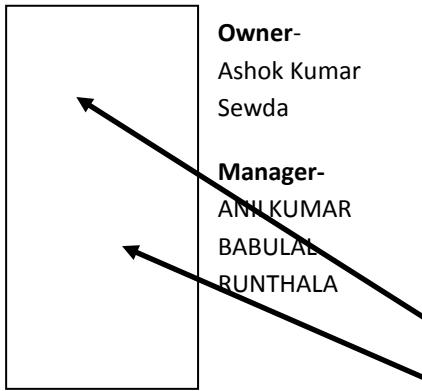
iii. On further analysis of above discussed WhatsApp group chat, it once again clearly appeared that the documents of supplier's end (M/s Suchi Textile FZC) like Invoice & Packing list are being prepared by Sh. Gaurav Chakravarti, the staff of importer. The relevant portion of the subject chat is reproduced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

Table- VI

#	From	To	Direction	Body	Time stamp- Date	Timestamp- Time	Attachment #1	Label
1	917984265777@s.whatsapp.net gaurav chakrawarti	Participants: 9715012843 66@s.whatsapp.net Neethu Rema, 9715694895 71@s.whatsapp.net Shrikant Sharmaji	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	Dubai - KDL, 9176898582 16@s.whatsapp.net Vinit Joshi KDL, 9179842657	Outgoing		29-07-2024	29-07-2024 05:58:19(UTC+0)	SHU CHI CI- 14.xls	
3	917984265777@s.whatsapp.net gaurav chakrawarti	77@s.whatsapp.net gaurav chakrawarti (owner), 9199980205 66@s.whatsapp.net Sachin J, 2607769919	Outgoing		29-07-2024	29-07-2024 05:58:22(UTC+0)	SHU CHI PL- 14.pdf	
4	917984265777@s.whatsapp.net gaurav chakrawarti		Outgoing		29-07-2024	29-07-2024 05:58:23(UTC+0)	SHU CHI CI- 14.pdf	
5	917984265777@s.whatsapp.net gaurav chakrawarti		Outgoing		29-07-2024	29-07-2024 05:58:23(UTC+0)	SHU CHI PL- 14.xls	
6	971569489571@	Inco	@9179	29-	29-07-			Re

	s.whatsapp.net Shrikant Sharma ji Dubai - KDL	50@s.whatsapp.net Anil Sir -Aa, 9172858269 39@s.whatsapp.net Ashwini Jadeja, 9185113345	min g	84265 777 mention the gross weight in the invoice also	07-2024	2024 10:31:20(UTC+0)		pl y
7	917984265777@s.whatsapp.net gaurav chakrawarti	16@s.whatsapp.net Parth Adlakha, 2607643787 68@s.whatsapp.net Ram, 9715223533	Out going	Noted	29-07-2024	29-07-2024 10:31:35(UTC+0)		
8	917984265777@s.whatsapp.net gaurav chakrawarti	84@s.whatsapp.net Neethu Rema, 2348028785	Out going		29-07-2024	29-07-2024 10:35:16(UTC+0)	SHU CHI CI-14.pdf	
9	917984265777@s.whatsapp.net gaurav chakrawarti	038@s.whatsapp.net GTL Ashokji UAE	Out going		29-07-2024	29-07-2024 10:35:17(UTC+0)	SHU CHI CI-14.xls	

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-35** and reproduced here for ready reference: -





شهادة ترخيص

License Certificate

LICENSE NO.	24468	٢٤٤٦٨	رقم الرخصة
NAME	SHUCHI TEXTILE (FZC)	شوتتشي تكتسابل (ش.م.ح)	الاسم
LEGAL STATUS	Free Zone Co. with Limited Liability	شركة منطقة حرة ذات مسؤولية محدودة	الشكل القانوني
TYPE OF LICENSE	Industrial	صناعية	نوع الرخصة
ACTIVITY(S)	Textile Fibers Preparatory Operations	العمليات التحضيرية على ألياف النسج	النشاط
OWNER(S)	ASHOK KUMAR SEWDA SHANKAR LAL SEWDA MANOJ PRAJAPATI SHANKARBHAI PRAJAPATI	أنشوك كومار سودا شانكار لال سودا مانوج براجاباتي شانكار باي براجاباتي	المالك
MANAGER	ANILKUMAR BABULAL RUNTHALA BABULAL RAMPRATAP RUNTHALA	أنيل كومار بابولال رونثالا بابولال رامبراتاب رونثالا	المدير المسؤول
SAIF-ZONE ADDRESS	400 M2 Warehouse A2-030 Sharjah - U.A.E	مستودع ٤٠٠ م٢ إيه ٢-٠٣٠ الشارقة - أ.م.م	العنوان في المنطقة الحرة
INCORPORATION DATE	08 May 2024	٢٠٢٤ مايو ٠٨	تاريخ عقد التأسيس
ISSUE DATE	08 May 2024	٢٠٢٤ مايو ٠٨	تاريخ الاصدار
EXPIRY DATE	07 May 2025	٢٠٢٥ مايو ٠٧	تاريخ الانتهاء
REMARKS	THIS LICENSE IS ISSUED AND BASED UPON EMIRI DECREE NO. 2 OF 1995 ISSUED IN SHARJAH ON MAY 8, 1995	هذه الرخصة صدرت على المرسوم الأميري رقم ٢ لسنة ١٩٩٥ الصادر في الشارقة بتاريخ ٨ مايو ١٩٩٥	ملاحظات
THIS LICENSE IS GRANTED TO THE LICENSEE ONLY AND SHALL NOT BE LEASED OR TRANSFERRED WITHOUT PRIOR APPROVAL OF THE SAIF ZONE	هذه الرخصة منوحة للرخصي له فقط ولا يجوز تأجيرها أو توريدها إلا بموافقة هيئة المنطقة الحرة لметр الشارقة الدولي		
SALES IN U.A.E. SHALL BE CARRIED OUT IN ACCORDANCE WITH THE VALID LAWS AND REGULATIONS THEREOF	تم إصدار البيع داخل الدولة وفقاً للنظم والقوانين		

To check the validity of the license:



تتحقق من صلاحية فرضية:

- 1- Send an SMS to 2514 with License number.
- 2- Scan the QR code.
- 3- Visit the website:
<https://portal.saif-zone.com/LicenseDetail.aspx>

هذه الوثيقة رسمية ولا تحتاج لختم أو توقيع

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

<https://portal.saif-zone.com/LicenseDetail.aspx>

3-33/33/33/33

Image: XIV

It is worth mentioning that Mr Anil Kumar Babulal Runthala, along with Sh. Ashok Kumar Sewda are the person whose names have been emerged as the mastermind in the instant investigation against M/s KDL, even Mr. Ashok Kumar Sewda is recorded Director of 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 whatsapp chat held between Gaurav Chakrawarti & Dr Bharat Dave (**12263669786@s.whatsapp.net**) is attached as **RUD-36**, which makes clear that

Anil Kumar Runthala was handing the firm M/s KDL, as Mr. Gaurav was contacting Mr. Bharat Dave, on behalf of Mr. Anil Kumar Runthala, in respect of M/s KDL.

IV. A voice note having file name **PTT-20240920-WA0010.opus** was recovered from the WhatsApp chat of Gaurav with Shrikant Sharmaji, Dubai-KDL, (**RUD-37**) 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. Moreover, various draft invoice regarding supply of goods from UAE to India were also recovered from the same WhatsApp chat (**RUD-38**).

V. In the above discussed WhatsApp chat, there is a draft invoice recovered, having file name *shuchi to modern.pdf* (**RUD-39**), 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.

VI. In the WhatsApp chat of Gaurav with Shrikant Sharmaji Dubai-KDL, a proforma Invoice having file name *SE 01.pdf*, having mentioned 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 found (**RUD-40**), 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 remove the name of UGT and mention some other detail, 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 गली डिटेल डालनी है तो फिर भी कृच कन्फूजन 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.

VII. 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. 2365104 dated 13.07.2024, pertaining to consignment destined to Mundra/India, pertaining to container number CMAU827382-9 (BoE - 4841075 dtd 02.08.2024), were recovered and as per which the seal number of subject shipment is mentioned as **3659331**, whereas the seal number for the same container on the respective Bill of lading No. **DXB0873088B** dated 27.07.2024 is found to be **L8988028**, from which it 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-41**. Similarly, various other documents (pertaining to consignment destined to M/s KDL, Mundra, India) were also recovered (**RUD-42**) where similar discrepancies were noticed, some of them are tabulated as under: -

Table: VII

Sr.	Container Number	Respective UAE Customs Exit/ Export Documents	Seal Number in UAE Customs Exit Document	Respective BL and BoE	Seal number mentioned in BL
1	FCLU9425 32-0	2365103 dated 13.07.2024 & 1-3-60-2-24-25184 dated 13.07.2024	3659332	DXB0873088A, BoE 4840674 dt. 02.08.2024	L899171 1
2	APZU4891 51-0	2365105 dated 15.07.2024	3659421	DXB0873088C, BoE 4841079 dt. 02.08.2024	L899617 7
3	TRLU8729 17-2	2365107 dated 15.07.2024	3659425	DXB0873088D, BoE 4840674 dt. 02.08.2024	L899604 9

- Thus, it appears that the renaming 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-43**), 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 indicating that the supplier firms are being centrally operated by them only.

VIII. 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 Gujarat Toolroom Limited & M/s Murae Organisor Limited) besides M/s KDL; some of the relevant screenshots of such WhatsApp message are reproduced here:

The screenshot shows a communication inbox with the following messages:

- Anil Sir - Aa**
All the document of 5 container should be 60063400
Commercial Invoice 60063400
Packing list 60063400
Cepa 60063400
B I 60063400
16-07-2024 06:42:24(UTC +0)
Sources (2)
- Anil Sir - Aa**
All Shuchi container must be of single h s n 60063400
16-07-2024 06:42:41(UTC +0)
Sources (2)
- Forwarded**
Anil Sir - Aa
image/jpeg
IMG-20240711-W...
https://mmg.what...
16-07-2024 06:43:15(UTC +0)
Sources (3)
- Anil Sir - Aa**
image/jpeg
IMG-20240711...
https://mmg.w...
Sources (3)
- gaurav chakrawarti**
Shrikant Sharmaji Dubai...
application/vnd...
shukarn textiles...
https://mmg.w...
@anil sir, let us know the importer company name
03-08-2024 07:17:36(UTC +0)
Sources (3)
- Anil Sir - Aa**
Same Kkraffton
03-08-2024 07:24:49(UTC +0)
Sources (2)
- gaurav chakrawarti**
Anil Sir -Aa
Same Kkraffton
Shukran to KDL
03-08-2024 07:25:15(UTC +0)
Sources (3)
- gaurav chakrawarti**
?
03-08-2024 07:29:55(UTC +0)
Sources (3)

Image: XV

Image: XVI

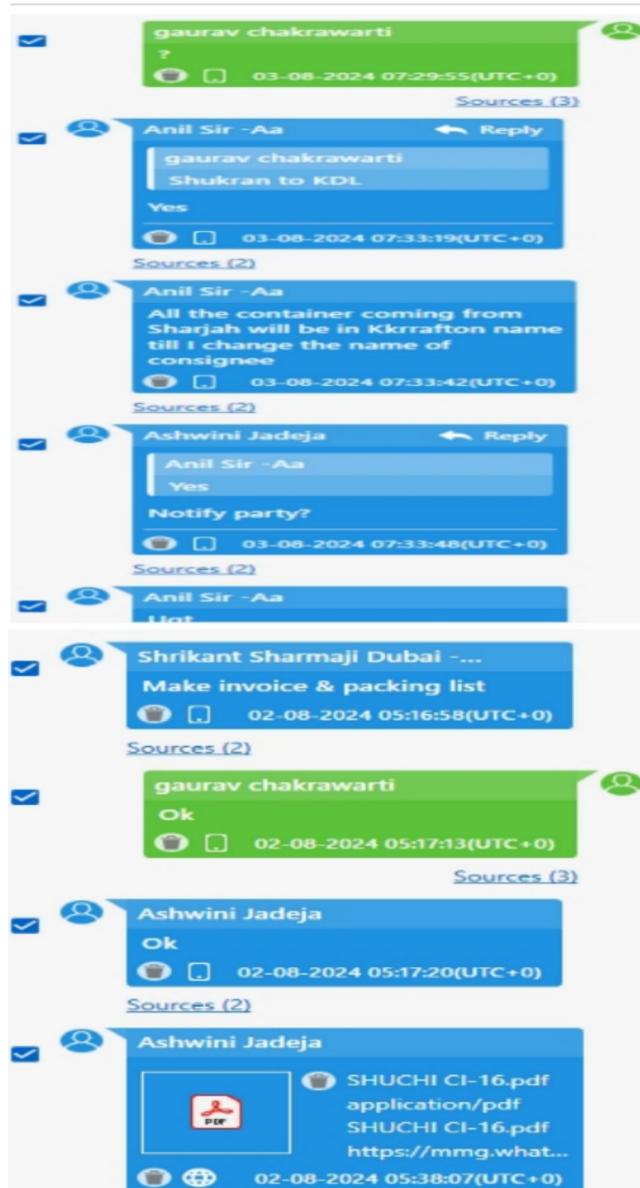


Image: XVII

Image: XVIII

- 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 Chakrawari 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*”, from which it is clear that importing firm M/s Gujarat Toolroom Limited and M/s Murae Organisor Limited were also being Managed by them along with M/s KDL and they were only deciding that flow of shipment because the supplier firm was also in their control; screenshot of one such chat is reproduced below; -

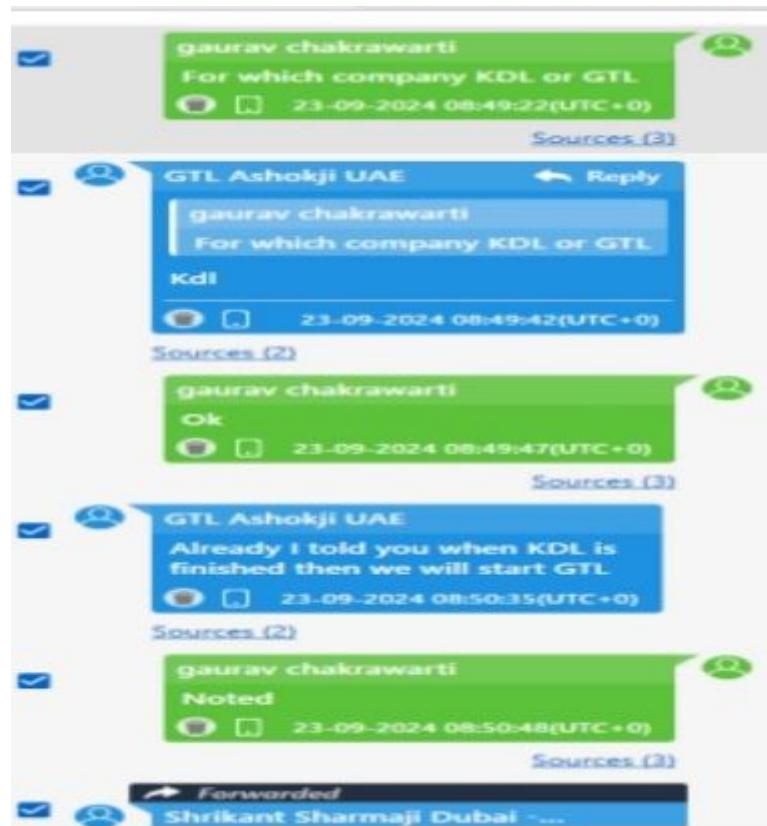


Image: XIX

- 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.

Forwarded

Shrikant Sharmaji Dubai -...

 SHUCHI ENTRY 72...
application/pdf
SHUCHI ENTRY 72...
<https://mmg.what...>

26-10-2024 12:35:12(UTC+0)

[Sources \(3\)](#)

Shrikant Sharmaji Dubai -...

Shuchi to shukran...make local
invoice

26-10-2024 12:35:32(UTC+0)

[Sources \(2\)](#)

Ashwini Jadeja

 ST-D-04.pdf
application/pdf
ST-D-04.pdf
<https://mmg.what...>

26-10-2024 13:05:49(UTC+0)

[Sources \(2\)](#)

Ashwini Jadeja

 ST-D-04 - PL.pdf
application/pdf
ST-D-04 - PL.pdf
<https://mmg.what...>

26-10-2024 13:05:49(UTC+0)

[Sources \(2\)](#)

Image: XX**Image: XXI**

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-44**) 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

SHUCHI TEXTILES (FZC)

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

INVOICE

CONSIGNEE
SHUKRAN TEXTILE FZC
SHARJAH

INVOICE NO:STD/06
DATE: 30.10.2024
ORIGIN: INDIA

PACKING LIST

CONSIGNEE
SHUKRAN TEXTILE FZC
SHARJAH

INVOICE NO:STD/06
DATE: 30.10.2024
ORIGIN: INDIA

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

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

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

Image: XXII**Image: XXIII**

Besides the above, numerous other draft Invoices were also recovered from the same whatsapp chat (**RUD-45**).

- 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; -

SHUCHI TEXTILES (FZC)

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

SHUCHI TEXTILES (FZC)

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

INVOICE

CONSIGNEE
SHUKRAN TEXTILE FZC
SHARJAH

INVOICE NO:ST/D/06
DATE: 30.10.2024
ORIGIN: INDIA

MARKS & NOS	DESCRIPTION	QUANTITY KGS	RATE AED Per Piece/KGS	TOTAL AMOUNT AED
01 TO 386	FABRICS IIS CODE 52001130	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.

PACKING LIST

CONSIGNEE
SHUKRAN TEXTILE FZC
SHARJAH

INVOICE NO: ST/D/06
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: XXII

Besides the above, numerous other draft Invoices were also recovered from the same whatsapp chat (**RUD-45**).

- 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: XXIV

- Copy of various Form I certificates which were declared with the BoEs, were also recovered from the WhatsApp group chat with title “Documents Impex”, the same are **RUD-46**.

IX. 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-47**). 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 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/KGS	TOTAL NUMBER OF PACKAGES
3	45359	SE/EXP/2425/03	SHUCHI TEXTILES FZC	SHUKRAN TEXTILES FZC		52081100	FABRICS	21416	476

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

OUTWARD									
SR. N	DATE	INVOICE N	SHIPPER NAME	CONSIGNEE NAME	NOTIFY PARTY	HSN	DESCRIPTION OF MATERIAL	QUANTITY IN ROLLS/BALES/MTR/KGS	TOTAL NUMBER OF PACKAGES
3	08-03-2024	STF/2425/03	SHUKRAN TEXTILE (FZC)	KRRAFTON DEVELOPERS LIMITED	UGT WORLD TRADING LLC	60063200	Other Knitted or Crocheted Fabrics, Of synthetic fibers n.e.s. (single jersey mmf spun 100% polyester grey knitted fabric)	15102	476

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

From perusal of above discussed sheet, 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 GTL) 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.

X. 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-48**), 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. The relevant portion of subject excel sheet in respect of M/s KDL is reproduced below; -

INWARD									
• N	DATE	INVOICE N	SUPPLIER NAME	CONSIGNEE NAM	NOTIFY PARTY	HSN	DESCRIPTION OF MATERIA	QUANTITY IN ROLLS/MTR/KG S	TOTAL NUMBER OF PACKAGE
1	28-May-24	SE/EXP/2425/04	Sandeep Enterprises	Shuchi Textiles FZC	Modern Fabrics Solution(FZE)	52081100	Knitted Fabric	20000	1268
2	27-May-24	24/015	KRV General Trading LLC	Shuchi Textiles FZC	NA	52081130	Fabrics	20499	672
3	29-Jun-24	34/015	KRV General Trading LLC	Shuchi Textiles FZC	NA	52081130	Fabrics	20099.60	1090
4	29-Jun-24	35/015	KRV General Trading LLC	Shuchi Textiles FZC	NA	52081130	Fabrics	20959.00	1013
5	5-Jul-24	40/015	KRV General Trading LLC	Shuchi Textiles FZC	NA	52081130	Fabrics	19365.00	982
6	7-Jul-24	45/015	KRV General Trading LLC	Shuchi Textiles FZC	NA	52081130	Fabrics	18674.00	528
7	2-Jul-24	43/015	KRV General Trading LLC	Shuchi Textiles FZC	NA	52081130	Fabrics	17207.00	348
8	13-Jun-24	VF/EXP/2425/45	Vintage Fashion Enterprises	KRV General Trading LLC	Majestic Ecopolyfab (FZC)	54021100	Knitting Raw Material	16000.00	669
9	3-Jul-24	42/015	KRV General Trading LLC	Shuchi Textiles FZC	NA	52081130	Fabrics	23640.00	898

10	4-Jun-24	VF/EXP/2425 /35	Vintage Fashion Enterprises	Klick to cart General Trading LLC	Modern Fabrics Solution(FZE)	52081130	Knitted Fabric	18000.00	946
11	5-Jul-24	44/015	KRV General Trading LLC	Shuchi Textiles FZC	NA	52081130	Fabrics	12637.00	155
12 13	10-Jul-24	53/015	KRV General Trading LLC	Shuchi Textiles FZC	NA	52081130	Fabrics	23648.00	316
				Shuchi Textiles FZC					
14	8-Jul-24	51/015	KRV General Trading LLC	Shuchi Textiles FZC	NA	52081130	Fabrics	22300.00	404
15	16-Jul-24	58/015	KRV General Trading LLC	Shuchi Textiles FZC	NA	52081130	Fabrics	21325.00	381
16	15-Jul-24	57/015	KRV General Trading LLC	Shuchi Textiles FZC	NA	52081130	Fabrics	24046	315
18	19-Jul-24	54/015	KRV General Trading LLC	Shuchi Textiles FZC	NA	52081130	Fabrics	22049	281
19	13-Jul-24	49/015	KRV General Trading LLC	Shuchi Textiles FZC	NA	52081130	Fabrics	23801	315
20	17-Jul-24	53/015	KRV General Trading LLC	Shuchi Textiles FZC	NA	52081130	Fabrics	23254	404
21	31-Jul-24	66/015	KRV General Trading LLC	Shuchi Textiles FZC	NA	52081130	Fabrics	22994	353
22	3-Aug-24	70/015	KRV General Trading LLC	Shuchi Textiles FZC	NA	52081130	Fabrics	24966	280
23	20-Jul-24	55/015	KRV General Trading LLC	Shuchi Textiles FZC	NA	52081130	Fabrics	24077	262
24	1-Aug-24	68/015	KRV General Trading LLC	Shuchi Textiles FZC	NA	52081130	Fabrics	23952	291
25	22-Jul-24	57/015	KRV General Trading LLC	Shuchi Textiles FZC	NA	52081130	Fabrics	24000	315
26	15-Jul-24	51/015	KRV General Trading LLC	Shuchi Textiles FZC	NA	52081130	Fabrics	27252	327
27	20-Jul-24	62/015	KRV General Trading LLC	Shuchi Textiles FZC	NA	52081130	Fabrics	22751	265
28	5-Jul-24	44/015	KRV General Trading LLC	Shuchi Textiles FZC	NA	52081130	Fabrics	4725.88	25
29	20-Aug-24	88/015	KRV General Trading LLC	Shuchi Textiles FZC	NA	52081130	Fabrics	26322	358
30	24-Jul-24	59/015	KRV General Trading LLC	Shuchi Textiles FZC	NA	52081130	Fabrics	22169	219

31	13-Jul-24	55/015	KRV General Trading LLC	Shuchi Textiles FZC	NA	52081130	Fabrics	12971	158
32	5-Jul-24	44/015	KRV General Trading LLC	Shuchi Textiles FZC	NA	52081130	Fabrics	3946.32	12
36	17-Aug-24	84/015	KRV General Trading LLC	Shuchi Textiles FZC	NA	52081130	Fabrics	24093	268
37	16-Aug-24	83/015	KRV General Trading LLC	Shuchi Textiles FZC	NA	52081130	Fabrics	23763	314
38	21-Aug-24	90/015	KRV General Trading LLC	Shuchi Textiles FZC	NA	52081130	Fabrics	24182	315
39	3-Sep-24	87/015	KRV General Trading LLC	Shuchi Textiles FZC	NA	52081130	Fabrics	23067.72	310
41	3-Sep-24	88/015	KRV General Trading LLC	Shuchi Textiles FZC	NA	52081130	Fabrics	24380.16	342

Image: XXVII : (Screenshots of Inward part of the above-discussed sheet “OVERALL SHUCHI_IN-OUTWARD SHEET.xlsx”)

MONTH: ALL										
OUTWARD										
SR. N	DATE	INVOICE NO	INVOICE VALUE	SHIPPER NAME	CONSIGNEE NAME	NOTIFY PARTY	HSN	DESCRIPTION OF MATERIAL	QUANTITY IN ROLLS/MTR/ KGS	TOTAL NUMBER OF PACKAGE
1	13-Jul-24	ST/2425/003	356664.65	SHUCHI TEXTILES (FZC)	KKRAFTON DEVELOPERS LTD	UGT WORLD TRADING LLC	60063400	Other Knitted or Crocheted fabrics, of Printed Synthetic fibers, n.e.s. 100% Polyester	19357.65	1263
2	17-Jul-24	ST/2425/008	196047.70	SHUCHI TEXTILES (FZC)	KKRAFTON DEVELOPERS LTD	UGT WORLD TRADING LLC	60063400	Other Knitted or Crocheted fabrics, Of synthetic fibers n.e.s. (single jersey mmf spun 100% polister grey knitted fabric)	14441.82	619
3	13-Jul-24	ST/2425/002	299757.89	SHUCHI TEXTILES (FZC)	KKRAFTON DEVELOPERS LTD	UGT WORLD TRADING LLC	60063400	Other Knitted or Crocheted fabrics, of Printed Synthetic fibers, n.e.s. 100% Polyester	16269.085	1090
4	13-Jul-24	ST/2425/001	301704.80	SHUCHI TEXTILES (FZC)	KKRAFTON DEVELOPERS LTD	UGT WORLD TRADING LLC	60063400	Other Knitted or Crocheted fabrics, of Printed Synthetic fibers, n.e.s. 100% Polyester	16878.59	965
5	15-Jul-24	ST/2425/004	280247.40	SHUCHI TEXTILES (FZC)	KKRAFTON DEVELOPERS LTD	UGT WORLD TRADING LLC	60063400	Other Knitted or Crocheted fabrics, of Printed Synthetic fibers, n.e.s. 100% Polyester	15210.17	982
6	15-Jul-24	ST/2425/005	147798.65	SHUCHI TEXTILES (FZC)	KKRAFTON DEVELOPERS LTD	UGT WORLD TRADING LLC	60063400	Other Knitted or Crocheted fabrics, Of synthetic fibers n.e.s. (single jersey mmf spun 100% polister grey knitted fabric)	15012.56	528
7	16-Jul-24	ST/2425/006	282908.14	SHUCHI TEXTILES (FZC)	KKRAFTON DEVELOPERS LTD	UGT WORLD TRADING LLC	60063400	Other Knitted or Crocheted fabrics, of Printed Synthetic fibers, n.e.s. 100% Polyester	15354.58	348
8	17-Jul-24	ST/2425/007	214812.54	SHUCHI TEXTILES (FZC)	KKRAFTON DEVELOPERS LTD	UGT WORLD TRADING LLC	60063400	Other Knitted or Crocheted fabrics, Of synthetic fibers n.e.s. (single jersey mmf spun 100% polister grey knitted fabric)	15912.04	669
9	20-Jul-24	ST/2425/009	348788.40	SHUCHI TEXTILES (FZC)	KKRAFTON DEVELOPERS LTD	UGT WORLD TRADING LLC	60063400	Other Knitted or Crocheted fabrics, of Printed Synthetic fibers, n.e.s. 100% Polyester	18930.17	898

10	22-Jul-24	ST/2425/010	355056.84	SHUCHI TEXTILES (FZC)	KKRAFTON DEVELOPERS LTD	UGT WORLD TRADING LLC	60063400	Other Knitted or Crocheted Fabrics, Of synthetic fibers, Dyed Print 100% polyester knitted fabric)	18444.51	946
11	24-Jul-24	ST/2425/11	222465.60	SHUCHI TEXTILES (FZC)	KKRAFTON DEVELOPERS LTD	UGT WORLD TRADING LLC	60063400	Other Knitted or Crocheted Fabrics, Of synthetic fibers, Dyed Print 100% polyester knitted fabric)	7911.12	130
12	27-Jul-24	ST/2425/12	159848.39	SHUCHI TEXTILES (FZC)	KKRAFTON DEVELOPERS LTD	UGT WORLD TRADING LLC	60063400	Other Knitted or Crocheted Fabrics, Of synthetic fibers, Dyed Print 100% polyester knitted fabric)	7962.56	138
13	27-Jul-24	ST/2425/13	160250.69	SHUCHI TEXTILES (FZC)	KKRAFTON DEVELOPERS LTD	UGT WORLD TRADING LLC	60063400	Other Knitted or Crocheted Fabrics, Of synthetic fibers, Dyed Print 100% polyester knitted fabric)	7982.6	139
14	29-Jul-24	ST/2425/14	316554.39	SHUCHI TEXTILES (FZC)	KKRAFTON DEVELOPERS LTD	UGT WORLD TRADING LLC	60063400	Other Knitted or Crocheted Fabrics, Of synthetic fibers, Dyed Print 100% polyester knitted fabric)	17180.7	402
15	30-Jul-24	ST/2425/15	300118.66	SHUCHI TEXTILES (FZC)	KKRAFTON DEVELOPERS LTD	UGT WORLD TRADING LLC	60063400	Other Knitted or Crocheted Fabrics, Of synthetic fibers, Dyed Print 100% polyester knitted fabric)	15590.58	381
16	2-Aug-24	ST/2425/16	376360.47	SHUCHI TEXTILES (FZC)	KKRAFTON DEVELOPERS LTD	UGT WORLD TRADING LLC	60063400	Other Knitted or Crocheted Fabrics, Of synthetic fibers, Dyed Print 100% polyester knitted fabric)	18747.72	315
18	20-Aug-24	ST/2425/17	338220.96	SHUCHI TEXTILES (FZC)	KKRAFTON DEVELOPERS LTD	UGT WORLD TRADING LLC	60063400	Other Knitted or Crocheted Fabrics, Of synthetic fibers, Dyed Print 100% polyester knitted fabric)	17081.87	281
19	20-Aug-24	ST/2425/18	360893.61	SHUCHI TEXTILES (FZC)	KKRAFTON DEVELOPERS LTD	UGT WORLD TRADING LLC	60063400	Other Knitted or Crocheted Fabrics, Of synthetic fibers, Dyed Print 100% polyester knitted fabric)	18747.72	315
20	20-Aug-24	ST/2425/19	292474.38	SHUCHI TEXTILES (FZC)	KKRAFTON DEVELOPERS LTD	UGT WORLD TRADING LLC	60063400	Other Knitted or Crocheted Fabrics, Of synthetic fibers, Dyed Print 100% polyester knitted fabric)	17725.72	404
21	6-Sep-24	ST/2425/20	307001.95	SHUCHI TEXTILES (FZC)	KKRAFTON DEVELOPERS LTD	UGT WORLD TRADING LLC	60063400	Other Knitted or Crocheted Fabrics, Of synthetic fibers, Dyed Print 100% polyester knitted fabric)	16662.25	353
22	7-Sep-24	ST/2425/21	344993.01	SHUCHI TEXTILES (FZC)	KKRAFTON DEVELOPERS LTD	UGT WORLD TRADING LLC	60063400	Other Knitted or Crocheted Fabrics, Of synthetic fibers, Dyed Print 100% polyester knitted fabric)	18724.18	280
23	9-Sep-24	ST/2425/22	335500.82	SHUCHI TEXTILES (FZC)	KKRAFTON DEVELOPERS LTD	UGT WORLD TRADING LLC	60063400	Other Knitted or Crocheted Fabrics, Of synthetic fibers, Dyed Print 100% polyester knitted fabric)	18209	261
24	9-Sep-24	ST/2425/23	333688.35	SHUCHI TEXTILES (FZC)	KKRAFTON DEVELOPERS LTD	UGT WORLD TRADING LLC	60063400	Other Knitted or Crocheted Fabrics, Of synthetic fibers, Dyed Print 100% polyester knitted fabric)	18110.63	291
25	10-Sep-24	ST/2425/24	207010.58	SHUCHI TEXTILES (FZC)	KKRAFTON DEVELOPERS LTD	UGT WORLD TRADING LLC	60063400	Other Knitted or Crocheted Fabrics, Of synthetic fibers, Dyed Print 100% polyester knitted fabric)	18008.75	314
26	10-Sep-24	ST/2425/25	208964.68	SHUCHI TEXTILES (FZC)	KKRAFTON DEVELOPERS LTD	UGT WORLD TRADING LLC	60063400	Other Knitted or Crocheted Fabrics, Of synthetic fibers, Dyed Print 100% polyester knitted fabric)	8863.41	124
27	11-Sep-24	ST/2425/26	198096.43	SHUCHI TEXTILES (FZC)	KKRAFTON DEVELOPERS LTD	UGT WORLD TRADING LLC	60063400	Other Knitted or Crocheted Fabrics, Of synthetic fibers, Dyed Print 100% polyester knitted fabric)	17233.27	265
28	11-Sep-24	ST/2425/27	215793.54	SHUCHI TEXTILES (FZC)	KKRAFTON DEVELOPERS LTD	UGT WORLD TRADING LLC	60063400	Other Knitted or Crocheted Fabrics, Of synthetic fibers, Dyed Print 100% polyester knitted fabric)	779.56	13
29	11-Sep-24	ST/2425/28	234269.37	SHUCHI TEXTILES (FZC)	KKRAFTON DEVELOPERS LTD	UGT WORLD TRADING LLC	60063400	Other Knitted or Crocheted Fabrics, Of synthetic fibers, Dyed Print 100% polyester knitted fabric)	20380.11	358
30	13-Sep-24	ST/2425/29	357006.99	SHUCHI TEXTILES (FZC)	KKRAFTON DEVELOPERS LTD	UGT WORLD TRADING LLC	60063400	Other Knitted or Crocheted Fabrics, Of synthetic fibers, Dyed Print 100% polyester knitted fabric)	8165.93	135
31	16-Sep-24	ST/2425/30	281537.8	SHUCHI TEXTILES (FZC)	KKRAFTON DEVELOPERS LTD	UGT WORLD TRADING LLC	54077400	Woven fabrics, containing 85% or more by weight of synthetic filaments, printed, n.e.s.)	8218.148	130
32	16-Sep-24	ST/2425/31	87543.75	SHUCHI TEXTILES (FZC)	KKRAFTON DEVELOPERS LTD	UGT /FORTUNE SAGAR	54077400	Woven fabrics, containing 85% or more by weight of synthetic filaments, printed, n.e.s.)	705.9	12
36	17-Sep-24	ST/2425/32	205918.09	SHUCHI TEXTILES (FZC)	KKRAFTON DEVELOPERS LTD	UGT WORLD / FORTUNE SAGAR	60063400	Other Knitted or Crocheted Fabrics, Of synthetic fibers, Dyed Print 100%	17913.71	268
37	17-Sep-24	ST/2425/33	200635.45	SHUCHI TEXTILES (FZC)	KKRAFTON DEVELOPERS LTD	UGT WORLD / FORTUNE SAGAR	60063400	Other Knitted or Crocheted Fabrics, Of synthetic fibers, Dyed Print 100%	17454.15	314
38	20-Sep-24	ST/2425/34	209259.578	SHUCHI TEXTILES (FZC)	KKRAFTON DEVELOPERS LTD	UGT WORLD / FORTUNE SAGAR	60063400	Other Knitted or Crocheted Fabrics, Of synthetic fibers, Dyed Print 100%	18204.4	315
39	23-Sep-24	ST/2425/35	218272.69	SHUCHI TEXTILES (FZC)	KKRAFTON DEVELOPERS LTD	UGT WORLD / FORTUNE SAGAR	60063400	Other Knitted or Crocheted Fabrics, Of synthetic fibers, Dyed Print 100%	18988.49	310
41	23-Sep-24	ST/2425/36	221902.24	SHUCHI TEXTILES (FZC)	KKRAFTON DEVELOPERS LTD	UGT WORLD / FORTUNE SAGAR	60063400	Other Knitted or Crocheted Fabrics, Of synthetic fibers, Dyed Print 100%	19304.24	342

Image: XXVIII (Screenshots of Outward part of above discussed sheet "OVERALL SHUCHI_IN-OUTWARD SHEET.xlsx")

From perusal of above discussed sheet, it becomes clear that how the shipments were being locally transferred 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 most of the document is under HSN 52081100/52081130/ 54081100, whereas the outward product (product supplied to M/s KDL) is under HSN 60063400, 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.

The detail mentioned in the above discussed excel sheet is exactly corroborating with import shipments to M/s KDL, 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 formats, figures, and manner of recording strongly indicate that these sheets were merely created to give an appearance of production records, and were in fact fabricated only for documentation purposes.

XI. 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.

» Chat Go to

Conversation Details Attachments (876)

– ✓ Select/Deselect a... Enter text to filter ...

gaurav chakrawarti
Good afternoon sir
Gaurav this side from KDL

I am finalizing the IE certificate of KDL for the same.
Pls let me know the selection of product categories for both Imports & Exports
25-04-2024 07:02:19(UTC+0)

Sources (3)

gaurav chakrawarti
Image
5a3dfa21-77e6-41...
<https://mmg.what...>
25-04-2024 07:02:25(UTC+0)

Sources (4)

GTL Anilsir Reply
gaurav chakrawarti

Image
5a3dfa21-77e6...
<https://mmg.w...>
Select all
25-04-2024 07:11:23(UTC+0)

Sources (2)

Image: XXIX

» Chat Go to

Conversation Details Attachments (876)

– ✓ Select/Deselect a... Enter text to filter ...

GTL Anilsir
Leave fish
25-04-2024 07:11:29(UTC+0)

Sources (2)

gaurav chakrawarti
In both
25-04-2024 07:12:02(UTC+0)

Sources (3)

GTL Anilsir
Yes
25-04-2024 07:12:13(UTC+0)

Sources (2)

gaurav chakrawarti
Ok
25-04-2024 07:12:17(UTC+0)

Sources (3)

GTL Anilsir
Do select textile related products
Such as all kind of fabric , garments and accessories
25-04-2024 07:12:38(UTC+0)

Sources (2)

gaurav chakrawarti
Noted
25-04-2024 07:12:47(UTC+0)

Sources (2)

Image: XXX

GTL Anilsir
Make these two invoice advance.
Payment from scb mol
25-06-2024 01:48:03(UTC+0)

Sources (2)

GTL Anilsir
Do make 4 invoices mol of scb to u g t
25-06-2024 01:48:34(UTC+0)

Sources (2)

GTL Anilsir
Please make sure to submit murea to u g t invoice to bank before 11 am
25-06-2024 01:49:47(UTC+0)

Sources (2)

GTL Anilsir
Mol:- means murea organisor limited
25-06-2024 01:50:06(UTC+0)

Sources (2)

Image: XXXI

- 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 to Gaurav and instructing to use the same for fabricated documents, the relevant part of the conversation is reproduced below;-

» Chat Go to

Conversation Details Attachments (876)

Select/Deselect all Enter text to filter ...

GTL Anilsir Reply

SHUCHI TEXTIL.. application/pdf SHUCHI TEXTIL.. https://mimg.w...

Will required shuchi stamp and my sign on it

05-07-2024 06:57:26(UTC+0)

Sources (2)

gaurav chakrawarti ok

05-07-2024 06:59:19(UTC+0)

Sources (3)

GTL Anilsir image/jpeg

IMG-20240705-W... https://mimg.what...

05-07-2024 07:07:54(UTC+0)

Sources (3)

gaurav chakrawarti Declaration -Shuc...

application/vnd.o... Declaration -Shuc... https://mimg.what...

Image: XXXII

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

**Image: XXXIII****Image: XXXIV****Image: XXXV**

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.

- Furthermore, from the above mentioned whatsapp chat it is also observed that Anil Runthala is sending the payment details informing that he had paid some amount to Maa (Maa Marine services private limited), from which duty will be paid, the relevant whatsapp chat portion is reproduced below; -

**Image: XXXIV****Image: XXXV**

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.

- Furthermore, from the above mentioned whatsapp chat it is also observed that Anil Runthala is sending the payment details informing that he had paid some amount to Maa (Maa Marine services private limited), from which duty will be paid, the relevant whatsapp chat portion is reproduced below; -

**Image: XXXVI**

XII. 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 पट नौकरी
निजी कंपनी/एकाउंटेंट

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.

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


Image: XXXVII

XIII. 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 to KDL), UAE Local Purchase Document (issued by UAE Customs Authority), respective UAE Local Purchase Invoice & Packing List,' have been recovered (**RUD-49**) in respect of various import shipments imported by M/s KDL from M/s Shuchi Textile FZC, UAE. The subject documents are corelated 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: VIII

The details from the documents recovered from forensic data examination		Respective BE/Date; Invoice/No. of Qty/Roll/Pkgs	Details from respective import documents, Form I		
UAE Local supply Invoice (M/s KRV General	Details Raw Material procured by M/s Shuchi Textile	Invoice (Shuchi to M/s KDL)	Details of goods as declared	CTH - Raw Material as per Form I	

Trading LLC to M/s Shuchi Textile)				
Invoice No.59/015 dt.24.07.20 24	Fabrics under HS Code: 52081130 & as per Local Purchase Document HS Code:520811 00	5901874 dt.01.10.2024; ST/2425/29 dt.13.09.2024; (219 Pkgs)	Out of total 219 pkgs , 135 are other knitted or crocheted fabrics, Of synthetic fibers (HSN 0063400)	60063400- Containing 85% or more by weight of staple fibers of nylon or other poly- amides: Single yarn
Invoice No.84/015 dt.17.08.20 24	FABRICS under HS Code: 52081 130 & as per Local Purchase Document HS Code:520811 00	6019449 dt.08.10.2024; ST/2425/32 dt.17.09.2024; (268 Pkgs)	other knitted or crocheted fabrics, Of synthetic fibers (HSN 60063400)	60063400- Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn
Invoice No.70/015 dt.03.08.20 24	FABRICS under HS Code: 52081 130 & as per Local Purchase Document HS Code:520811 00	5774865 dt.24.09.2024; ST/2425/21 dt.07.09.2024; (280 Pkgs)	other knitted or crocheted fabrics, Of synthetic fibers (HSN 60063400)	60063400- Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn
Invoice No.54/015 dt.19.07.20 24	FABRICS under HS Code: 52081 130 & as per Local Purchase Document HS Code:520811 00	5276825 dt.27.08.2024; ST/2425/17 dt.20.08.2024; (281 Pkgs)	other knitted or crocheted fabrics, Of synthetic fibers (HSN 60063400)	60063400- Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn
Invoice No.68/015 dt.01.08.20 24	FABRICS under HS Code: 52081 130 & as per Local Purchase Document HS Code:520811	5774550 dt.24.09.2024; ST/2425/23 dt.09.09.2024; (291 Pkgs)	other knitted or crocheted fabrics, Of synthetic fibers (HSN 60063400)	60063400- Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn

	00			
Invoice No.83/015 dt.. 16.08.2024	FABRICS under HS Code: 52081 130 & as per Local Purchase Document HS Code:520811 00	5772375 dt.24.09.2024; ST/2425/24 dt.10.09.2024; (314 Pkgs)	other knitted or crocheted fabrics, Of synthetic fibers (HSN 60063400)	60063400- Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn
Invoice No.57/015 dt.15.07.20 24	FABRICS under HS Code: 52081 130 & as per Local Purchase Document HS Code:520811 00	5165475 dt.21.08.2024; ST/2425/16 dt.10.09.2024; (315 Pkgs)	other knitted or crocheted fabrics, Of synthetic fibers (HSN 60063400)	60063400- Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn
Invoice No.66/015 dt.31.07.20 24	FABRICS under HS Code: 52081 130 & as per Local Purchase Document HS Code:520811 00	5775601 dt.21.09.2024; ST/2425/20 dt.06.09.2024; (353 Pkgs)	other knitted or crocheted fabrics, Of synthetic fibers (HSN 60063400)	60063400- Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn
Invoice No.51/015 dt.08.07.20 24	FABRICS under HS Code: 52081 130 & as per Local Purchase Document HS Code:520811 00	5355734 dt.31.08.2024; ST/2425/19 dt.20.08.2024 ; (404 Pkgs)	other knitted or crocheted fabrics, Of synthetic fibers (HSN 60063400)	60063400- 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.
- **No CTH level change as mandated under PSR condition** :-Furthermore, if we discuss about the raw material mentioned in the submitted Form I (CTH 60063400), there is no CTH level change has been occurred, hence this raw material also not aligning with the finished imported product and this fact is proving the declared manufacturing process is not feasible.
- **Document inconsistency:** Supplier invoices, UAE purchase documents, FORM-I declarations, and Shuchi-to-KDL 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.

XIV. 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.

31. ADMISSION OF SH. GAURAV CHAKRATWARTI:

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**, was recorded on 30.10.2025 under Section 108 of the Customs Act, 1962, **(RUD-50)** wherein, he inter alia stated that; -

- That he was handling Import and Export related documentation, coordination between importer, Supplier and Clearing agent for M/s Kkrrafton Developer Limited, M/s Gujarat Toolroom Limited_and M/s Murae Organisor Limited. That he had appeared in response of summons dated 14.10.2025 in connection with the inquiry initiated in respect of M/s Kkrrafton Developer Limited, Gujarat Toolroom Limited and Murae Organisor Limited.
- On being shown he had gone through his earlier statement dt. 03.01.2025 and fully agree with it, and in token of having seen and read the same, he put his dated signature on it. He also perused the Panchnama dated 15.01.2025 under which the forensic data extraction of his mobile phone One Plus Nrd CE3 was carried out, and he shown his full agreement to the said Panchnama proceedings.
- On being shown he had gone through the statement dt. 29.04.2025 of Sh. Jignesh sinh Chandubha Jadeja, F-Card Holder of M/s World Cargo Logistics in respect of M/s KDL and agree that he along with Anil Kumar Runthala and Sh. Rakesh Kumar Dutta were the contact person in M/s Kkrrafton Developer Limited in respect of import related documentation work, and he specified

that the documents were provided by him on the direction of Sh. Anil Kumar Runthala and Shri Ashok Kumar Sewda.

- Further, on being shown he perused images of License Certificate No.24401 of M/s Shukran Textiles (FZC) and License Certificate No.24468 of M/s Shuchi Textiles (FZC) (already discussed in Point 30.2) which were recovered from his mobile phone during forensic examination; and he submitted that as per his knowledge Sh. Anil Kumar Runthala and Sh. Ashok Sewda are the owner/Manager of the said firms (M/s Shukran & M/s Shuchi) 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 ever contacted him in respect of above firms. Further, he perused the screenshot of whatsapp chat, retrieved from his mobile phone wherein Shrikant Sharma is directing him "*Shuchi to Shukran...make local invoice*", and on perusal of the conversation in subject screenshot, he stated that Sh. Shrikant Sharma 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 was shown the screenshot of whatsapp chat retrieved from his mobile phone which was held between Sh. GTL Anil Sir and him, and 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 was 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 was also confronted with the "forwarded whatsapp messages sent by him", retrieved from his mobile phone, on perusal of above, 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 Organisor Limited. Further, he also stated that documentation of import of goods as well as supplier's documents in M/s Murae Organisor Limited (another importing firm being handled by same masterminds/key persons) were also prepared by them on the directions of Sh. Anil Kumar Runthala and Sh. Ashok Sevda.
- Further, he was confronted with the 'screenshot of whatsapp messages shared among GTL Anil Sir (Sh. Anil Kumar Runthala), him and other members' retrieved from his mobile phone, on perusal of the same, 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 (forwarder

of 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 import of goods and documentation in respect of respective suppliers of above 3 firms namely M/s Kkrrafton Developer Limited, M/s Gujarat Toolroom Limited & M/s Murae Organisor 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 Kkrrafton Developer Limited, M/s Gujarat Toolroom Limited & M/s Murae Organisor 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 Kkrrafton Developer Limited, M/s Gujarat Toolroom Limited & M/s Murae Organisor 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 Kkrrafton 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-50).

Therefore, in view of above, 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 Kkrrafton Developer Ltd., M/s Gujarat Toolroom Ltd., and M/s Murae Organisor 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 licences, 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 availment of exemption under India-UAE CEPA Notification No. 22/2022-Customs dated 30.04.2022.

32. 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 thereof 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 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.

8) 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.

9) Section 46- Entry of goods on importation:

(1) The importer of any goods, other than goods intended for transit or transhipment, 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.

10) 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.

11)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]

12) 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];

13)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.

14)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:

15)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."

16)Section 117. Penalties for contravention, etc., not expressly mentioned. —

Any person who contravenes any provision of this Act or abets any such contravention or who fails to comply with any provision of this Act with which it was his duty to comply, where no express penalty is elsewhere provided for such contravention or failure, shall be liable to a penalty not exceeding

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)The Foreign Trade (Development and Regulation) Act, 1992

Section 11: Contravention of provision of this Act, rules, orders, and exports and import policy: -No export or import shall be made by any person except in accordance with the provisions of this Act, the rules and orders made there under and the export and import policy for the time being in force.

Foreign Trade (Regulation) Rules, 1993

Rule 11: Declaration as to value and quality of imported goods:- On the importation into, or exportation out of, any Customs ports of any goods, whether liable to duty or not, the owner of such goods, shall in the Bill of Entry or the Shipping Bill or any other documents prescribed under the Customs Act, 1962 (52 of 1962), state the value, quality, and description of such goods to the best of his knowledge and belief and in case of exportation of goods, certify that the quality and specification of the goods as stated in those documents are in accordance with the terms of the export contract entered into with the buyer or consignee in pursuance of which the goods are being exported and shall subscribe a declaration of the truth of such statement at the foot of such Bill of Entry or Shipping Bill or any other documents.

Rule 14: Prohibition regarding making, signing of any declaration, statement or documents: -No person shall make, sign or use or cause to be made, signed or used any declaration, statement or document for the purposes of obtaining a license or importing any goods knowing or having reason to believe that such declaration, statement or document is false in any material particular.

(2) No person shall employ any corrupt or fraudulent practice for the purposes of obtaining any license or importing or exporting any goods.

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

Rule 3. Determination of the method of valuation. -

- (1) Subject to rule 12, the value of imported goods shall be the transaction value adjusted in accordance with provisions of rule 10;
- (2) Value of imported goods under sub-rule (1) shall be accepted:

Provided that -

- (a) *there are no restrictions as to the disposition or use of the goods by the buyer other than restrictions which -*
 - (i) *are imposed or required by law or by the public authorities in India; or*
 - (ii) *limit the geographical area in which the goods may be resold; or*
 - (iii) *do not substantially affect the value of the goods;*
- (b) *the sale or price is not subject to some condition or consideration for which a value cannot be determined in respect of the goods being valued;*
- (c) *no part of the proceeds of any subsequent resale, disposal or use of the goods by the buyer will accrue directly or indirectly to the seller, unless an appropriate adjustment can be made in accordance with the provisions of rule 10 of these rules; and*
- (d) *the buyer and seller are not related, or where the buyer and seller are related, that transaction value is acceptable for customs purposes under the provisions of sub-rule (3) below.*

(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 10 of CVR, 2007:

10. *Cost and services. -*

(1) *In determining the transaction value, there shall be added to the price actually paid or payable for the imported goods, -*

(a) *the following to the extent they are incurred by the buyer but are not included in the price actually paid or payable for the imported goods, namely: -*

(i) *commissions and brokerage, except buying commissions;*

(ii) the cost of containers which are treated as being one for customs purposes with the goods in question;

(iii) the cost of packing whether for labour or materials;

(b) The value, apportioned as appropriate, of the following goods and services where supplied directly or indirectly by the buyer free of charge or at reduced cost for use in connection with the production and sale for export of imported goods, to the extent that such value has not been included in the price actually paid or payable, namely:

(i) materials, components, parts and similar items incorporated in the imported goods;

(ii) tools, dies, moulds and similar items used in the production of the Imported goods;

(iii) materials consumed in the production of the imported goods;

(iv) engineering, development, art work, design work, and plans and sketches undertaken elsewhere than in India and necessary for the production of the imported goods;

(c) royalties and licence fees related to the imported goods that the buyer is required to pay, directly or indirectly, as a condition of the sale of the goods being valued, to the extent that such royalties and fees are not included in the price actually paid or payable;

(d) The value of any part of the proceeds of any subsequent resale, disposal or use of the imported goods that accrues, directly or indirectly, to the seller;

(e) all other payments actually made or to be made as a condition of sale of the imported goods, by the buyer to the seller, or by the buyer to a third party to satisfy an obligation of the seller to the extent that such payments are not included in the price actually paid or payable.

Explanation. - Where the royalty, licence fee or any other payment for a process, whether patented or otherwise, is includable referred to in clauses (c) and (e), such charges shall be added to the price actually paid or payable for the imported goods, notwithstanding the fact that such goods may be subjected to the said process after importation of such goods.

(2) For the purposes of sub-section (1) of section 14 of the Customs Act, 1962 (52 of 1962) and these rules, the value of the imported goods shall be the value of such goods, for delivery at the time and place of importation and shall include -

(a) the cost of transport of the imported goods to the place of importation;

(b) loading, unloading and handling charges associated with the delivery of the imported goods at the place of importation; and

(c) the cost of insurance:

Provided that -

(i) where the cost of transport referred to in clause (a) is not ascertainable, such cost shall be twenty per cent of the free on board value of the goods;

(ii) the charges referred to in clause (b) shall be one per cent of the free on board value of the goods plus the cost of transport referred to in clause (a) plus the cost of insurance referred to in clause (c);

(iii) where the cost referred to in clause (c) is not ascertainable, such cost shall be 1.125% of free on board value of the goods;

Provided further that in the case of goods imported by air, where the cost referred to in clause (a) is ascertainable, such cost shall not exceed twenty per cent of free on board value of the goods:

Provided also that where the free on-board value of the goods is not ascertainable, the costs referred to in clause (a) shall be twenty percent of the free on-board value of the goods plus the cost of insurance for clause (i) above and the cost referred to in clause (c) shall be 1.125% of the free on board value of the goods plus the cost of transport for clause (iii).

Provided also that in case of goods imported by sea stuffed in a container for clearance at an Inland Container Depot or Container Freight Station, the cost of freight incurred in the movement of container from the port of entry to the Inland Container Depot or Container Freight Station shall not be included in the cost of transport referred to in clause (a).

Explanation- The cost of transport of the imported goods referred to in clause (a) includes the ship demurrage charges on charted vessels, lighterage or barge charges.

(3) Additions to the price actually paid or payable shall be made under this rule on the basis of objective and quantifiable data.

(4) No addition shall be made to the price actually paid or payable in determining the value of the imported goods except as provided for in this rule.

Rule 11. Declaration by the importer. -

(1) The importer or his agent shall furnish -

(a) a declaration disclosing full and accurate details relating to the value of imported goods; and

(b) any other statement, information or document including an invoice of the manufacturer or producer of the imported goods where the goods are imported from or through a person other than the manufacturer or producer, as considered necessary by the proper officer for determination of the value of imported goods under these rules.

(2) Nothing contained in these rules shall be construed as restricting or calling into question the right of the proper officer of customs to satisfy himself as to the truth or accuracy of any statement, information, document or declaration presented for valuation purposes.

(3) The provisions of the Customs Act, 1962 (52 of 1962) relating to confiscation, penalty and prosecution shall apply to cases where wrong declaration, information, statement or documents are furnished under these rules.

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.

20) 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 (TRO) 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 I

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

**21)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.

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

33. The investigation undertaken pursuant to the recovery of electronic records, examination of seized goods, and analysis of test report of imported goods has been elaborated in earlier paras. It can be conclusively established that there are material discrepancies between the importer's declarations and the actual nature of the goods. As per examination and test report of the goods, the discrepancies quantity as well as quality in terms of 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 indicate that the declared material content and processing origin are inconsistent with the factual nature of the imported fabric.

The importer, despite giving multiple opportunities, have 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 not been honored. This type of deliberate non-cooperation, withholding of documents, and avoidance of enquiry proceedings directly obstructed verification of preferential claim from importer side. In the absence of submission of origin related information 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. This strongly establishes the fact that that origin criteria are not fulfilled as per CAROTAR Rule, 2020.

34. The verification report with respect to Country-of-Origin certificate sent to FTA cell was received by this office. On the basis of the documents received in the verification report and investigation, each supplier wise Country-of-Origin Certificate (COO) and their respective documents/details are individually examined, which is summarized henceforth.

35. The import shipments supplied to M/s KDL by M/s Shukran Textile FZC, UAE vide MOE-CoO-CICO-0144107-20240920 dated 20.09.2024: -

Only **01** consignments of “Other Knitted or Crocheted Fabrics, of Synthetic Fibers N.E.S. (Single Jersey MMF Spun 100% Polyester Grey Knitted Fabric)” declared under CTH 60063200 have been imported by M/s KDL under **BE No: 5824638 dated 27.09.2024**, from UAE based supplier M/s Shukran Textile FZC, UAE, wherein they have availed duty exemption benefits (duty forgone) of **Rs. 42,52,949/-** by claiming the ineligible benefits of India UAE CEPA Notification No. 22/2022-Cus. The discrepancies found in the subject shipment are discussed below;

I. Discrepancies on the basis of Import documents and test report

- From analysis of import documents only **(RUD-51)**, 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 Circular knitting as operations which were undertaken in production process of the impugned goods; *Originating Criterion as ‘CTH+VA40%’* and the originating material in the manufacturing process of final goods are “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 “knitted fabric composed of **Polyester filaments yarns**”.
- 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**. Thus, the importer is ineligible for claiming preferential duty claim under India-UAE CEPA Notification No. 22/2022-Cus.

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

Further, in view of above discrepancies found in the import documents, the COO verification is initiated as per Rule 6(1)(b) of CAROTAR, 2020 and on verification of reply received vide email dated 21.08.2025 (**RUD-52**) following observations are pointed out: -

Table: IX

Query sent 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 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.	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 undergone Circular Knitting process, whereas the production process shown by the supplier under this COO verification inquiry only printing. Also, the goods declared are dyed fabric and the process given in reply received is for printed fabric, further highlighting the fact that, these documents are fabricated.
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	With the reply, Invoice bearing no. ST/D/01 dt. 02.08.2024 issued by M/s Shuchi Textiles (FZC) to M/s Shukran Textile FZC, is provided. As per the subject invoice M/s Shukran Textile FZC has

		<p>purchased raw material 'fabric under CTH 60063100' from M/s Shuchi Textiles(FZC) , whereas for fulfilling PSR criteria, there should have been CTH level Change, however, the final imported product is under CTH-60063200.</p> <p>Also, in the UAE internal transfer-local purchase there is manual and unexplained corrections in CTH (e.g., 52081100 altered to 60013100) which shows manipulation of the documents by the supplier to cover up their raw material related discrepancies; Moreover, if the procured material be considered as 60013100, then also PSR origin criteria remain unfulfilled in lack of CTH level transformation.</p> <p>Further, the seal number of subject container was found mismatched as it is found to be '3718990' in UAE export documents, instead of as mentioned in the respective Bill of Lading '021121'. This fact arises strong suspicion about this shipment.</p> <p>Thus, the chain of documents is not promising, instead it appears to be a bundle of manipulated documents.</p>
<p>Details of the production/manufacturing facility available with the Exporter, including details of individual machines/ production units. Has the declared</p>	<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.</p>	<p>No corroborating details/documents/ machinery setup photos have been provided. Moreover, the contradiction regarding the production process (Knitting in Form I & Printing in instant submission) itself shows that they are just attempting to</p>

production process actually taken place in the exporting country	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.	cover up their irregularities.
Please provide the 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 the raw material import invoice is dated 02.08.2024, whereas the SEZ BOE is dated 15.05.2025, which itself raises suspicion about the subject Cost Sheet. Further, the supplier's purchase invoice is dated 02.08.2024 and the export invoice is dated 03.08.2024, which is sufficient to show that the timeline between local transfer and export is too short to support any genuine processing or value addition, therefore, it appears that the subject goods have not undergone any value addition process or CTH transformation and the cost sheet is fabricated.
Please provide the information	Goods status: Exported goods are not wholly	Evasive reply. The discrepancies in cost sheet is

<p>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)</p>	<p>obtained in the Country of Export</p>	<p>discussed in above point. The exporter has claimed that the product is not wholly obtained but the actual source of the goods are not provided because the local supplier and exporter both are UAE based. Whereas, the cost sheet appears to be fabricated, as discussed above, in lack of genuine supporting documents.</p>
<p>The following information about other 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)</p>	<p>Wholly Obtained Clause Clarification: The applicability of the "wholly obtained" criteria do not pertain to this product, as it qualifies under the Product Specific Rules (PSR). For formal clarification, this query should be addressed directly to the Ministry of Economy, as it lies outside the exporter's purview.</p>	<p>Evasive reply. The exporter has claimed that the product is not wholly obtained, whereas, it also does not qualify for PSR originating criteria in lack of CTH level transformation. Thus, it appears that the importer is ineligible for claiming preferential duty claim under India-UAE CEPA Notification No. 22/2022-Cus.</p>
<p>Can 'Country of Origin' Certificates be amended retrospectively to change the material origin criteria from 'Wholly Obtained' to 'Product Specific Rule'</p>	<p>Not Applicable.</p>	<p>The reply does not address the query as the COO has remark "issued retrospectively" and no clarification has been provided in this regard.</p>
<p>Can 'the said raw material' thus obtained by the suppliers qualify as Wholly obtained or</p>	<p>Compliance with PSR: The raw material utilized fall under the Product Specific Rules category and compliant with</p>	<p>False claim without any proper supporting document. as discussed above, it does not qualify for PSR originating criteria because no CTH level</p>

PSR as claimed in terms of the CEPA Rules	relevant origin criteria.	change has been occurred;
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On perusal of above, it appears that the supplier had earlier declared the raw material as “containing 85% or more by weight of **staple fibers of Nylon or other polyamide**” with declared CTH 55091100”, which was actually cannot be transformed into a finished product make of “Knitted fabric of **Polyester filament yarn** under CTH 60063200”. Consequently, during the present COO verification, the supplier appears to have attempted to conceal this inconsistency by manipulating UAE-based documents, including making handwritten alterations in the purported local purchase records, as discussed earlier. Notably, the raw material earlier declared was technically incompatible due to its composition and nature, whereas the subsequently submitted raw material is non-compliant for want of CTH-level transformation, as required under the India-UAE CEPA Notification and CAROTAR provisions.

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 ‘SHUKRAN EXPORT CNTR 3.pdf’ (containing Invoice, Shukran Export & Exit Document issued by UAE Customs) pertaining to instant shipment/COO (**RUD-53**) have been recovered, and on verification of the same with import documents it was noticed that the invoice declared by the importer was without any seal and signature, whereas the Invoice found in the forensic examination and the invoice provided by the supplier under COO inquiry was having signature and seal of the supplier, which show that Invoice was prepared by the staff of importer only.
- Further, forensic examination of digital data recovered an Excel sheet {discussed at point 30.2 (X)} showing that the subject shipments were **internally transferred among UAE-based firms controlled by key persons**, merely to create a façade of local supply. The inward-outward records reveal inward goods under **HSN 52081130 (woven fabric)** and outward supply under **HSN 60063200 (knitted fabric)**, which is technically impossible, clearly establishing **paper transactions with no actual processing or value addition**.

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) **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, 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.

Thus, in view of above, it can be concluded that subject imported goods supplied by M/s Shukran Textiles (FZC), UAE are not eligible for benefits under India UAE CEPA Notification No. 22/2022-Cus.

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

Total **04** consignments of 'Other Knitted or Crocheted Fabrics- of Synthetic Fibres: Dyed' declared under CTH 60063200 have been imported by M/s GTL from UAE based supplier M/s Chaman Textiles Processing FZE, UAE, wherein they have availed total duty exemption benefits (duty forgone) of **Rs. 1,77,89,380/-** 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: -

A. MOE-CoO-CICO-0123292-20240827 dated 27.08.2024 (M/s Chaman Textiles Processing (FZE), BE No. 5452325 dated 06.09.2024, having declared goods '60063200' – 'Other Knitted or Crocheted Fabrics- of Synthetic Fibers: Dyed'. The importer has availed benefit of Notification No. 22/2022-Cus, and the duty forgone amount is **Rs. 59,49,247/-** 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 and Test report:

- From analysis of import documents only **(RUD-54)**, 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 warp knitting*; Originating Criterion as 'CTH+VA40%' and the originating material in the manufacturing process of final goods are "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 "(red and grey color) knitted fabric; Composition.; Each fabric is composed of viscose spun yarns (around 60%) and nylon multifilament yarns (around 37%) along with small amount of lycra, classifiable under CTH 60064200;

- Thus, on analyzing the same, the raw material used in manufacturing i.e 85% or more Nylon/ polyamide cannot be used for manufacturing of fabric made of fabric having 60% composition of viscose yarn. Similarly, the final product contains around 37% of nylon in the form of multifilament yarn of chapter 54, which cannot be manufactured from subject raw material of 85% or more staple fiber yarn of tariff chapter 55; moreover, the subject imported goods were found mis-declared and mis-classified, (declared CTH 60063200, instead of proper CTH 60064200).

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 09.10.2025 (**RUD-55**) following observations are pointed out: -

Table: X

Query sent under Questionnaire	Reply received under COO verification through FTA Cell	Remarks/Observations
Identify and obtain copies of documents evidencing procurement of "raw material" declared by the said supplier	[Enclosed: Invoices and bills of lading for 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. Furthermore, the subject invoice is 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, the submission by supplier in the instant COO

		<p>verification the raw material is shown as Polyester Yarn under CTH 54025200, this is major contradiction between the two submission of the supplier regarding raw material.</p> <p>From which it appears that Invoices are fabricated just to show as if the goods have undergone the required production process.</p>
<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>	<p>Location**: Sharjah Airport Free zone, UAE</p> <p>Machinery**: Knitting machines, dyeing units, finishing equipment.- Production</p> <p>Confirmation**: Entire process (knitting, dyeing, finishing) occurred in UAE.</p>	<p>No corroborating details/documents/ machinery setup photos have been provided to substantiate their claim.</p>
<p>Please provide the following information about the production processes carried out for the goods which have been certified as originating in the said CoO:</p>	<p>provided production process and production cost breakdown.</p>	<p>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.</p>
<p>Please provide the information pertaining to cost of each of the raw materials used to produce the goods</p>	<p>provided CTH wise details of raw material along with cost of each</p>	<p>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</p>

<p>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)</p>		<p>there is no document that can justify that the CTH of major raw material i.e. Polyester Yarn.</p> <p>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.</p>																		
<p>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</p>	<p>Origin Criterion: PSR** (Product Specific Rule) under India-UAE CEPA.</p> <p>- Supporting Docs**: COO and supplier declarations for UAE-origin materials (Bleach, Caustic Soda, etc.).</p>	<p>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.</p>																		
<p>The following information about other 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</p>	<table border="1" data-bbox="530 1388 922 1731"> <tr> <td>1</td> <td>Labour Cost</td> <td>Production wages</td> </tr> <tr> <td>29,997.41</td> <td>10%</td> <td></td> </tr> <tr> <td>2</td> <td>Overhead Cost</td> <td>Utilities/rent</td> </tr> <tr> <td></td> <td>5%</td> <td>14,998.71</td> </tr> <tr> <td></td> <td>Calculated at 15% of invoice value (USD</td> <td></td> </tr> <tr> <td></td> <td></td> <td>299,974.11)</td> </tr> </table>	1	Labour Cost	Production wages	29,997.41	10%		2	Overhead Cost	Utilities/rent		5%	14,998.71		Calculated at 15% of invoice value (USD				299,974.11)	<p>The details of the raw material (classification) as mentioned in the Product Detail form are not supported with proper documents, hence the genuineness of the production process and its cost, cannot be ascertained.</p>
1	Labour Cost	Production wages																		
29,997.41	10%																			
2	Overhead Cost	Utilities/rent																		
	5%	14,998.71																		
	Calculated at 15% of invoice value (USD																			
		299,974.11)																		

Chapter 3 on Rules of Origin for India-UAE CEPA)		
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.

B. Similar to the above-discussed Certificates of Origin, the following 03 COOs/import consignments supplied by **M/s Chaman Textile Processing FZE, UAE**, having total duty involvement of Rs 1,18,40,143/-, 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 in BoE at Sr No 1 and 2 in table below. Moreover, the importer for BoE at Sr No 3, they did not submitted the Form I with the Bill of Entry. During investigation, the importer were provided multiple opportunity to furnish the origin related information through various letters and Summons issued to them, however, they still remain failed to provide the same, and thus in the absence of submission of origin related information 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. The detail of such COOs is as under (relevant documents are **RUD-56**): -

Table: XI

Sr.	BE No. & date, COO No.	Item Imported	Raw Material as per Form I	Test Report
1	5275990/27/08/2024 / INMUN1/MOE-CoO- CICO-0117150-20240820 Date:20-08-2024	60063200- other knitted or crocheted fabrics- of synthetic fibres:	55091100- Containing 85 % or more by weight of staple fibers of nylon or other poly-amides:	Not Available

		dyed n.e.s	Single yarn	
2	5773592/ 24/09/2024/ INMUN1 /MOE-CoO-CICO-0141533-20240918 Date:18-09-2024	60063200-other knitted or crocheted fabrics- of synthetic fibres: dyed n.e.s	55091100- Containing 85 % or more by weight of staple fibers of nylon or other poly-amides: Single yarn	Not Available
3	5160507/ 21/08/2024/ INMUN1/ MOE-CoO-CICO-0116784-20240820 Date: 20-08-2024	60063200- other knitted or crocheted fabrics- of synthetic fibres: dyed n.e.s	N/A (<i>Importer not declared/provided the respective Form I</i>)	Not Available

In view of the above, all the 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) **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.
- 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 for several import consignments** - Further, the importer's failure to furnish Form I and origin related information, 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, 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—also 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 *prima facie* fail 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 Chaman Textile Processing FZE, UAE are not eligible for benefits under India UAE CEPA Notification No. 22/2022-Cus.

37. The import shipments supplied to M/s KDL by M/s Arab Textile Manufacturing L.L.C)

Total **09** consignments of Other Knitted or crocheted fabric of synthetic fibers, declared under CTH 60063100, and Woven fabric of Synthetic filament under CTH 54074290 have been imported by M/s KDL from UAE based supplier M/s Arab Textile Manufacturing L.L.C, UAE, wherein they have availed duty exemption benefits (duty forgone) of **Rs. 2,71,16,498/-** by claiming the ineligible benefits of India UAE CEPA Notification No. 22/2022-Cus. The individual COOs are discussed henceforth;

A. MOE-CoO-CICO-0059508-20240610 dated 11.06.2024, BE No. 4134448 dated 22.06.2024, having declared goods 'Woven Fabrics of Synthetic Filament Yarn Containing 85% or More By Weight of Filaments of Nylon', under CTH 54074290. The importer has availed benefit of Notification No. 22/2022-Cus, and the duty forgone/differential duty amount is **Rs. 41,22,667/-** 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 and Test Reports

- As per import documents (**RUD-57**), the goods declared under above mentioned Certificate of origin are under HSN code 54074290 Woven fabrics of synthetic filament yarn, containing 85% or more weight of filaments of nylon.
- As per Form-I, Importer has provided the Circular knitting as operations which were undertaken in production process of the impugned goods; Originating Criterion as 'CTH+VA40%' and the originating material in the manufacturing process of final goods are "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 of two types: - one type was **dyed woven fabric composed of polyester filament yarn** classifiable under HSN 54076900; another type of fabric was **dyed knitted fabric composed of polyester filament yarn** together with lycra classifiable under HSN 60063200.
- 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**. The declared CTH in COO certificate is **54074200**, while as per test report two type of items were found which are classifiable under **54076900 &**

60063200. Moreover, as per form I, the manufacturing process mentioned therein is “**knitting**”. However, part of the imported item contains ‘woven fabric’ and that cannot be manufactured by knitting process, rather it is manufactured through **weaving** process.

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 09.10.2025 (**RUD-58**) following observations are pointed out: -

Table: XII

Query sent under Questionnaire	Reply received under COO verification through FTA Cell	Remarks/Observations
Brief Description of the Commercial activity of the Exporter	Primary Activity: Manufacturer of woven fabrics (HS 54074200) Specialization: Nylon filament yarn textiles	As per the Form I submitted by the importer yarn containing 85% or more by weight of staple fibers of nylon or other poly-amides (HSN:55091100) is converted into Woven Fabrics of synthetic filament yarn, containing 85% or more by weight of filaments of nylon through Water Jet Weaving-Warp process, which is technically not possible . Furthermore, as per test report the goods are also found containing Knitted fabric, which is not claimed by the supplier to be manufactured.
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	Commercial Invoice ARA-1310(04/06/2024) enclosed.	The required documents/details are not provided., instead they provided import invoice only.
Identify and obtain copies of documents evidencing procurement of “raw material” declared by the said supplier	Material HS Code Qty/kg Cost/kg(USD) Supplier Origin Filament Yarn: 54026100 , .60, 1.10, Chaman Textile,	On perusal of provided documents; it is noticed that the supplier has exported goods to M/s Kkrrafton developers limited vide invoice no. ARA-1310 dt.

	<p>Turkey Synthetic Yarn: 54022500, .10, .40, Tansta Co. Ltd., China</p> <p>Hydrochloride: 34029099, .07, .34, Trice Chemicals, UAE</p> <p>Fabric Softener: 38099100, .09, 2.58, Trice Chemicals, UAE</p> <p>Caustic Soda: 28362010, .08, .45, Al Ghaith Industries, UAE</p>	<p>04.06.2024 while the invoice regarding procurement of raw material "Nylon Yarn SD Sim" (No.CH/22/1101 dt. 09.03.2025) pertains to Mar-2025. This time mismatch clearly indicates that the said raw material could not have been used in the manufacture of the exported goods, rendering the supporting documents fabricated.</p> <p>Further, the procurement of other/supporting raw material is based only on the basis of Proforma Invoices, which cannot be considered as actual transaction.</p> <p>Furthermore, the supplier didn't provide the copy of respective Bill of Lading/Local transfer document or any other documents issued/certified by UAE govt. authority, that can support their submission.</p> <p>Further, there is contradiction regarding raw material, because as per the submission by supplier under instant COO verification inquiry the raw material is Filament Yarn under CTH 54026100, while as per Form I the raw material is containing 85% or more by weight of staple fibers of nylon or other polyamides under CTH 55091100.</p>
<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</p>	<p>Production Facility Location: Umm Al-Quwain Industrial Zone Key Features: 24 weaving machines, Automated inspection system; Confirmation: Full Production completed in UAE</p>	<p>No corroborating details/documents/ machinery setup photos have been provided to substantiate their claim.</p>

the exporting country		
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 (1)-Yarn Processing=> Filament Treatment (67,399.20, % Addition 40%). Stage(2)- Weaving=>Fabric Formation (35,937.60(USD), % Addition 21.3) Stage (3)-Finishing Quality Control 22,461(USD), %Addition, 13.3) Total Value Addition: 74.6% (USD 125,797.80)	First of all, the raw material subjected to production process is under question being contradictory claimed by supplier under instant submission and Form I; further the production process shown here is just for woven fabric, while as per test report the goods were also found containing Knitted fabric , therefore, it appears the production process is just for sake of documentation.
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)	Total Material Costs: USD 25,274.70 (1.42 USD/kg * 17,820 kg) Non-Originating Content: USD 10,692.00(42.3%)- covered under PSR	As discussed above, the subject Certificate of Origin is dated 11.06.2024, whereas the corresponding local invoice is dated 09.03.2025, i.e. subsequent to the issuance of the COO. This clear chronological mismatch indicates an afterthought attempt to justify the transaction through fabricated documents. Accordingly, the authenticity of the cost sheet is rendered doubtful.
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 Determination Method Rule Applied: Product Specific Rule (PSR)	The supplier claiming its origin criteria as PSR, however the same claim is not back up with genuine documents, as discussed above, and thus they are failed in justifying their claim.
The following information about other production costs (i.e. other than the cost of raw materials), such as Labour Cost, Overhead Cost and any other relevant elements	Other Costs Cost Category Amount (USD) % of Direct Total 16849.80 10.0 Labour	As discussed above, the documents in support of production cost details doesn't appear genuine and appears to be forged. There are no documents to support the CTHs

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)	Factory Overhead 8424.90 5.0 Utilities 5054.94 3.0	mentioned in the cost sheet. Therefore, the subject cost sheet/details are not reliable.
Can 'the said raw material' thus obtained by the suppliers qualify as Wholly obtained or PSR as claimed in terms of the CEPA Rules	PSR Compliance Verification: -74.6% value addition exceeds CEPA requirements Non-originating content meets PSR Requirements	The procurement of raw material is under question, as discussed above, hence the value addition details cannot be relied and PSR criteria is not justified.

Further, earlier discussed COO verification report of other suppliers, it is worth mentioning that supplier, in connivance with the importer had submitted the local transfer/ Bill of lading for local procurement issued by UAE authorities, however the CTH mentioned therein was not aligning with the supplied product in order to justify the PSR origin criteria, whereas, it was also contradictory to the raw material shown under the respective Form-I. Therefore, they had to alter the classification by handwritten correction. Consequently, to avoid such discrepancies in the present reply, in the above discussed COO **MOE-CoO-CICO-0059508-20240610 dated 11.06.2024**, no UAE authority-issued procurement documents were furnished and only fabricated invoices, without any CTH declaration, along with a manipulated cost sheet aligned to the supplied goods, were submitted, that align with their supplied goods, however in the instant case this scheme of supplier & importer again is failed because the goods were found mis-declared and two type of fabric (woven & knitted) were found in the imported goods. These facts are clear enough that they have nothing to do with any manufacturing activity, they were just preparing the documents to falsely justify the claimed origin criteria.

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, one document having file name '**REVISED CI-ARA_1310 (04-06-2024) (RUD-59)**' have been recovered, and on verification of the same with Invoice declared with the BE it was noticed that the invoice declared by the importer was different from the Invoice found in the forensic examination, which show that Invoice was prepared/modified/forged by the staff of importer only as per their convenience.

Thus, it appears that the importer is ineligible for claiming preferential duty claim under India-UAE CEPA Notification No. 22/2022-Cus.

B. MOE-CoO-CICO-0043861-20240515 dated 15.05.2024 dated 11.06.2024, Supplier: M/s Arab Textile Manufacturing L.L.C, UAE, BE No. 3733306 dated 30.05.2024 having declared goods 'Other Knitted or Crocheted Fabrics, of Unbleached or Bleached synthetic fibers, under CTH 60063100. The importer has availed benefit of Notification No. 22/2022-Cus, and the **duty forgone/differential duty amount is Rs. 18,59,018/-** 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-60**), the goods under above mentioned Certificate of origin are under HSN code **60063100** - Other Knitted or Crocheted Fabrics, of unbleached or bleached synthetic fibers, n.e.s.
- As per Form-I, Importer has provided the knitting as operations which were undertaken in production process of the impugned goods; Originating Criterion was mentioned as "Wholly obtained" and the composition and classification of the originating material in the manufacturing process of final goods are not mentioned in the Form I.
- It is noteworthy that the origin criteria as per COO is PSR (Product Specific Rules), while as per the Form I the origin criteria is Wholly Obtained. This discrepancy raises suspicion regarding the accuracy of the origin credentials declared by the supplier.
- Further, from the test report obtained with respect to the impugned imported goods, the goods are found to be "**Dyed** knitted fabric composed of polyester filament yarn", which is classifiable under CTH **60063200 instead of declared CTH 60063100**.
- There is no CTH level transformation vis a vis raw material declared in FORM I, hence the PSR originating criterial remains unfulfilled.

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 09.10.2025 (**RUD-61**) following observations are pointed out: -

Table: XIII

Query under Questionnaire	Reply received under COO verification through FTA Cell	Remarks/Observations
Brief Description of the Commercial activity of the Exporter	Primary Business: Manufacturer of unbleached knitted fabrics (HS 60063100)	As per the License of supplying firm the business activity of subject firm is "Broad Woven

	Specialization: Synthetic fibre textile production	Fabrics Manufacturing” However, here they claiming to be “Manufacturer of unbleached knitted fabrics”, this is contradiction regarding manufacturing activity just to support their fraudulent claim of CEPA benefits.
Copy of the Certificate of Business Registration of the Exporter to be enclosed	Enclosed Documentation.	As per the attached license, M/s Arab Textile Manufacturing LLC is manufacturer of woven fabric only. However, the supplied goods are knitted fabric. This clearly indicates that the said entity is not engaged in the manufacture of the imported goods and has merely fabricated documents to wrongfully avail the benefits of the India-UAE CEPA notification.
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	Commercial Invoice ARA-1304(10/05/2024) enclosed.	Required documents/details are not provided, instead they provided the copy of import invoice only.
Identify and obtain copies of documents evidencing procurement of “raw material” declared by the said supplier	All materials documented with: -Purchase Invoices	The supplier has submitted that the purchase invoices of raw materials namely Polyester texturized Yarn from M/s Chaman Textile Processing FZE vide Invoice No.CH/91/152 dt.11.01.2024; Synthetic filament yarn M/s Chaman Textile Processing FZE vide Invoice No.CH/83/152

		<p>dt.09.01.2024; Bleach from M/s Trice Chemicals Ind. LLC vide Invoice No. PFR/27/01/2025 dt. 27.01.2025; whereas the supplier has exported goods to M/s Kkrrafton developers limited vide invoice no. ARA-1304 dt.. 10.05.2024 and raw material "Bleach" has been purchased in the month of Jan-2025 which is not possible. Therefore, it appears that the said purchases documents are non-genuine", "manipulated", "back-dated", or "not relatable to the goods exported". The purchase of Bleach is shown on the basis of Proforma Invoice, which cannot be considered as actual transaction. There are no documents provided that support the CTHs mentioned in the cost sheet. It appears, the supplier deliberately didn't provide the copy of respective Bill of Lading/Local transfer document or any other documents issued/certified by UAE govt. authority, so that they can falsely mention the detail & CTH of raw material in the Cost sheet, that can support their origin criteria claim.</p>
Details of the production/manufacturing facility available with the Exporter, including details of individual	Production Facility Specifications Location: Umm Al-Quwain Industrial Zone Key Features: Large manufacturing Area, 12	No corroborating details/documents/ machinery setup photos have been provided, further, the production process is contradictory to the

machines/production units. Has the declared production process actually taken place in the exporting country	Automated Machines; Dyeing Chambers; Quality Control laboratory; Confirmation: Full Production completed in UAE	manufacturing activity mentioned in their trade license.
Please provide the following information about the production processes carried out for the goods which have been certified as originating in the said CoO:	Stage(1)-Yarn Preparation=> Fiber Treatment (37,738.80(USD), % Value Addition 40%). Stage(2)-Knitting=>Fabric Formation (20,123.36(USD), % Addition 21.3) Stage (3)-Finishing Inspection/Packing 12,577.10(USD), %Addition, 13.3) Total Value Addition: 74.6% (USD 70,439.26)	As discussed above the production process and business activity of the subject exporter are doubtful, further the procurement of raw material is also under question, hence the production process provided doesn't appear sustainable.
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)	Material HS Code Qty/kg Cost/kg(USD) Supplier Origin Polyester Yarn: 54025200, .70, .80, Chaman Textile, UAE Synthetic Yarn: 54022500, .30, .90, Chaman Textile, UAE Bleach: 34025099, .30, .90, Trice Chemicals, UAE Levelling Agent: 38099100, .20, .65, Snogen, Malaysia Caustic Soda: 28362010, .15, .60, Al Ghaith, UAE	As already discussed in detail above, the raw material procurement documents relied upon by the supplier suffer from serious chronological inconsistencies, including procurement on proforma invoices, and absence of any UAE authority-issued documents. Further, no evidence has been furnished to substantiate the CTHs declared in the cost sheet. These deficiencies clearly render the cost sheet and supporting procurement documents unreliable and incapable of establishing compliance with the prescribed origin criteria under the India-UAE CEPA.
The following information about other	Additional Production Costs	As discussed above, the documents in support of

<p>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)</p>	<table border="1"> <thead> <tr> <th>Cost Amount (USD)</th><th>Category</th><th>% of</th></tr> </thead> <tbody> <tr> <td>Total</td><td></td><td></td></tr> <tr> <td>Direct</td><td>Labour</td><td></td></tr> <tr> <td>9434.70</td><td></td><td></td></tr> <tr> <td>10.0</td><td>Overhead</td><td></td></tr> <tr> <td>Factory</td><td></td><td></td></tr> <tr> <td>4717.35</td><td></td><td>5.0</td></tr> <tr> <td>Utilities</td><td></td><td></td></tr> <tr> <td>2830.4</td><td></td><td>3.0</td></tr> </tbody> </table>	Cost Amount (USD)	Category	% of	Total			Direct	Labour		9434.70			10.0	Overhead		Factory			4717.35		5.0	Utilities			2830.4		3.0	<p>production cost details doesn't appear genuine and appears to be forged. Therefore, the subject cost sheet/details appear to be fabricated.</p>
Cost Amount (USD)	Category	% of																											
Total																													
Direct	Labour																												
9434.70																													
10.0	Overhead																												
Factory																													
4717.35		5.0																											
Utilities																													
2830.4		3.0																											
<p>Can 'the said raw material' thus obtained by the suppliers qualify as Wholly obtained or PSR as claimed in terms of the CEPA Rules</p>	<p>Wholly Obtained/PSR Compliance Verification: -74.6% value addition exceeds CEPA requirements Non-originating content (5.8%) within De minimis limits</p>	<p>Contradictory to instant submission, the Form-I, mentions the Originating Criteria as " Wholly Obtained". Such inconsistency strongly suggests that the documents were fabricated and that no actual manufacturing activity was undertaken.</p>																											

As discussed above, the absence of documents supporting the actual procurement of raw material under different CTHs in the cost sheet, reliance on proforma invoices rather than original invoice, lack of UAE authority-issued Bills of Lading or local transfer documents, and contradictions in manufacturing-related information indicate that the supplier's submission appears to have been influenced by the importer to falsely substantiate the claimed origin criteria.

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, one document having file name '*FINAL CI_ARA-1304 (RUD-62)*' have been recovered, and on verification of the same with Invoice declared with the BE it was noticed that the invoice declared by the importer was different from the Invoice found in the forensic examination, the major different in the subject invoice was regarding the Account details, where the payment of imported goods was to be sent, which show that Invoice was prepared/modified/forged by the staff of importer only as per their convenience.

C. Similar to the above-discussed Certificate of Origin, the following 02 COOs/import consignments supplied by **M/s Arab Textile Manufacturing L.L.C, UAE**, having duty involvement of **Rs. 53,60,527/-** 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 and there were various inherent discrepancies on the basis of import documents (**RUD-63**), which suggest that importer remain failed in truthful declaration. In the table below the COOs/import shipments are summarized where discrepancies have been observed in respect of originating material and non-fulfillment of required originating criteria on the basis of Form I and Test reports are available and: -

Table: XIV: BoE where test report and FORM I both are available

BE/Date; Port; COO No.	Declared Item as per BOE	Declared originating Material as per FORM-I	Origin, Criteria, as per FORM-I	Origin Criteria as per COO	Items as per Test Reports
3720190/29.05.2024 INMUN1; MOE-CoO-CICO-0040779-20240508 Date:08-05-2024	60063100 - other knitted or crocheted fabrics (Man Made 100% polyester knitted fabric grey undyed)	Not mentioned	Wholly obtained,	PSR	60063100- Off white self-designed knitted fabric, composed of polyester filament yarn (textured), GSM (as such)-121.4
3733307/30.05.2024 INMUN1; MOE-CoO-CICO-0043862-20240515 Date:15-05-2024	60063100 - Other Knitted or Crocheted Fabrics (Man Made 100% polyester knitted fabric grey undyed)	Not mentioned	Wholly obtained,	PSR	60063100- White (net type) knitted fabric, composed of filament yarn, of polyester together with elastomeric yarn (lycra), GSM (such as)- 135.2, width in cm=122; % of polyester (% by weight)-97.1%, % of lycra (% by weight)=balance.

- Further, when the importer was issued summons and letters to provide the origin related information, they remain failed to provide the requisite detail, even didn't joined the investigation, thus 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, in respect of BE No. 3733307 dated 30.05.2020, the goods description is not matching with the composition found in the test report as it found containing lycra.

Thus, from the above, it is clear that no production process actually carried out by the supplier at UAE but they just fabricated the documents to show the goods to be worked upon as per the requirement of CEPA Notification because the declared material, raw material, and process do not align, indicating unreliable origin declaration. It appears they just fabricated documents which are baseless.

D. Further, Similar to the above-discussed Certificates of Origin, the following 05 COOs/import consignments supplied by M/s Arab Textiles Manufacturing (LLC), UAE, having duty involvement of Rs. **1,57,74,285/-**, also appear to be **not eligible for preferential benefits under Notification No. 22/2022-Customs (India-UAE CEPA)**, as the supplier, importer and the imported goods, are identical to those pertaining to the shipment discussed above, moreover the importer never joined the investigation and they did not submit the Form I with the Bill of Entry and further when the importer was asked to provide the same they also remain failed to provide till date, and thus 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. The detail of such COOs are as under (relevant documents are **RUD-64**):-

Table: XV: BoE where either test report or FORM I are not available

BE No. & date, Port; COO No.	Item Imported	Raw Material as per Form I	Product as per the Test Report
3961755/12.06.2024 INMUN1; MOE-CoO-CICO-0047820-2024052 Date:22-05-2024	60063100-Other knitted or crocheted fabric of unbleached or bleached of synthetic fibre (Man Made 100% polyester knitted fabric grey undyed)	N/A (<i>Importer not declared/provided the respective Form I</i>)	60063100-A cut piece of white (undyed) knitted fabric having self-designed surface on one side treated with cellulosic material, composed of polyester multifilament yarn, GSM (as such) =301.2
4002371/14.06.2024 INMUN1;	60063100- Other knitted or crocheted	N/A (<i>Importer not</i>)	60053600- Cut piece of white wrap

MOE-COO-CICO-0054336-20240603	fabric of unbleached or bleached of synthetic fibre (Man Made 100% polyester knitted fabric grey undyed)	<i>declared/provided the respective Form I)</i>	knitted fabric, composed of polyester filament yarns, GSM (as such) = 94.79, selvedge to selvedge width (cms) = 184
4127102/22.06.2024 INMUN1; MOE-COO-CICO-0054339-20240603 Date:04-06-2024	60063100- Other knitted or crocheted fabric of unbleached or bleached of synthetic fibre Man Made 100% Polyester Knitted Fabric	N/A (<i>Importer not declared/provided the respective Form I)</i>	60063100- 3 samples. The sample marked as A in the form of a cut piece of white (undyed) circular knitted fabric, B& C are white undyed circular knitted fabric, each of the three-fabric composed of polyester filament yarn sample A-139.46, sample B-162.20, sample C-165.09
4355224/06.07.2024 INMUN1; MOE-COO-CICO-0064894-20240619 Date:19-06-2024	54074290- Woven Fabrics of Synthetic Filament Yarn, Containing 85% or more By Weight of Filaments of Nylon	55091100-containing 85% or more by weight of staple fibers of nylon or other polyamides: single yarn	NA
4002370/14.06.2024 INMUN1; MOE-COO-CICO-0047834-20240522 dt.22.05.2024	Other knitted or crocheted fabric of unbleached or bleached of synthetic fibre (Man Made 100% polyester knitted fabric grey undyed)	<i>N/A (Importer not declared/provided the respective Form I)</i>	N/A

- In respect of above-mentioned BE No. 4002371 dated 14.06.2024, goods were found **mis-declared** and **mis-classified** as it was found to be 60053600 white wrap knitted, instead of declared 60063100 undyed knitted fabric.
- In respect of import shipment BE No. 4355224 dated 06.07.2024, it is emphasized that It is **not possible** to produce a woven fabric classified under **CTH 54074290**—which strictly requires **synthetic filament yarn**—from a raw material classified under **CTH 55091100**, which is a nylon **staple fiber**. Filament yarn and staple yarn are fundamentally different in structure and

manufacturing characteristics: filament yarn consists of long, continuous fibres, whereas staple yarn is made from short, cut fibres twisted together. Therefore, the importer remain failed in truthful declaration and the COO appears to be issued on the basis of fabricated/manipulated documents, and therefore, the CEPA benefits availed by the importer on subject import consignment are liable to be denied.

In view of the above, all the 9 consignments supplied by M/s Arab Textiles Manufacturing (LLC), UAE appear to be ineligible for ineligible for preferential benefits under Notification No. 22/2022-Customs (India-UAE CEPA) for the reasons mentioned below: -

- d) **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.
- e) **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.
- f) **Importer's failure to submit FORM I & origin criteria related information for several import consignments** - Further, the importer's failure to furnish Form-I and origin related information for several 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, 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—also appear ineligible 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.

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, *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 fail 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 Arab Textiles Manufacturing**

(LLC), UAE are not eligible for benefits under India UAE CEPA Notification No. 22/2022-Cus.

38. The import shipments supplied to M/s KDL by M/S Shuchi Textile (FZC), UAE:-

Total **39** 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 GTL from UAE based supplier M/s Shuchi Textile FZC, UAE, wherein they have availed duty exemption benefits (duty forgone) of **Rs. 23,02,15,123/-** by claiming the ineligible benefits of India UAE CEPA Notification No. 22/2022-Cus. The individual COOs are discussed henceforth;

A. MOE-CoO-CICO-226686-20241223 date 23.12.2024, Supplier: M/s Shuchi Textile FZC, UAE, under BE No.7515467 dated 29.12.2024 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 the **differential duty amount is Rs. 1,59,84,237/-** 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-65**) 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**"
- It is noteworthy that the origin criteria as per COO is **WO** (wholly obtained), while as per the Form I the origin criteria is **PSR** (CTH+VA 40%). This discrepancy raises initial concerns regarding the accuracy of the origin credentials declared by the supplier.
- Further, from the test report obtained with respect to the impugned imported goods, the goods are found to be woven fabric of texturized filament yarn classifiable under HSN 54075290 and polyurethane (PU) laminated woven fabric classifiable under HSN 59032090.
- 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.

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 25.08.2025 (**RUD-66**) following observations are pointed out: -

Table: XVI

Query under Questionnaire	Reply received under COO verification through FTA Cell	Remarks/Observations
Certificate of Origin (COO) No.: MOE-CoO-CICO-226686-20241223 Dated 23.12.2024	Copy of certificate of origin enclosed.	The COO certificate provided by the supplier under this inquiry shows the origin criteria as "PSR" the Certificate of Origin declared by the importer is showing the Origin Criteria as "WO".
Brief Description of the Commercial activity of the Exporter	Digital Printing wherein digital designs are directly printed onto paper using inkjet printers. 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 needless, whereas the production process shown by the supplier is only printing ; this is the major contradictory submission .
Copy of the Certificate of Business Registration of the Exporter to be enclosed	Enclosed with Documentation.	In the subject license certificate No. 24468 of Shuchi Textile (FZC), Issue date 08.05.2025 name of owner is mentioned as 'Manoj'

		<p>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 Shri <u>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.</p>
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	In the Invoice provided by the exporter in present inquiry M/s Shaoxing maixin Import and Export Co., Ltd., China is supplying goods to M/s Modern Fabrics Solution FZE not to M/s Shuchi Textile FZC (Exporter to M/s KDL, India), bearing Sr. No. MFS-15 dt. 03.10.2024. However, the respective Free Zone document dt. 07.12.2024 shows the consignee as M/s Shuchi Textile and the port of Loading as "Ningbo, China", whereas the name of Modern Fabrics Solution FZE is not mentioned anywhere on that document. Thus,

		<p>chain of documents is not convincing/complete. Moreover, in the purchase invoice dt.03.10.2024, the movement of goods has been mentioned as "<u>Ningbo, China to Sharjah, India</u>", from which it appears that cargo was pre-destined to India, which was just routed through UAE to avail undue benefit of India-UAE CEPA Notification. Further, the seal number of subject container was found mismatched as it is found to be '3821948' in UAE export documents, instead of as mentioned in the respective Bill of Lading '010749. 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 and integrates with the fabric; VI. Post-process separation and cooling of fabric and paper. VII.</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 them.</p>

	Quality assurance through checker and roller machines to identify any defects. VIII. Final product is rolled per customer specifications and securely packed.	
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.	The supporting documents of the subject Cost Sheet are not promising, even the imported goods as per test report are not aligning to the goods mentioned in the supporting documents, hence the genuineness of the details mentioned in the subject Cost sheet is unreliable.
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	The reply is evasive. In the absence of proper supporting documents, the cost sheet submitted in respect of raw material cannot be considered genuine. Further, the goods sought to be shown as genuinely manufactured were found mis-declared as per the test report, rendering the cost sheet and related submissions unreliable
The following information about other 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	Wholly Obtained Clause Clarification: The applicability of the "wholly obtained" criteria do not pertain to this product, as it qualifies under the Product Specific Rules (PSR). For formal clarification, this query should be addressed directly to the Ministry of Economy, as it lies outside	Evasive reply. As discussed earlier the other production cost detail cannot be considered genuine in lack of proper supporting documents.

product, may be provided (Refer: Article 3.2 of Chapter 3 on Rules of Origin for India-UAE CEPA)	the exporter's purview.	
Can 'Country of Origin' Certificates be amended retrospectively to change the material origin criteria from 'Wholly Obtained' to 'Product Specific Rule'	Not Applicable.	Evasive Reply. Two different copies of COO are found one in the instant submission of the supplier and another in the import BoE declaration, both showing different origin criteria 'WO & PSR' . As per both the copy of COO gathered, the certificate is said to be issued retrospectively, however no clarification is provided.
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.	No specific reply; False claim without any proper supporting document. As per FORM-I issued by the supplier the raw material is mentioned as 54077400-Containing 85% or more by weight of staple fibers of nylon or other polyamides; single Yarn, while, as per the submission of exporter under present reply the raw material is "Fabric under CTH 54075200". Thus, both the submission by supplier are contradictory .

In the instant case, examination of the subject consignment revealed Chinese origin stickers affixed on the packing of the imported goods, and the goods were found mis-declared on physical examination and as per the test report, being classifiable under CTH 54075290 and 59032090, instead of the declared CTH 54077400. Further, the imported goods were found not aligning with the raw material and manufacturing process declared in Form-I, wherein the goods were claimed to be weft knitted using staple fibre of nylon/polyamide, whereas the

imported goods are woven fabrics of polyester filament yarn, which cannot be manufactured from the declared raw material or process.

Verification of the Certificate of Origin No. MOE-CoO-CICO-226686-20241223 dated 23.12.2024 was conducted through the FTA Cell and Ministry of Economy (MoE), UAE, which revealed that the supplier submitted documents evidencing procurement of goods from China, with port of loading at Ningbo, China, and only printing activity claimed in UAE, without any evidence of manufacturing as declared in Form-I. The document trail further indicates that the goods were pre-destined to India and merely routed through UAE, and the origin criteria declared in the CoO and Form-I were found to be contradictory and unreliable.

Therefore, it is clear that the respective COO No. CoO-CICO-226686-20241223 date 23.12.2024 is gathered by the supplier on the basis of incorrect manufacturing information or misrepresentation of actual inputs and therefore such COO do not appear valid for claim of such benefit CEPA benefits.

Thus, the cumulative evidence establishes that the impugned goods are of Chinese origin, which were routed through UAE and falsely projected as manufactured in UAE to fraudulently avail 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.”

B. MOE-CoO-CICO-0101472-20240801 dated 01.08.2024, Supplier: M/s Shuchi Textile FZC, UAE, under BE No. 4985497 dated 10.08.2024 having declared goods '60063400- Other Knitted or Crocheted Fabrics, of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric. The importer has availed benefit of Notification No. 22/2022-Cus, and the **duty forgone/differential duty amount is Rs. 68,92,915/-** 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 import documents (**RUD-67**), the goods under above mentioned Certificate of origin are under HSN code 60063400- Other Knitted or Crocheted Fabrics, of Synthetic Fibers, of printed synthetic fibers.
- 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 “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 “Knitted fabrics having printed with assorted colours on one side, composed of **polyester filament yarn** together with lycra”.
- 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**.

- Further, 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, whereas, 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. In view of this inconsistency, it is to verify that if the impugned goods qualify for the Product Specific Rule Country of Origin criteria as per the Annexure B (Rule 2-Product Specific Rules) of Notification No. 39/2022-Cus.(NT).

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 25.08.2025 (**RUD-68**) following observations are pointed out: -

Table: XVII

Query sent under Questionnaire	Reply received under COO verification through FTA Cell	Remarks/Observations
Brief Description of the Commercial activity of the Exporter	Digital Printing wherein digital designs are directly printed onto paper using inkjet printers. 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 contradiction in terms of production process .
Copy of the Certificate of Business Registration of the Exporter to be enclosed	Enclosed with Documentation.	The license certificate No. 24468 of Shuchi Textile (FZC), Issue date 08.05.2025, already discussed in above COO verification in point 37(A)
Identify and obtain copies of documents evidencing procurement of "raw material" declared by the	Copies of the Bill of Lading (BL) Inward and Packing List (PL) for the sourced raw materials have been attached for verification	The supplier's inward invoice is dated 03.07.2024, whereas the export invoice date reflected in the cost sheet is 20.05.2024. This chronological inconsistency raises serious doubt on the genuineness of

said supplier		<p>the cost sheet.</p> <p>With the reply, Invoice and Packing List dated 03.07.2024 and relevant UAE internal transfer document have been provided, wherein it is noticed that in there is manual and unexplained corrections in CTH (e.g., 52081100 altered to 60013100; Moreover, if the procured material be considered as 60013100, then also PSR origin criteria remain unfulfilled in lack of CTH level transformation in procured and supplied goods.</p> <p>Further, the seal number of subject container was found mismatched as it is found to be '3659929' in UAE export documents, instead of as mentioned in the respective Bill of Lading '021038.</p>
Details of the production/man ufacturing facility available with the Exporter, including details of individual machines/produc tion units. Has the declared production process actually taken place in the exporting country	<p>I. Designed development by specialized software,</p> <p>II. Sublimation paper printing using high resolution digital printers;</p> <p>III. Alignment of printed paper and polyester fabric into the sublimation unit;</p> <p>IV. Exposure to a temperature of 200°C or above depending on print complexity;</p> <p>V. Sublimation phase where ink transforms into gas;</p> <p>VI. Post-process separation and cooling of fabric and paper.</p> <p>VII. Quality assurance through checker and roller machines to identify any defects.</p> <p>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 is only printing, this is a major contradiction between supplier's present submission and the Form I issued by the supplier.</p>
Please provide the following information about the	Cost Sheet Attached in the accompany email.	The supporting documents of the subject Cost Sheet are not promising, hence the genuineness of the details

production processes carried out for the goods which have been certified as originating in the said CoO:		mentioned in the subject Cost sheet is doubtful. Further, the originated goods claimed by supplier as well as supplied goods are both are classified under CTH 6006; and therefore, originating criteria 'PSR' remains unfulfilled in lack of CTH level transformation.
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. As discussed earlier, the cost sheet appears to be fabricated and the Exporter remain failed to genuinely established the production process to be undergone on the goods of subject consignment in lack of CTH level transformation, and lack of proper supporting documents.
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.	False claim without any proper supporting document. On perusal of raw material and supplied item it does not qualify for PSR originating criteria because no CTH level change has been occurred;

III. Discrepancies on the basis of forensic data examination: -

- During the examination of data retrieved from the mobile phone of Gaurav Chakrawarti, in a WhatsApp group chat having title " ABHIRAM " the UAE Local Purchase Document No. 1-3-60-8-24-46738, UAE Local Invoice & Packing List having Invoice No. 42/015 dated 03.07.2024, have been recovered **(RUD-69)**, 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: -

Image: XXXVIII: UAE Local Purchase Document No. 1-3-60-8-24-46738 dated 07.10.2024 provided by the supplier

Image: XXXIX: UAE Local Purchase Document No. 1-3-60-8-24-46738 dated 07.10.2024 recovered from forensic

<i>under COO verification Inquiry</i>	<i>data examination of Mobile Phone of Gaurav Chakrawarti</i>
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- 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. 42/015 dated 03.07.2024), provided by supplier under instant COO inquiry with the copy retrieved from forensic data of Mobile phone, it was found that they have changed 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: -

K R V GENERAL TRADING LLC

Address: TEXTILE MARKET , ALI BIN ABI TALIB STREET, BUR DUBAI, DUBAI -UAE

INVOICE

CONSIGNEE
SHUCHI TEXTILE (FZC)
SHARJAH

INVOICE NO : 42/015
DATE: 03/07/2024
ORIGIN : INDIA

MARKS & NOS	DESCRIPTION	QUNATITY IN KG	RATE AS PER KG AED	TOTAL AMOUNT IN AED
01 TO 898	FABRICS HSN CDE - 60063100	23640	18	425520
		23640		425520

TOTAL AMOUNT SAID IN AED : FOUR HUNDRED TWENTY FIVE THOUSAND FIVE HUNDRED TWENTY ONLY



K R V GENERAL TRADING LLC

Address: TEXTILE MARKET , ALI BIN ABI TALIB STREET, BUR DUBAI, DUBAI -UAE

PACKING LIST

CONSIGNEE
SHUCHI TEXTILE (FZC)
SHARJAH

INVOICE NO : 42/015
DATE: 03/07/2024
ORIGIN : INDIA

MARKS & NOS	DESCRIPTION	QUNATITY IN KG	NETT WT KGS	GROSS WT KGS	MEAS (CBM)
01 TO 898	FABRICS HSN CDE - 60063100	23640	23640	24044	69
TOTAL	898 PKGS	23640	23640	24044	69



Image: XXXX & XXXXI Copy of Invoice & Packing List (Invoice No. 42/015 dated 03.07.2024), provided by supplier under instant COO inquiry

K R V GENERAL TRADING LLC

Exporter & Importer
Address: TEXTILE MARKET, ALI BIN ABI TALIB STREET, BUR-DUBAI, DUBAI-U.A.E

INVOICE

CONSIGNEE
SHUCHI TEXTILE FZC
SHARJAH

INVOICE NO: 42/015
DATE: 03.07.2024
ORIGIN:INDIA/

MARKS & NOS	DESCRIPTION	QUANTITY KGS	RATE AED Per Piece/KGS	TOTAL AMOUNT AED
01 TO 898 ✓	FABRICS HS CODR 52081130 ✓	23640.00KGS	18.00/KGS	425520.00
		23640.00KGS		425520.00

TOTAL AMOUNT SAID IN AED: FOUR HUNDRED TWENTY-FIVE THOUSAND FIVE HUNDRED TWENTY ONLY.



K R V GENERAL TRADING LLC

Exporter & Importer
Address: TEXTILE MARKET, ALI BIN ABI TALIB STREET, BUR-DUBAI, DUBAI-U.A.E

PACKING LIST

CONSIGNEE
SHUCHI TEXTILE FZC
SHARJAH

INVOICE NO: 42/015
DATE: 03.07.2024
ORIGIN:INDIA

MARKS & NOS	DESCRIPTION	QUANTITY KGS	NETT WT KGS	GROSS WT KGS	MEAS (CBM)
01 TO 898	FABRICS	23640.00KGS	23640.00KGS	24044.00KGS	69.00 CBM
TOTAL	898 PKGS	23640.00KGS	23640.00KGS	24044.00KGS	69.00 CBM



Image: XXXXII & XXXXIII- Copy of Invoice & Packing List (Invoice No. 42/015 dated 03.07.2024) retrieved from forensic data of Mobile phone of Gaurav Chakrawarti)

- Further, as discussed earlier at Point 30.2 (XIII), examination of data retrieved from the mobile phone of Shri Gaurav Chakrawarti also revealed incriminating documents including UAE Customs Exit documents, UAE

export documents, Commercial Invoice, UAE Local Purchase Document, and related invoices and packing lists, pertaining to import consignments of M/s KDL from M/s Shuchi Textile FZC, UAE. Correlation of these documents with the import consignments revealed discrepancies such as deviation in declared raw material vis-à-vis Form-I and incompatibility of raw material with the declared finished product.

- Similarly, as discussed, an earlier Point 30.2 (X), recovery of excel sheet containing the inward outward consignment, makes clear 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 as required for PSR origin criteria.

C. 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-0225140-202412 date 20.12.2024**, Supplier: M/s Shuchi Textile FZC, UAE, under **BE No. 7515449 dated 29.12.2024** 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 the **differential duty amount is Rs. 1,49,31,526/-** 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 at para 6 & 7 the goods pertaining to instant shipment were examined by DRI and on physical examination only the goods were found to be mis-declared as the goods were declared to be 'Woven fabrics, containing 85% or more by weight of synthetic filaments, printed' however during examination goods different from the declared one (Dyed woven fabric, laminated with polymeric film on one side) were found.
- Moreover, the goods were also mis-declared in terms of quantity as the declared quantity was **143364** SQM, whereas the actual quantity was found to be **202816.5** SQM, as per the examination Panchnama.
- The declared type and mis declared type fabric was clearly labelled (MFS 12 & MFS 15), which shows that this was the deliberate mis-declaration. Further, some packages were also found having sticker in Chinese language, which creates suspicion about actual origin of the imported goods and indicate towards the routing of Chinese origin goods through UAE in order to avail undue benefit of CEPA.

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

- As per the import documents (**RUD-70**) 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 woven fabric of texturized filament yarn classifiable under HSN 54075290 and polyurethane (PU) laminated woven fabric classifiable under HSN 59032090.
- 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.

Thus, the above discussed evidence along with the outcome of overseas verification of representative COO establishes that the impugned goods are does not fulfill the origin criteria as claimed and subject COO was 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 declaration and respective Test Reports:

In addition to above discussed import shipments, discrepancies were also noticed in the following **05** COOs/imports involving duty forgone amount Rs. **2,96,59,132/-**, supplied by M/s Shuchi Textile FZC, UAE based on Import documents, From-I, test reports available on the ICES Portal (**RUD-71**). The details of the subject documents are summarized in table below as per their respective import shipments: -

Table: XVIII - BoEs where test report and FORM I are available

BE Number/ Date; Port Code; COO No.	Item Description as Declared	Raw material desc. As per Form I	Item actually found on the basis of test report
4985500/10.08.2 024; INMUN1; MOE-CoO-CICO- 0099725- 20240730	60063400- Other Knitted or Crocheted Fabrics, of Synthetic Fibers, Dyed Print 100%	60063400- Containing 85% or more by weight of staple fibers of nylon or other poly-	60063200 -Two Sample marked as A & B. The sample A as received in the form of cut piece of dyed yarn knitted fabric having self designed on one side. It is composed

Date:30-07-2024	Polyester Knitted Fabric)	amides: Single yarn	of poylester filament yarn , nylon yarn together with lycra. GSM=85.8 %composition nylon=50.35% polyester=44.70% lycra=balance
5276825/27.08.2 024; INMUN1; MOE-CoO-CICO- 0123133- 20240827 Date:27-08-2024	60063400- Other Knitted or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric	60063400- Containing 85% or more by weight of staple Fibers of nylon or other poly- amides: Single yarn	60063200- The sample was received in the form of a cut piece of dyed (yellow-coloured) knitted fabric. It is composed of Polyester Filament Yarn. GSM (as such) =130.72; width salvage to salvage 152 cm
5323376/30.08.2 024; INMUN1; MOE-CoO-CICO- 0124437- 20240828 Date:28-08-2024	60063400- Other Knitted or Crocheted Fabrics, of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric	60063400- Containing 85% or more by weight of staple Fibers of nylon or other poly- amides: Single yarn	60063400- The sample as received in the form of printed knitted fabric ; It is composed of filament yarns alongwith small amount of lycra . GSM(as such)-213.2 width (selvedge to selvedge)=153 cm % composition polyester =95.2 % by wt lycra=balance hazardous dye(banned aromatic amines) not detected in the sample note- a separate report is issued for NABL accredited parameters. SRR

5355734/31.08.2 024; INMUN1; MOE-CoO-CICO-0124452-20240828 Date:29-08-2024	60063400- Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric	60063400- Containing 85% or more by weight of staple fibers of nylon or other poly-amides : Single yarn	60063200- Sample (A) cut piece of dyed (blue coloured) knitted fabric. It is composed of polyester filament yarn . Width (selvedge to selvedge)=154 cm GSM=79.7 60063200 Sample (B) cut piece of dyed (red coloured) knitted fabric having self designed surface on one side. It is composed of polyester filament yarn . Width(selvedge to selvedge)=156 cm GSM=185.5; Polyester content(by wt.)= 100%;
5902199/01.10.2 024; INMUN1; MOE-CoO-CICO-0140838-20240917 Date:18-09-2024	60063400- Other Knitted or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric	60063400- Containing 85% or more by weight of staple Fibers of nylon or other poly-amides : Single yarn (*)	54075490- Cut piece of printed woven fabric. It is wholly composed of polyester filament yarn (textured)
5902199/01.10.2 024; INMUN1; MOE-CoO-CICO-0140838-20240917 Date:18-09-2024	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 (*)	

* Production process mentioned in the Form I: It is a weft knitted fabric. It is knitted with one row of needles.

- On examination of above summarized details and respective subject documents, it is found that the Form-I states that the originating material is containing 85 % or more **staple fiber** of **nylon/polyamide** for fulfilling Product Specific Rules (PSR), whereas as per the respective test reports the actual goods are found to be made of **polyester filament yarn**, sometimes mixed with Lycra, with **no presence of nylon/polyamide fibres**. 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**. As-

- 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, in one shipment the declared product type and production process in Form-I also contradict the actual nature of goods (BE No. 5902199 dated 01.10.2024). Because as per the 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, thereby showing that the manufacturing process declared for origin qualification is incorrect and misleading. Such a mismatch directly violates the PSR and renders the COO unreliable.
- Further, in the shipments of Knitted 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**, which is not done so, as evident from above.
- Further, in 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 CTS level change along with 40% value addition**, furthermore the goods are also found mis-declared, which proves that only documents were fabricated instead of actual production process.
- Because of the inconsistency among commercial documents, COO declarations, and test results, the COO issued for these consignments does **not satisfy the originating criteria** prescribed under the India-UAE CEPA. Thus, the **preferential rate of duty is liable to be denied** as per **Rule 5, Rule 6, and Rule 8 of CAROTAR, 2020 read with Section 28DA of the Customs Act, 1962**.

E. Consignments having discrepancies on the basis of Imported goods & Form I declarations:

In addition to above discussed import shipments, the following **31** COOs/import consignments involving duty forgone amount Rs. **16,27,47,313/-** supplied by **M/s Shuchi 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 declared From-I available on the ICES Portal (**RUD-72**). Moreover, the importer never joined the investigation and they also remain failed to provide origin related criteria, despite repeated opportunity, and thus 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. The details of the subject documents are summarized in table below as per their respective import shipments: -

Table: XVIII - BEs where FORM I is available in E Sanchit but test reports are not available

Sr .	BE NUMBER/ BE DATE/ CUSTOM HOUSE CODE/ COO	ITEM DESCRIPTION As Declared	Raw material desc. As per Form I
1	4840674/ 02/08/2024/ INMUN1/ MOE-CoO-CICO-0092871- 20240722 Date:23-07-2024	60063400 - Other Knitted Or Crocheted Fabrics, Of Printed Synthetic Fibers, N.E.S. 100% Polyester	60063400 - Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn
2	4841075/02/08/2024 INMUN1/ MOE-CoO-CICO-0093275- 20240723 Date:23-07-2024	60063400- Other Knitted Or Crocheted Fabrics, Of Printed Synthetic Fibers, N.E.S. 100 % Polyester	60063400- Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn
3	4841077/02/08/2024/ INMUN1/ MOE-CoO-CICO-0093312- 20240723 Date:23-07-2024	60063400- Other Knitted Or Crocheted Fabrics, Of Printed Synthetic Fibers, N.E.S. 100% Polyester	60063400- Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn
4	4841078/02/08/2024 /INMUN1/ MOE-CoO-CICO-009442- 20240730 Date:30-07-2024	60063400- Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers N.Es(Single Jersey Mmf Spun 100% Polister Grey Knitted Fabric)	60063400- PSR Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn
5	4841079/02/08/2024/INMUN1/ MOE-CoO-CICO-0094361- 20240724 Date:24-07-2024	60063400- Other Knitted Or Crocheted Fabrics, Of Printed Synthetic Fibers, N.E.S. 100% Polyester	60063400- Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn
	4928136/07/08/2024/ INMUN1/	60063400- Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed	60063400- Containing 85% or more by weight of staple

	MOE-CoO-CICO-0093566-20240723 Date:24-07-2024	Print 100% Polyester Knitted Fabric)	fibers of nylon or other poly-amides: Single yarn
6	4928136/07/08/2024/INMUN1/ : MOE-CoO-CICO-0093586-20240723 Date:24-07-2024	60063400- Other Knitted Or Crocheted Fabrics,Of Synthetic Fibers N.E.S. (Single Jersey Mmf Spun 100% Polister Grey Knitted Fabric)	60063400- Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn
	4928136/07/08/2024/INMUN1/ MOE-CoO-CICO-0094330-20240724 Date:24-07-2024	60063400- Other Knitted Or Crocheted Fabrics,Of Synthetic Fibers N.E.S. (Single Jersey Mmf Spun 100% Polister Grey Knitted Fabric)	60063400- Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn
7	4985493/10/08/2024/INMUN1/ MOE-CoO-CICO-0106238-20240807 Date:07-08-2024	60063400- Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric)	60063400- Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn
8	4986409/10/08/2024/INMUN1/ MOE-CoO-CICO-0105135-20240806 Date:06-08-2024	60063400- Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric)	60063400- Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn
9	4986408/10/08/2024/INMUN1/ MOE-CoO-CICO-0105142-20240806 Date:06-08-2024	60063400- Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric)	60063400- Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn
10	5073087/16/08/2024/INMUN1/ MOE-CoO-CICO-0110884-20240813 Date:13-08-2024	60063400- Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric)	60063400- Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn
11	5073073/16/08/2024/INMUN1/ MOE-CoO-CICO-0110898-20240813 Date:13-08-2024	60063400- Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric)	60063400- Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn
12	5165475/21/08/2	60063400- Other Knitted	60063400- Containing

	024/ INMUN1/ MOE-CoO-CICO- 0116926- 20240820 Date:20-08-2024	Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric)	85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn
13	5757625/23/09/2 024/ INMUN1/ MOE-CoO-CICO- 0135311- 20240910 Date:11-09-2024	60063400- Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric	60063400- Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn
14	5758993/23/09/2 024/ INMUN1/ MOE-CoO-CICO- 0136589- 20240912 Date:12-09-2024	60063400- Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric	60063400- Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn
15	5772005/24/09/2 024/ INMUN1/ MOE-CoO-CICO- 0138493- 20240913 Date:13-09-2024	60063400- Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric	60063400- Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn
16	5772233/24/09/2 024/ INMUN1/ MOE-CoO-CICO- 0136584- 20240912 Date:12-09-2024	60063400- Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric	60063400- Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn
17	5772375/24/09/2 024/ INMUN1/ MOE-CoO-CICO- 0135308- 20240910 Date:11-09-2024	60063400- Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric	60063400- Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn
18	5774121/24/09/2 024/ INMUN1/ MOE-CoO-CICO- 0133827- 20240909 Date:11-09-2024	60063400- Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric	60063400- Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn
19	5774550/24/09/2 024/ INMUN1/ MOE-CoO-CICO- 0133832-	60063400- Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric	60063400- Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn

	20240909 Date:11-09-2024		
20	5775601/24/09/2024/ INMUN1/ MOE-CoO-CICO-0133043- 20240907 Date:09-09-2024	60063400- Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric	60063400- Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn
21	5774865/24/09/2024/ INMUN1/ MOE-CoO-CICO-0133046- 20240907 Date:09-09-2024	60063400- Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric	60063400- Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn
22	5900872/01/10/2024/ INMUN1/ MOE-CoO-CICO-0143937- 20240920 Date:20-09-2024	60063400- Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric	60063400- Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn
23	5901874/01/10/2024/ INMUN1/ MOE-CoO-CICO-0143886- 20240920 Date:20-09-2024	60063400- Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric	60063400- Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn (*)
	5901874/01/10/2024/ INMUN1/ MOE-CoO-CICO-0143886- 20240920 Date:20-09-2024 Date:20-09-2024	54077400-Woven Fabrics, Containing 85% Or More By Weight Of Syntheticfilaments, Printed, N.E.S.)	54077400- Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn (*)
24	5902201/01/10/2024/ INMUN1/ MOE-CoO-CICO-0140316- 20240917 Date:17-09-2024	54077400- Woven Fabrics, Containing 85% Or More By Weight Of Syntheticfilaments, Printed, N.E.S.)	54077400- Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn (*)
25	6019171/08/10/2024/ INMUN1/ MOE-CoO-CICO-0148888- 20240926 Date:26-09-2024	60063400-Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric	60063400-Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn
26	6019449/08/10/2024	60063400-Other Knitted	60063400-Containing 85%

	024/ INMUN1/ MOE-CoO-CICO- 0144659- 20240921 Date:21-09-2024	Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric	or more by weight of staple fibers of nylon or other poly-amides: Single yarn
27	6019364/08/10/2 024/ INMUN1/ MOE-CoO-CICO- 0144663- 20240921 Date:21-09-2024	60063400-Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric	60063400-Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn
28	6076970/11/10/2 024/ INMUN1/ MOE-CoO-CICO- 0162437- 20241011 Date:11-10-2024	60063400-Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric	60063400-Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn
29	7091535/06/12/2 024/INMUN1; MOE-CoO-CICO- 0201413- 20241125 Date:25-11-2024	60063400-Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric	60063400-Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn
30	7091477/06/12/2 024/INMUN; MOE-CoO-CICO- 0209343- 20241204 Date:04-12-2024	60063400-Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric	60063400-Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn
31	7320563/18/12/2 024/INMUN1; MOE-CoO-CICO- 0208135- 20241130 Date:02-12-2024	60063400-Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric	60063400-Containing 85% or more by weight of staple fibers of nylon or other poly-amides: Single yarn

* Production process mentioned in the Form I: It is a weft knitted fabric. It is knitted with one row of needles.

- On examination of above summarized details and respective subject documents, it is found that in the most of shipment the Form-I states the originating material is containing 85 % or more staple fiber of **nylon/polyamide** for fulfilling Product Specific Rules (PSR), whereas as declared in the import documents the goods are made of "**100% polyester**" filament **yarn**. Polyester and nylon/polyamide fibre 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 the shipments of Woven Fabric (BE No. 5901874 & 5902201 both dated 01.10.2024), the declared product type and production process in Form-I also contradict the actual nature of goods. Because as per the 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, thereby showing that the manufacturing process declared for origin qualification is incorrect and misleading. Such a mismatch directly violates the PSR and renders the COO unreliable.
- Further, in the shipments of Knitted 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, thereby **no CTH level transformation** is being done and the PSR criterial remains unfilled.
- Further, in 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 thus the claimed the origin criteria as PSR (CTSH+VA 40%), again remains unfulfilled in **lack of CTS defense**.
- The discrepancy between Import documents, COO declarations, and Form I indicate **incorrect origin information**, attracting denial under **Rule 5, Rule 6, and Rule 8 of 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 the above, all the consignments supplied by M/s Shuchi Teaxtile FZC appear to be ineligible for preferential benefits under Notification No. 22/2022-Customs (India-UAE CEPA) for the reasons mentioned below :-

- g) **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 Shuchi Textile FZC, which is operated and controlled by the same persons, Mr. Anilkumar Runthala and Mr. Ashok Kumar Sewada.
- h) **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 also 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.

- i) **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. Also, failure to satisfy the condition of CTH level change and CTSH level change in goods of Chapter 60 and 54 respectively clarifies that the importer is not eligible for preferential duty rate benefit under CEPA.
- j) **Importer's failure to submit origin criteria related information for import consignments** - Further, the importer's failure to furnish origin related compliance for subject 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, the other consignments discussed/listed above—being supplied by the same set of suppliers, involving identical type of goods, identical composition and raw materials, and presenting similar inconsistencies, also appear ineligible 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.

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 fail to meet the prescribed Product Specific Rule requirements. **Thus, in view of above, it is conclusively emerging that subject imported goods supplied by Shuchi Textile FZC, UAE are not eligible for benefits under India UAE CEPA Notification No. 22/2022-Cus.**

39. The import shipments supplied to M/s KDL by M/s Majestic Ecopolyfab (FZC) (TOTAL BE-20)

Whereas, total 20 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 KDL, Ahmedabad, India, wherein they have availed duty exemption benefits (duty forgone) of **Rs. 7,82,98,670/-** by claiming the ineligible benefits of India UAE CEPA Notification No. 22/2022-Cus. The individual COOs are discussed henceforth;

A. MOE-CoO-CICO-0067426-20240621 dated 25.06.2024, Supplier: Majestic Ecopolyfab (FZC), BE No. 4268797 dated 01.07.2024, 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. 38,47,507/-** 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

- As per import documents only (**RUD-73**), the goods under above mentioned Certificate of origin are under HSN code 60063100 Other Knitted or Crocheted Fabrics, of unbleached or bleached synthetic fibers, n.e.s.
- As per Form-I, Importer has provided the Circular knitting as operations which were undertaken in production process of the impugned goods; Originating Criterion as 'CTH+VA40%' and the originating material in the manufacturing process of final goods are "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 "undyed knitted fabric composed of **Polyester filaments yarns**".
- 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**.
- It is noteworthy, that as per the Form-I initially submitted by the importer, the declared Originating Criterion was 'Wholly Obtained'. Subsequently, the importer sought to rectify this declaration and modified the criterion to 'PSR + VA 40%'. Such a fundamental shift in the claimed origin criterion clearly establishes manipulation and fabrication of documents. In a genuine manufacturing scenario, an exporter cannot mistakenly declare a product as 'Wholly Obtained'—especially when the production process admittedly involves the use of procured raw materials. This change therefore points to deliberate misdeclaration rather than an inadvertent error."

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 09.10.2025 (**RUD-74**) following observations are pointed out: -

Table: XIX

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	Enclosed with Documentation.	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 website 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	<p>The supplier, in its reply, has referred to two UAE SEZ Bills of Entry and two corresponding invoices in the Cost Sheet; however, copies of only one SEZ Bill of Entry bearing No. 1-3-60-8-24-37898 dated 12.06.2024 have been submitted, wherein knitting raw material (HSN 55091100) weighing 16,900 kg is shown as purchased. The remaining SEZ Bill of Entry and both the invoices referred to in the Cost Sheet have not been furnished.</p> <p>Further, on scrutiny of the Cost Sheet, it is observed that the SEZ Bills of Entry and the corresponding invoices are shown as issued on the same dates, and notably, the last five digits of the SEZ Bill of Entry number have been reflected as the invoice number. Such a pattern is not consistent with standard commercial documentation and indicates that the invoice details reflected in</p>

		the Cost Sheet are not genuine and appear to be false & fabricated.
Please provide the following information about the production processes carried out for the goods which have been certified as originating in the said CoO (refer questionnaire):	Stage (1)-Yarn Preparation=> Fiber Treatment (37,738.80(USD), % Value Addition 40%). Stage(2)- Knitting=>Fabric Formation (20,123.36(USD), % Addition 21.3) Stage (3)-Finishing inspection/ Packing 12,577.10 (USD), %Addition, 13.3) Total Value Addition: 74.6% (USD 70,439.26)	As the raw material as per declared Form I in E Sanchit (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.
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)	Material HS Code Qty/kg Cost/kg(USD) Supplier Origin Polyester Yarn: 54025200, .70, .80, Chaman Textile, UAE Synthetic Yarn: 54022500, .30, .90, Chaman Textile, UAE Bleach: 34025099, .30, .90, Trice Chemicals, UAE Levelling Agent: 38099100, .20, .65, Snogen, Malaysia Caustic Soda: 28362010, .15, .60, Al Ghaith, UAE	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.
The following information about other production costs (i.e. other than the cost of raw materials), such as Labour Cost, Overhead Cost and any other relevant	Additional Production Costs Cost Category Amount (USD) % of Total Direct Labour 9434.70 10.0	In view of the above, the documents provided in support of raw material procurement do not justify the claimed procurement, and the details furnished in the Cost Sheet lack credibility. Consequently, the

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)	Factory 4717.35 5.0 Utilities 2830.4 3.0	Overhead	information provided in response to the instant queries, including the details of additional costs , are also not reliable .
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(#) 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 "Omprakash Babul Runthala" along with other names. From the perusal of surname, it appears that he is the brother of Anilkumar Babul 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 declarations:

In addition to above discussed import shipments, the following COO/import consignment under BE No. 3720189 dated 29.05.2024 supplied by M/s Majestic Ecopolyfab FZC, UAE, having duty involved amount Rs. 39,51,219/- 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. Moreover, **the importer never joined the investigation and they also remain failed to provide origin related criteria, despite repeated opportunity, and thus 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**. Further, various inherent discrepancies have been observed on the basis of import documents, declared From-I and respective Test Report available on the ICES Portal (**RUD-75**). The details of the subject documents are summarized in table below as per their respective import shipments: -

Table: XX - BoEs where FORM I and test report is available

BE No./dt.; Port Code / COO	Item Description as declared	Origin criteria; Raw material desc. as per Form I	Origin Criteria as per COO	Test Report
3720189/ 29.05.202 4; INMUN1;	60063100- Other Knitted or Crocheted Fabrics of Unbleached or	Wholly obtained; (55091100- Polyester yarn,	PSR	60063100- Cut piece of white (undyed) knitted fabric (appears to be

MoE COO CICO - 00674262 0240621 dated 25.06.20 24	Bleached Synthetic Fibers n.e.s. (Man Made 100% Polyester Knitted Fabric grey undyed)	knitted into grey knitted fabric, finished knitted fabric packed in rolls for sale)		crocheted) treated with cellulosic material , composed of polyester filament and spun yarn , GSM (as such) =170.92
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- Further, it is found that as per the import declaration the subject imported fabrics contain 100% polyester Knitted fabric, while as per the test report actually goods were found to be knitted made of Polyester filament and spun yarn treated with cellulosic material.
- As per the Form-I the importer declared Originating Criterion as 'Wholly Obtained', whereas as per the respective COO the origin criterion is 'PSR'.
- 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. This fact, therefore points to deliberate misdeclaration rather than an inadvertent error." Therefrom the authenticity of subject COO is not reliable.

Such inconsistency between import documents, Form I, and the test results indicates **incorrect origin information**, attracting denial under **Rule 5, Rule 6, and Rule 8 of CAROTAR, 2020** and therefore, the COO issued for these consignments does **not satisfy the originating criteria** prescribed under the India-UAE CEPA.

C. In addition to above discussed import shipments, the following **04** COO/import consignment under BE No. 3961754 dated 12.06.2024, 3961756 dated 12.06.2024, 4134445 dated 22.06.2024 and 5944500 dated 04.10.2024 supplied by M/s Majestic Ecopolyfeb FZC, UAE having declared item, 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 four shipments is Rs. 1,30,80,496/- . In the subject shipment the mandatory document Form I is not submitted by the importer. Moreover, the importer never joined the investigation and they also remain failed to provide Form I & origin related information, despite repeated opportunity, and thus in the absence of Form I & origin related information as per Rule 4 of CAROTAR, 2020, the claimed preferential duty benefit is liable to be denied ab initio. Further, various inherent discrepancies have been observed on the basis of import documents, and respective Test Report available on the ICES Portal (**RUD-76**). The details of the subject documents are summarized in table below as per their respective import shipments: -

Table: XXI - BEs where test reports are available but FORM I are not available in E Sanchit

BE No/dt; Port Code; COO No.	Item Description (As Declared)	Form I - Desc. Along with raw material	Test Report
3961754/12.06 .2024; INMUN1; MOE-COO- CICO- 0053448- 20240601 Date:01-06- 2024	60063100- Other Knitted or Crocheted Fabrics of Unbleached or Bleached Synthetic Fibers Nes (Man Made 100% Polyester Knitted Fabric Grey Undyed)	Not declared / provided by the importer	Cut piece white loosely knitted fabric, composed of polyester filament yarn together with lycra, average GSM (as such) = 74.1, polyester (% by weight) =97.11, lycra = balance
3961756/12.06 .2024; INMUN1; MOE-COO- CICO- 0053449- 20240601 dated 01.06.2024	60063100- Other Knitted Or Crocheted Fabrics Of Unbleached or Bleached Synthetic Fibers Nes (Man Made 100% Virgin Spun Knitted Fabric Grey Undyed)	Not declared / provided by the importer	Cut piece of white knitted fabric without selvedge, wholly composed of polyester filament yarn , GSM (as such)=133.3,
4134445/22/0 6/2024; INMUN1 MOE-COO- CICO- 0059307- 20240610 dated 11.06.2024	60063100- Other Knitted or Crocheted Fabrics of Unbleached or Bleached Synthetic Fibers n.e.s (Man Made 100% Polyester Knitted Fabric Grey Undyed)	Not declared / provided by the importer	A cut piece of white knitted fabric treated with cellulosic material , composed of polyester filament yarn, average GSM (as such)=-161.1, width (selvedge to selvedge)=182 cm, whether the sample is bleached or not could not be ascertained.
5944500/04/1 0/2024; INMUN1 MOE-COO- CICO- 0145824- 20240923 dated 23.09.2024	60063100- Other Knitted or Crocheted Fabrics of Unbleached or Bleached Synthetic Fibers n.e.s (Man Made 100% Polyester Knitted Fabric Grey Undyed)	Not declared / provided by the importer	Cut piece of white (undyed) knitted fabric. It is composed of polyester filament yarns. Average GSM (as such) = 144.5 whether the sample is bleached or not could not be ascertained. Sealed remant returned herewith.

- On examination of above summarized details and subject import documents and respective test reports it is noticed that the importer has not declared the Form I, which was mandatory to declare to claim the benefit of India UAE CEPA Notification, thus they violated the Rule 5 of the CAROTAR 2020.
- On examination, discrepancies relating to mismatch in description of the fabric (colour) were noticed; thus, goods were mis-declared.
- The importer declared the goods as knitted fabric made **from virgin spun yarn (staple)**, but the test report confirms that the fabric is made **wholly from polyester filament yarn**. Filament yarn and spun yarn are fundamentally different; therefore, the declaration is incorrect and fabricated, it appears no actual production process has taken place.

Such material discrepancy between import documents, and the test results indicates **incorrect origin information**, attracting denial under **Rule 5, Rule 6, and Rule 8 of 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**.

D. In addition to above discussed import shipments, the following **14** 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 four shipments is Rs. **5,74,19,448/-**. 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 Form I & origin related information as per Rule 4 of CAROTAR, 2020, the claimed preferential duty benefit is liable to be denied ab initio. Further, various inherent discrepancies have been observed on the basis of import documents, and respective Form I available on the ICES Portal (**RUD-77**). The details of the subject documents are summarized in table below as per their respective import shipments: -

Table: XXII - BoEs where FORM I are available but test reports are not available

BE No./dt; Port Code COO No.	Item description (Declared)	Raw material as per Form I	PSR/ WO as per COO
4319227/04. 07.2024;INM UN1; MOE-CoO- CICO-	60063100-Other Knitted or Crocheted Fabrics of unbleached or Bleached synthetic Fibers (Man Made 100% Polyester Knitted	55091100-containing 85% or more by weight of staple fibers of nylon or other polyamides : single	PSR

0067428-20240621	Fabric Grey Undyed)	yarn	
4330805/04/07/2024;INM UN1; MOE-CoO-CICO-0065207-20240619	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 polyamides : single yarn	PSR
4330807/04/07/2024; INMUN1; MOE-CoO-CICO-0063324-20240613	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 polyamides : single yarn	PSR
4657416/24/07/2024; INMUN1; MOE-COO-CICO-0086116-20240715	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 polyamides : single yarn	PSR
4737976/27/07/2024; INMUN1; MOE-COO-CICO-00089362-20240717	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 polyamides : single yarn	PSR
4993577/10/08/2024; INMUN1; MOE-CoO-CICO-0099320-20240730	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 polyamides : single yarn	PSR
5554264/11/09/2024;INM UN1; MOE-CoO-CICO-0127492-20240831	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 (55091100)	PSR
5554309/11/09/2024;INM UN1; MOE-CoO-CICO-0127500-20240831	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 (55091100)	PSR
5755991/23/	60063100-Other Knitted Or	55091100-Containing	PSR

09/2024;INM UN1; MOE-CoO- CICO- 0138387- 20240913	Crocheted Fabrics Of Unbleached Or Bleachedsynthetic Fibers N.E.S (Man Made 100% Polyester Knitted Fabric Grey Undyed)	85 % or more by weight of staple fibers of nylon or other poly-amides : Single yarn (55091100)	
5756854/23/ 09/2024INMU N1; MOE-CoO- CICO- 0138391- 20240913	60063100-Other Knitted Or Crocheted Fabrics Of Unbleached Or Bleachedsynthetic 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 (55091100)	PSR
5824745/27/ 09/2024;INM UN1; MOE-CoO- CICO- 0144351- 20240920	60063100-Other Knitted Or Crocheted Fabrics Of Unbleached Or Bleachedsynthetic 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 (55091100)	PSR
6392070/29/ 10/2024INMU N1; MOE-CoO- CICO- 0169293- 20241018	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 (55091100)	PSR
6575292/08/ 11/2024; INMUN1; MOE-CoO- CICO- 0177638- 20241028	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 (55091100)	PSR
6657891/13. 11.2024; INMUN1; MOE-CoO- CICO- 0173629- 20241023 & MOE-CoO- CICO- 0173625- 20241023	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 (55091100)	PSR

On perusal of the detail 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 fibres 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 FORM I & origin criteria related information for several import consignments** - 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.

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, also *prima facie* appear ineligible 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.

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.**

40. Non-cooperation of M/s Kkrrafton Developers Limited and its key Persons/Directors.

It is apparent that M/s KDL, its key person and Directors as per IEC documents, had not cooperated in the investigation undertaken by DRI, Jaipur, as discussed earlier in this notice. Whenever they were summoned for an appearance, either they provided evasive/circumventing replies or did not respond at all. Although some of the summons communications remain undelivered through speed post due to non-acceptance or locked premises, regardless of the same, every time the said communications were also delivered to their concerned email ids. They were aware of the summons and letters being issued to them because amid the investigation they have filed writs before Hon'ble High Court (**RUD-78**) and in such writs, they acknowledged the receipt of such communication and prayed for quash the seizure of subject goods and the subject investigation. Such writs were filed in order to distract the investigation. Moreover, some of the summonses were replied through their consultant, to evade the appearance, which also proves that they were aware of summons/letters being issued to them. Further, two Directors, namely Sh. Vinod Kumar Mishra and Ms. Nirali Prabhatbhai Karella have submitted that they were independent and non-executive directors in the said company and had no role in the day-to-day business and import-related transactions of the said company; however, their non-appearance without giving any credible evidences or statement, makes their role dubious and brings them under scanner. Further, mere designation as an independent or non-executive director does not automatically exempt a person from inquiry, as the extent of their involvement and knowledge of the activities under investigation remains the determining factor but the same could not be determined due to their non-participation in the instant investigation. Thus, it is clear they were deliberating on evading the investigation and hiding material facts and evidence to evade duty liabilities.

41. Summary of Investigation

From the investigation conducted so far and as per the evidence available on records it appears that-

- On the basis of data available on the portal, it was noticed that M/s KDL had imported fabric classifiable under CTH - 60063100, 60063200, 60063400, 54074290, 54077400 from five suppliers i.e (i) M/s Shuchi Textile (FZC), (ii) M/s Majestic Ecopolyfab (FZC), (iii) M/s Arab Textile Manufacturing L.L.C, (iv) M/s Chaman Textiles Processing FZE & (v) M/s Shukran Textiles (FZC) by availing the benefit of Notification No. 22/2022-Customs dated 30.04.2022 and paying NIL Customs duty.
- From the comprehensive investigation carried out by the Directorate of Revenue Intelligence, it emerges that the importer, M/s Kkrrafton Developer Limited (M/s KDL), 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 misdeclaration, falsified documentation, and non-fulfilment of origin criteria prescribed under the CEPA Rules of Origin.

- During the search at the registered premises, it was revealed that the said company is not operational at the registered premises but was being operated from another premises.
- Two live consignments which were examined were found to be mis declared interms of quantity and quality. 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. Also, the undeclared goods of PU laminated fabric rolls were found. Accordingly, both the live consignments were seized vide Seizure memo dt.1.02.2025.
- 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.
- Summons were issued to the Directors, but none of them appeared and cooperated in the instant enquiry.
- 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, COO verification in terms of Rule 6 of the CAROTAR Rules,2020, was initiated, and the requisite information was sought from the COO issuing authority in respect of sample COOs along with questionnaires through the Designated Authority.
- The reply received from the COO issuing authority was examined, and misdeclarations in respect of raw material, production process and other discrepancies as discussed above further corroborated the misdeclaration by the suppliers in connivance with the supplier.

- Data extracted from the electronic devices revealed that Sh. Anil Kumar Runthala and Sh. Ashok Sewda were the main handler of the said firm and regularly provided directions in respect of the import-related work in various whatsapp chats as discussed above.
- Further, the forensic analysis of mobile phones, servers, and recovered WhatsApp communications clearly establishes 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, M/s Shukran Textile FZC, UAE, M/s Majestic Ecopolyfeb 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.
- Also, evidence recovered from the forensic analysis of the electronic devices as discussed above, revealed that Sh. Anil Kumar Runthala and Sh. Ashok Sewda were also the owner and handler of the two main suppliers, M/s Shukran Textiles and M/s Shuchi Textiles, whereas it was observed that the another major supplier firm M/s Majestic Ecopolyfeb FZC, UAE was also in their control through brother of Anil Runthala namely Mr. Omprakash Babulal Runthala, which further substantiates the manipulation and fabrication of the documents at both ends (supplier as well as the importer for misuse of India-UAE CEPA Notification No.22/2022 dt.30.04.2022.
- The chain of evidence—comprising duplicate and unsigned invoices, altered seal numbers between UAE export documents and corresponding Bills of Lading, recovery of unused container seals, 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.
- 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.
- Accordingly, the exemption of the Nil Custom Duty provided under the India & UAE CEPA Notification based on the COO certificate is liable to be rejected, and the Custom duty equal to duty forgone amount, as calculated in upcoming part of this noticed, is liable to be recovered from the importer along with applicable interest and penalty.
- In view of the foregoing, the goods imported by M/s KDL 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)(ii), 114A and 114AA of the Customs Act, 1962, for acts of abetment, falsification, and use of forged documents.

42. The Modus Operandi

- The investigation has revealed a well-orchestrated scheme devised by M/s **Kkrrafton Developers** Limited (**KDL**) and its key managerial persons to fraudulently avail preferential duty benefits under the India-UAE CEPA Notification No. 22/2022-Customs dt. 30.04.2022. In pursuance of this design, the company, through its main handler and Mastermind Shri Anil Kumar Runthala, Shri Ashok Kumar Sewda (Director) and their associates, arranged procurement of non-originating synthetic fabrics from Hong Kong, China or other country, while routing them through UAE-based entities, mainly through M/s Shuchi Textile FZC (Sh. Ashok Kumar Sewda, Owner & Sh. Anil Kumar Runthala, Manager), M/s Shukran Textile FZC (Sh. Anil Kumar Runthala, Owner) and M/s Majestic Ecopolyfeb FZC, UAE (owner Mr. Omprakash Babul Runthala, brother of mastermind Mr. Anilkumar Babul Runthala). 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.” The UAE entities performed no manufacturing activity but merely repacked and re-labelled the consignments for re-export to India.
- To sustain the false origin claim, editable templates/proforma of Form-I, invoices and packing lists were circulated among KDL officials and the UAE suppliers through e-mail and WhatsApp. These were modified in India under instructions of Shri Anil Kumar Runthala & Shri Ashok Sewda and coordinated by Shri Shrikant Sharma (UAE based employee/associate of Sh. Anil Kumar Runthala), Shri Gaurav Chakrawarti (Overseas & Local Liaison), and Shri Rakesh Dutta (Director). The documents were fabricated/manipulated to deliberately mis-declare 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 + 40 % VA, though the test reports indicated that the goods were 100 % polyester filament yarns incapable of being produced from such raw materials. The falsified documents were submitted at the time of filing the Bills of Entry. Directors of M/s KDL, including Shri Vinod Kumar Mishra, Shri Maneck Sorabji, Shri Rakesh Kumar Dutta, Smt. Nirali Prabhatbhai Karella appears 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 penalty under relevant provisions of the Customs Act, 1962.

43. **Valuation, Classification and Duty Calculation:** -

In view of the above discussion, it appears that the importer is not eligible for the benefit of the 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 and import documents. Accordingly, the duty foregone as per the above-mentioned notification appears liable 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) 2 Live Consignment under (BE NO. 7515467 and 7515449 both dated 29.12.2024 (Annexure A)
- 2) 16 Provisionally assessed BoE (Annexure B)
- 3) 55 Finally assessed BoE (Annexure C)

I. **Duty calculation in respect of seized import shipment (BE NO. 7515467 and 7515449 both dated 29.12.2024)**

The above subject shipments, vide BoE No. 7515467 and 7515449 both dated 29.12.2024 having declared item "**54077400- Woven fabrics, containing 85% or more by weight of synthetic filaments, printed, n.e.s.**" having declared value **Rs. 34521082/- and 36759241.49** which were examined by DRI and found to be mis-declared as per the respective test reports considering nature and composition of the fabric. The same were found having two distinct types of fabric instead of declared single type of fabric, was seized by this unit under Seizure Memo dated 01.02.2025. The details of mis-declaration/ mis-classification noticed are tabulated as under –

Table: XXIII

CTH & Description As Per BOE/FOR M-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	Declared CTH	Proper CTH
BE No. 7515467 dated 29.12.2024					
54077400- Woven Fabrics,	190.79	5407740- Containing 85% Or More	Dyed Woven Fabric, Made Of Textured Filament Yarns Of	54077400	54075290

Containing 85% Or More By Weight Of Synthetic Filaments, Printed, N.E.S		By Weight Of Staple Fibers Of Nylon Or Other Poly-Amides: Single Yarn	<p>Polyester Along With Elastomeric Yarns, It Is Other Then Coated Fabric. Polyester = 96.20 To 96.64%, Elastomeric Yarns=Balance, GSM (Such As) = 127 To 134, Banned Azo Dyes Are Not Detected In Sample</p> <p>Dyed Woven Fabric, Laminated With Polymeric Film On One Side. Base Fabric Is Made Of Textured Filament Yarns Of Polyester Whereas Laminated Film Is Made Of Compounded Polyurethane. Laminated Film Is Visible With Naked Eye. Polyester = 92.48 To 96.59%, Polymeric Film=Balance, GSM (Such As) = 127 To 131, Banned Azo Dyes Are Not Detected In Sample</p>		59032 090
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BE No. 7515449 dated 29.12.2024

54077400- Woven Fabrics, Containing 85% Or More By Weight Of Synthetic Filaments, Printed, N.E.S.	191.5 9	5407740- Containing 85% Or More By Weight Of Staple Fibers Of Nylon Or Other Poly-Amides: Single Yarn	<p>Dyed Woven Fabric, Made Of Textured Filament Yarns Of Polyester Along with Elastomeric Yarns, It Is Other Then Coated Fabric. Polyester = 94.35 To 96.62%, Elastomeric Yarns=Balance, GSM (Such As) = 121 To 143, Banned Azo Dyes Are Not Detected In sample</p> <p>Dyed Woven Fabric, Laminated With Polymeric Film On One Side. Base Fabric Is Made Of Textured Filament Yarns Of Polyester Whereas Laminated Film Is</p>	54077 400	54075 290
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		Made Of Compounded Polyurethane. Laminated Film Is Visible With Naked Eye. Polyester = 92.24 To 92.93%, Polymeric Film=Balance, GSM (Such As) = 121 To 132, Banned Azo Dyes Are Not Detected In Sample		
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In view of above the goods were found mis-declared and mis-classified as detailed in table above, and therefore the goods are re-classified on the basis of test reports, as discussed in table above.

Further, during the examination of the above-mentioned BEs 7515467 and 7515449 both dated 29.12.2024, the goods were found mis-declared in terms of quantity (SQM) also. The declared quantity was 134635 & 143364 sqm respectively whereas on examination it was found to be 214937.5 and 202816.5 sqm respectively. Consequently, the excess quantity of 80,302.5 & 59,452.5 sqm 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 entire consignment became 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, it appears that the subject goods were mis-declared in terms of quantity (Square Metres), rendering the declared transaction value unacceptable for the undeclared/excess quantity. 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. 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 at or about the same time, in the manner prescribed therein.

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.

The detailed redetermined value and duty calculated in respect of subject BE is attached to this notice as **Annexure A**; and abstract of the duty calculation is summarized in table below

Table: XXIV

	BE No. 7515467 dated 29.12.2024; Port: INMUN1; Declared Item : 54077400- Woven fabrics, containing 85% or more by weight of synthetic filaments, printed				
Declared Quantity (SQM)	Actual Quantity (SQM) and CTH	Declared Ass. Value (Rs.)	Actual Ass. Value (Rs.)	Redetermined Total Duty	Differential duty payable (Rs.)
134635	113367 (54075290)	34521082	29067862	8168069	1,59,84,236 /-
	101571 (59032090)		26043180	9542221	
Total	214938	34521082	55111042	17710290	
	BE No. 7515449 dated 29.12.2024; Port: INMUN1; Declared Item : 54077400- Woven fabrics, containing 85% or more by weight of synthetic filaments, printed				
Declared Quantity (SQM)	Actual Quantity (SQM) and CTH	Declared Ass. Value (Rs.)	Actual Ass. Value (Rs.)	Redetermined Total Duty	Differential duty payable (Rs.)
143364	104328 (54075290)	36759241	26750217	7516811	1,49,31,526 /-
	98489 (59032090)		25252941	9252677	
Total	202817	36759241	52003158	16769488	

The duty in respect of the subject Bills of Entry is calculated, and the differential duty is found to be Rs. **3,09,15,762/-**, which is liable to be paid by the importer. Out of the subject differential duty, the importer has deposited Rs. 20,00,000/- vide challan no. 1055810374 & 597233573 both dated 15.01.2025 in

respect of BOE No.7515449 & 7515467 both dated 29.12.2024 respectively, therefore, the same needs to be appropriated towards the payable differential duty.

II. Duty calculation in respect of import shipment cleared under Provisional Assessment- ANNEXURE-B

Total **16** import consignments as mentioned in Annexure B having declared value **Rs. 36,14,45,499/-** were cleared under provisional assessment, where the benefit of India UAE CEPA Notification No. 22/2022-Cus dated 30.04.2022 was availed by the importer; and thereby forgone duty amounting to **Rs. 8,47,59,258/-**. 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. 8,47,59,258/-**, is liable to be demanded and recovered from the importer M/s GTL.

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

Table: XXV

Sr. No.	Port; BE/Date	Declared Item & Declared Classification	Actual Item & Proper Classification	Differential Duty (Duty Forgone)
1	INMUN1 5944500 04/10/2024	60063100- Other Knitted Or Crocheted Fabrics Of Unbleached Or Bleached synthetic Fibers (Manmade 100% Polyester Knitted Fabric Of Grey Undyed)	60063100- The Sample As Received In The Form Of A Cut Piece Of White (Undyed) Knitted Fabric. It Is Composed Polyester Filament Yarn. Average Gsm (As Such) =144.5	3286485
2	INMUN1 5902199 01/10/2024	60063400-Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric	N/A	1258119
		54077400- Woven Fabrics, Containing 85% Or More By Weight Of Syntheticfilaments, Printed, N.E.S.)	54075490- The Sample As Received In The Form Of A Cut Piece Of Woven Printed Fabric. It Is Wholly Composed Polyester Filament Yarn(Textured). Average Gsm (As Such)=67.4	1730079

3	INMUN1 3720189 29/05/2024	60063100- Other Knitted Or Crocheted Fabrics Of Unbleached or Bleached synthetic Fibers Nes (Man Made 100% Virgin Spun Knitted Fabri	60063100- White (Undyed) Knitted Fabric (Appears To Be Crocheted Treated With Cellulose Material. It Is Composed Polyester Filament Yarn And Spun Yarn. Average Gsm (As Such) = 170.92	3951218
4	INMUN1 3720190 29/05/2024;	60063100- Other Knitted Or Crocheted Fabrics, Of Unbleached Or Bleached Synthetic Fibers, N.E.S. (Man Made 100% Polyester Knitted Fabric Grey Undyed)	60063100- Cut Piece Of Off White Self Designed Knitted Fabric. It Is Composed Polyester Filament Yarn (Textured). Average Gsm (As Such) = 121..04	3084059
5	INMUN1 4985497 10/08/2024	60063400- Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric)	60063400- Two Samples In The Form Of Cut Piece Of Knitted Fabric Having Printed With Assorted Colours On One Side And Each Is Composed Of Polyester Filament Together With Lycra. Knitted Fabric Printed With Red Dark Blue And Peach Coloured Strips. Gsm (As Such) = 179.5	6892915
6	INMUN1 4985500 10/08/2024	60063400- Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric)	60063200- Cut Piece Of Dyed Yarn Knitted Fabric Having Self Designed On One Side. It Is Composed Of Polyester Filament Yarn, Nylon Yarn Together With Lycra. Gsm = 85.8	7016794
7	INMUN1 5276825	60063400- Other Knitted Or Crocheted	60063200- The Sample Was	6703828

	27/08/2024	Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric	Received In The Form Of A Cut Piece Of Dyed (Yellow-Coloured) Knitted Fabric. It Is Composed Of Polyester Filament Yarn. Gsm (As Such) = 130.72	
8	INMUN1 4002371 14/06/2024	60063100- Other Knitted Or Crocheted Fabrics	60053600- The Sample Was Received In The Form Of White Warp Knitted Fabric. It Is Composed Of Polyester Filament Yarn. Gsm (As Such) = 94.79	2731313
9	INMUN1 3961756 12/06/2024	60063100- Other Knitted Or Crocheted Fabrics Of Unbleached or Bleached Synthetic Fibers Nes (Man Made 100% Virgin Spun Knitted Fabric Grey Undyed)	60063100- The Sample As Received Is White Knitted Fabric Without Selvedge . It Is Composed Of Polyester Filament Yarn. Gsm(As Such)=133.3	489608
		60063100- Other Knitted Or Crocheted Fabrics Of Unbleached or Bleached Synthetic Fibers Nes (Man Made Knitted Fabric Polo Matty Grey Undyed)	60063100-The Sample As Received Is White Knitted Fabric Without Selvedge . It Is Composed Of Polyester Filament Yarn. Gsm(As Such)=133.3	1152178
		60063100- Other Knitted Or Crocheted Fabrics Of Unbleached or Bleached Synthetic Fibers Nes (Man Made Knitted Fabric Polo Matty Grey Undyed)	60063100- The Sample As Received Is White Knitted Fabric Without Selvedge. It Is Composed Of Polyester Filament Yarn. Gsm (As Such) = 133.3	2044920
10	INMUN1 5452325 06/09/2024	60063200- Other Knitted Or Crocheted Fabrics- Of Synthetic Fibres: Dyed N.E.S	60064200- Cut Pieces Of Dyed(Red And Grey Colour) Knitted Fabric With One Side Selvedge; Each Fabric Is	5949247

			Composed Of Viscose Spun Yarn And Nylon Filament Yarns Alongwith Small Amount Of Lycra. Gsm(As Such)- 214.2	
11	INMUN1 5323376 30/08/2024	60063400- Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric	60063400- The Sample As Received In The Form Of Printed Knitted Fabric ; It Is Composed Of Filament Yarns Alongwith Small Amount Of Lycra. Gsm(As Such)- 213.2	7153220
12	INMUN1 4134445 22/06/2024	60063100- Other Knitted Or Crocheted Fabrics Of Unbleached Or Bleached synthetic Fibers N.E.S Man Made 100% Polyester Knitted Fab	60063100- Cut Piece White Knitted Fabric Treated With Cellulosic Material. It Is Composed Of Polyester Filament Yarn. Average Gsm(As Such)=161.1 Width(Selvedge To Selvedge)=182 Cm	3696259
13	INMUN1 4134448 22/06/2024	54074290- Woven Fabrics Of Synthetic Filament Yarn Containing 85% Or More By Weight Of Filaments Of Nylon	54076900- The Sample Packet Received Contains Three Sample Black, Yellow & Grey Coloured Cut Piece Of Fabric. The Black & Yellow Coloured Cut Pieces Of The Fabrics Are Dyed Woven Fabric Composed Of Filament Yarns. Average (Gsm) As Such Black- 159.12 & Yellow- 145.82. The Grey Coloured Cut Piece Of The Fabric Made Of Polyester Filament Yarn	4537274

			Together Lycra. (Gsm) As Such=289.01	With Average (Gsm) As Such=289.01
14	INMUN1 4928136 07/08/2024	60063400- Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric)	60063400- Containing 85% Or More By Weight Of Staple Fibers Of Nylon Or Other Poly-Amides: Single Yarn	13648367
15	INMUN1 5073087 16/08/2024	60063400- Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric)	60063400- Containing 85% Or More By Weight Of Staple Fibers Of Nylon Or Other Poly-Amides: Single Yarn	6274378
16	INMUN1 4986408 10/08/2024	60063400 - Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric)	60063400- Containing 85% Or More By Weight Of Staple Fibers Of Nylon Or Other Poly-Amides: Single Yarn	3158997
Total Differential Duty Rs.				0

Out of the Bills of Entry listed in Annexure-B and summarized above, Bills of Entry No. 5902199/01-10-2024, 4985500/10-08-2024, 5276825/27-08-2024, 4002371/14-06-2024, 5452325/06-09-2025 and 4134448 /22-06-2024 were earlier provisionally assessed on the basis of the importer's self-declared description and classification as mentioned above. However, as mentioned against the respective Bill of Entry, the subsequent test reports have established that the goods actually imported were materially different in terms of fabric type (knitted, warp-knitted or woven), fiber composition and overall characteristics. In view of these substantial discrepancies, the declared description and classification are incorrect and improper, and therefore the provisional assessments are liable to be **re-assessed on the basis of correct classification and description** under the provisions of the Section 18 read with Section 17(4) of the Customs Act, 1962.

In these consignments where the CRCL/test report warranted a change in tariff classification but no discrepancy in quantity was noticed as per available data/ examination reports, contemporaneous import data for the correctly classifiable CTH goods was analysed and it was found that the importer's declared value was higher than the contemporaneous average value. Accordingly, as there existed no basis to reject the declared transaction value under the Customs Valuation Rules, the declared value has not been re-determined for those

consignments, without prejudice to revisit valuation should additional evidence subsequently warrant such reassessment.

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

Total **55** import consignment as mentioned in Annexure C having declared value **Rs. 104,16,06,009/-** 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 differential duty/ duty forgone amounting to **Rs. 24,24,12,206/-**. 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. 24,24,12,206/-**, is liable to be recovered from the importer M/s KDL.

The details in respect of mis-declaration/mis-classification and the detail of differential duty (duty forgone) in respect of Finally assessed BEs are attached to this notice as **Annexure C**; and abstract of the same is summarized in table below;

Table: XXVI

Sr . N o.	Port; BE/Date	Declared Item & Declared Classification	Actual Item & Proper Classification	Differential Duty (Duty Forgone)
1	INMUN1 4657416 24/07/2 024;	60063100 - Other Knitted Or Crocheted Fabrics Of Unbleached Or Bleached synthetic Fibers	Test Report Not Available	4036576
2	INMUN1 4737976 27/07/2 024;	60063100 - Other Knitted Or Crocheted Fabrics Of Unbleached Or Bleached synthetic Fibers	Test Report Not Available	4011131
3	INMUN1 4840674 02/08/2 024;	60063400 -Other Knitted Or Crocheted Fabrics, Of Printed Synthetic Fibers, N.E.S. 100% Polyester	Test Report Not Available	5962427
4	INMUN1 4841075 02/08/2 024;	60063400 -Other Knitted Or Crocheted Fabrics, Of Printed Synthetic Fibers, N.E.S. 100 % Polyester	Test Report Not Available	5923952
5	INMUN1 4841077 02/08/2 024;	60063400 -Other Knitted Or Crocheted Fabrics, Of Printed Synthetic Fibers, N.E.S. 100% Polyester	Test Report Not Available	7048569
6	INMUN1 4841078	60063400 -Other Knitted Or Crocheted Fabrics, Of	Test Report Not Available	2920864

	02/08/2024;	Synthetic Fibers N.Es(Single Jersey Mmf Spun 100% Polister Grey Knitted Fabric)		
7	INMUN1 4841079 02/08/2024;	60063400 -Other Knitted Or Crocheted Fabrics, Of Printed Synthetic Fibers, N.E.S. 100% Polyester	Test Report Not Available	5538376
8	INMUN1 5900872 01/10/2024;	60063400 -Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric	Test Report Not Available	3965049
9	INMUN1 5824638 27/09/2024;	60063200 -Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers N.E.S. (Single Jersey Mmf Spun 100% Polyester Grey Knitted Fabric)	60063100 -The Sample As Received In The Form Of A Cut Piece White Knitted Fabric. It Is Composed Of Polyester Filament Yarn. Gsm(As Such)=190.03	4252949
10	INMUN1 5901874 01/10/2024;	60063400 -Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric	Test Report Not Available	1855050
		54077400 -Woven Fabrics, Containing 85% Or More By Weight Of Syntheticfilaments, Printed, N.E.S.)	Test Report Not Available	5200285
11	INMUN1 6019171 08/10/2024;	60063400 -Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric	Test Report Not Available	4326351
12	INMUN1 6019449 08/10/2024;	60063400 -Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric	Test Report Not Available	4081473
13	INMUN1 6076970 11/10/2024;	60063400 -Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric	Test Report Not Available	4398292
14	INMUN1 6019364 08/10/2024;	60063400 -Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric	Test Report Not Available	4147704
15	INMUN1 4993577	60063100 -Other Knitted Or Crocheted Fabrics Of	Test Report Not Available	3420523

	10/08/2024;	Unbleached Or Bleachedsynthetic Fibers		
16	INMUN1 4985493 10/08/2024;	60063400 -Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric)	Test Report Not Available	3166947
17	INMUN1 4986409 10/08/2024;	60063400 -Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric)	Test Report Not Available	4396466
18	INMUN1 3733306 30/05/2024;	60063100 -Other Knitted Or Crocheted Fabrics	60063200 -The Sample As Received In The Form Of A Cut Piece Dyed(Peach Coloured) Knitted Fabric. It Is Composed Polyester Filament Yarn (Textured). Average Gsm(As Such)=94.6	1859018
19	INMUN1 3733307 30/05/2024;	60063100 -Other Knitted Or Crocheted Fabrics	60063100 -The Sample As Received In The Form Of A Cut Piece Of White(Net Type) Knitted Fabric. It Is Composed Polyester Filament Yarn Together With Elastomeric Yarn(Lycra). Average Gsm(As Such)=135.2	2276469
20	INMUN1 5165475 21/08/2024;	60063400 -Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric)	Test Report Not Available	7459786
21	INMUN1 5073073 16/08/2024;	60063400 -Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric)	Test Report Not Available	5948608
22	INMUN1 6392070 29/10/2024;	60063100 -Other Knitted Or Crocheted Fabrics Of Unbleached Or Bleachedsynthetic Fibers	Test Report Not Available	3561398
23	INMUN1 5160507 21/08/2024;	60063200 -Other Knitted Or Crocheted Fabrics- Of Synthetic Fibres: Dyed N.E.S	Test Report Not Available	3838011
24	INMUN1	60063100 -Other Knitted	Test Report Not Available	4095834

	6575292 08/11/2 024;	Or Crocheted Fabrics Of Unbleached Or Bleachedsynthetic Fibers		
25	INMUN1 5275990 27/08/2 024;	60063200 -Other Knitted Or Crocheted Fabrics- Of Synthetic Fibres: Dyed N.E.S	Test Report Not Available	3940049
26	INMUN1 6657891 13/11/2 024;	60063100 -Other Knitted Or Crocheted Fabrics Of Unbleached Or Bleachedsynthetic Fibers	Test Report Not Available	4073437
		60063100 -Other Knitted Or Crocheted Fabrics Of Unbleached Or Bleachedsynthetic Fibers	Test Report Not Available	3707311
27	INMUN1 4002370 14/06/2 024;	60063100 -Other Knitted Or Crocheted Fabrics	Test Report Not Available	2704019
28	INMUN1 3961754 12/06/2 024;	60063100 -Other Knitted Or Crocheted Fabrics	60063100 -The Sample Was Received In The Form Of White Cut Piece Loosely Knitted Fabric. It Is Composed Of Polyester Filament Yarn With Lycra. Gsm(As Such)=74.1	2411046
29	INMUN1 3961755 12/06/2 024;	60063100 -Other Knitted Or Crocheted Fabrics	60063100 -The Sample As Received Is In The Form Of A Cut Piece Of White (Undyed) Knitted Fabric Having Self Designed Surface On One Side Treated With Cellulose Material . It Is Composed Of Polyester Multifilament Yarn. Gsm(As Such)=301.2	2750808
30	INMUN1 5554264 11/09/2 024;	60063100 -Other Knitted Or Crocheted Fabrics Of Unbleached Or Bleachedsynthetic Fibers	Test Report Not Available	3744036
31	INMUN1 5554309 11/09/2 024;	60063100 -Other Knitted Or Crocheted Fabrics Of Unbleached Or Bleachedsynthetic Fibers	Test Report Not Available	2348307

32	INMUN1 5355734 31/08/2 024;	60063400 - Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric	60063200 - On Opening The Sample Packet Two Sample Were Found Marked As A & B Respectively.(A) The Sample As Received Is In The Form Of Cut Piece Of Dyed (Blue Coloured) Knitted Fabric. It Is Composed Of Polyester Filament Yarn. Width(Selvedge To Selvedge)=154 Cm Gsm=79.7 (B) The Sample As Received Is In The Form Of A Cut Piece Of Dyed (Red Coloured) Knitted Fabric Having Self Desgined Surface On One Side. It Is Composed Of Polyester Filament Yarn. Width(Selvedge To Selvedge)=156 Cm Gsm=185.5	5797092
33	INMUN1 7091535 06/12/2 024;	60063400 -Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyster Knitted Fabric	Test Report Not Available	4376353
34	INMUN1 5772005 24/09/2 024;	60063400 -Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyster Knitted Fabric	Test Report Not Available	4629738
35	INMUN1 5772233 24/09/2 024;	60063400 -Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyster Knitted Fabric	Test Report Not Available	3914871
36	INMUN1 5772375 24/09/2 024;	60063400 -Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyster Knitted Fabric	Test Report Not Available	4091037
37	INMUN1 5755991 23/09/2 024;	60063100 -Other Knitted Or Crocheted Fabrics Of Unbleached Or Bleachedsynthetic Fibers	Test Report Not Available	3999186
38	INMUN1 5756854 23/09/2 024;	60063100 -Other Knitted Or Crocheted Fabrics Of Unbleached Or Bleachedsynthetic Fibers	Test Report Not Available	4761954

39	INMUN1 5757625 23/09/2 024;	60063400 -Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric	Test Report Not Available	4129655
40	INMUN1 5758993 23/09/2 024;	60063400 -Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric	Test Report Not Available	3830748
		60063400 -Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric	Test Report Not Available	433863
41	INMUN1 5773592 24/09/2 024;	60063200 -Other Knitted Or Crocheted Fabrics- Of Synthetic Fibres: Dyed N.E.S	Test Report Not Available	4062074
42	INMUN1 5774121 24/09/2 024;	60063400 -Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric	Test Report Not Available	6630320
43	INMUN1 5774550 24/09/2 024;	60063400 -Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric	Test Report Not Available	6594501
44	INMUN1 5775601 24/09/2 024;	60063400 -Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric	Test Report Not Available	6067112
45	INMUN1 7091477 06/12/2 024;	60063400 -Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric	Test Report Not Available	1954855
46	INMUN1 7320563 18/12/2 024;	60063400 -Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric	Test Report Not Available	4290535
47	INMUN1 4268797 01/07/2 024;	60063100 -Other Knitted Or Crocheted Fabrics Of Unbleached Or Bleachedsynthetic Fibers	60063100 -The Sample As Received Is In The Form Of A Cut Piece White(Undyed) Knitted Fabric Treated With Cellulosic Material. It Is Composed Of Polyester	3847507

			Filament Yarn. Average Gsm(As Such)= 125.65 Width (Selvedge To selvedge) =185 Cm	
48	INMUN1 4319227 04/07/2 024;	60063100 -Other Knitted Or Crocheted Fabrics Of Unbleached Or Bleachedsynthetic Fibers	Test Report Not Available	4114360
49	INMUN1 4355224 06/07/2 024;	54074290 -Woven Fabrics Of Synthetic Filament Yarn, Containing 85% Ormore By Weight Of Filaments Of Nylon	Test Report Not Available	5474839
50	INMUN1 4330805 04/07/2 024;	60063100 -Other Knitted Or Crocheted Fabrics Of Unbleached Or Bleachedsynthetic Fibers	Test Report Not Available	3920182
51	INMUN1 4330807 04/07/2 024;	60063100 -Other Knitted Or Crocheted Fabrics Of Unbleached Or Bleachedsynthetic Fibers	Test Report Not Available	3866695
52	INMUN1 5902201 01/10/2 024;	54077400 -Woven Fabrics, Containing 85% Or More By Weight Of Syntheticfilaments, Printed, N.E.S.)	Test Report Not Available	5563878
53	INMUN1 5824745 27/09/2 024;	60063100 -Other Knitted Or Crocheted Fabrics Of Unbleached Or Bleachedsynthetic Fibers	Test Report Not Available	3758518
54	INMUN1 5774865 24/09/2 024;	60063400 -Other Knitted Or Crocheted Fabrics, Of Synthetic Fibers, Dyed Print 100% Polyester Knitted Fabric	Test Report Not Available	6817909
55	INMUN1 4127102 22/06/2 024;	60063100 -Other Knitted Or Crocheted Fabrics Of Unbleached Or Bleachedsynthetic Fibers N.E.S Man Made 100% Polyester Knitted Fab	60063100 -The Sample Packet Received Contain Three Samples Amrked As A,B & C respectively. The Sample Marked As A Is In The Form Of A Cut Piece Of white (Undyed)Knitted Fabric And The Sample Marked As B And C Are In The Form Of Cut Piece White(Undyed) Circular Knitted Fabric. Each Of	2113307

		The Three Samples Are Composed Of Polyester Filament Yarn Treated With Cellulose Material. Average Gsm(As Such)Sample A-139.46 Sample B-162.20 Sample C-165 .09	
	Total		2424122 06

Out of the Bills of Entry which were assessed on final basis, the goods imported under BE No. 5824638 dt.27.09.2024, 3733306 dt.30.05.2024 & 5355734 dt. 31.08.2024 were found to be mis-classified and mis-declared in terms of description of the imported goods, Therefore, the declared description and classification is liable to be rejected and **re-assessed accordingly**.

In these consignments where the CRCL/test report warranted a change in tariff classification but no discrepancy in quantity was noticed as per available data/ examination reports, contemporaneous import data for the correctly classifiable CTH goods was analyzed and it was found that the importer's declared value was higher than the contemporaneous average value. Accordingly, as there existed no basis to reject the declared transaction value under the Customs Valuation Rules, the declared value has not been re-determined for those consignments, without prejudice to revisit valuation should additional evidence subsequently warrant such reassessment.

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.

44. In view of 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) (ii) 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 ssubmission 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 denied.

44.1 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 KDL 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. Further, during examination it was found that the mis-declared cargo was concealed in rear end of the container behind the declared type of cargo, 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.

45. 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 KDL having total declared value of **Rs. 1,47,45,31,831/-** and redetermined value of **Rs. 1,51,03,65,707/-** 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.

46. 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, who also controls 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

47. 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 when 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.

48. The importer, M/s Kkrrafton Developer Limited has taken ineligible benefit of preferential duty under **Notification No. 22/2022-Customs (CEPA-India-UAE)** as discussed in this notice. M/s KDL 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 KDL 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 KDL as well as UAE based supplier firms were being handled by the mastermind/key persons of instant case. From the statement of Shri Gaurav Chakrawarti it also became clear that the documents were being manipulated to show the goods originated from / processed upon in UAE.

Further, when the **examination** of two live consignment of M/s. Kkrrafton Developer Limited, Ahmedabad, was conducted, mis-declaration in respect of quantity (SQM of fabric) and quality (declared classification 54077400, actual classification 54075290 & 59032090) was noticed in the imported goods. Further, 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 +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 and M/s Krishna Logistic and clearing have 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, examination 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 KDL 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 KDL 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.

49. Role of each individual/Mastermind and key persons: -

49.1 Shri AnilKumar Babulal Runthala alais Anil Kumar Runthala alias Anil 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, he 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 clearly indicates that 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 of findings under Panchnama of search proceedings and examination proceeding with Statements of Shri Rakesh Dutta, Gaurav Chakravarti, Jignesh Singh Jadeja, Kirtan Limbasiya, 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 evidence 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 the 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**.

49.2 Shri Ashok Kumar Sewda – Managing Director & Chairman (w.e.f 04.12.2023)

Shri Ashok Kumar Sewda, being the Managing Director & Chairman of the importing company, was responsible for the overall operations of the company, and from the investigation, he has emerged as the Key person and associate to the mastermind of the instant fraudulent availment of the Custom Duty exemption provided under India-UAE CEPA Notification No.22/2022 dated 30.04.2022. He, alongwith Sh. Anil Kumar Runthala was actively involved in the handling of both the supplying and importing firms. Also, as per the license of M/s Shuchi Textiles (FZC), Mr. Ashok Kumar Sewda is the owner of the said firm with Mr. Anil Kumar Runthala as the manager. Further, an Excel sheet having file name "*List of Employees_Dirs*" (**RUD-79**) recovered from the Folder namely "*employ details*" during the forensic of the Lenovo server resumed during the search proceedings, shows Sh. Ashok Kumar Sewda as the Chairman and Managing Director w.e.f 04.12.2023.

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 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 only were 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**.

49.3 Shri Dinesh Kumar Biharilal Sharma – Whole Time Director (w.e.f 04.12.2023)

As per the IEC, Shri Dinesh Kumar Biharilal Sharma is the Director of the firm, whereas, Excel sheet having file name “*List of Employees_Dirs*” (RUD-79) recovered from the Folder namely “*employ details*” during the forensic of the Lenovo server resumed during the search proceedings, shows Sh. Dinesh Kumar Biharilal Sharma as the Whole Time Director w.e.f 04.12.2023 of M/s KDL. Also, other documents retrieved, such as the pdf file having file name “*ALTERED_MoA*” (**RUD-80**), bears his signature along with Sh. Ashok Kumar Sewda, therefore, it appears that he was aware of all the day to day activities of the said company and has actively participated in the import related day to the day activities of the said company.

As a whole-time director, Sh. Dinesh Kumar Biharilal Sharma was required to play a critical role in ensuring that the company does not misuse legal or regulatory exemptions. Being actively involved in day-to-day management, he was responsible for establishing internal controls, compliance frameworks, and review mechanisms to ensure that any claims for exemptions—such as tax benefits, customs duty waivers, or preferential trade concessions—are legitimate and supported by proper documentation, however he has failed to do so and appears involved in the fraudulent import related activities of the company.

It appears that he was regularly involved in internal decision-making processes concerning UAE-India CEPA-based imports and was 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 he 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 he had participated in board discussions concerning CEPA-based imports and was aware of actual scenario; however, he never pointed out the same before any proper authority, so that subject duty evasion could be avoided. His silence and failure to prevent misuse indicate tacit approval. It appears he was a signatory's authority for various Customs related, Bank related declarations, and thus he appeared 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 sh. Dinesh Kumar Sharma 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.

Further, he has not appeared in respect to the summons as tabulated above, issued to him in the ongoing investigation, which further indicates an attempt to hide information, documents, or transactions related to the above customs duty evasion, misdeclaration, & misuse of exemptions. Therefore, he is liable for penal action under **Sections 112(a)(ii) & 114AA** of the Customs Act, 1962.

49.4 Shri Rakesh Dutta – Independent Director (w.e.f 04.12.2023)

As per the IEC, Shri Rakesh Dutta is the Director of the firm, whereas the Excel sheet having file name “*List of Employees_Dirs*” (RUD-79) recovered from the Folder namely “*employ details*” during the forensic of the Lenovo server resumed during the search proceedings, shows Sh. Rakesh Kumar Dutta as the Independent Director w.e.f 04.12.2023 of M/s KDL. Also, Sh. Rakesh Dutta, in his statement dt 29.01.2025, admitted that he looked after or supervised all the accounts related statutory requirements at Tier-II (supervisory) level and also get Rs 10,000/- per board meeting from the company.

Further, as an independent director, he was required to ensure legal and statutory compliances, however, he failed to do so, also he appeared before the competent authority on behalf of Sh. Ashok Kumar Sewda in respect of the

summons issued to Sh. Ashok Kumar Sewda, therefore, he played a crucial role in the misuse of the exemption notification as provided under India UAE CEPA Notification and he was in continuous touch with both the masterminds and main handler of M/s KDL namely Sh. Anil Kumar Runthala and Sh. Ashok Kumar Sewda, and, on behalf of the masterminds, he was instructing the employees of the importing company.. Despite being the Independent Director, he neither objected nor sought clarification on inconsistent and technically incorrect declarations (e.g., mis-described raw materials, incorrect manufacturing processes, and misleading HS codes). His deliberate inaction directly facilitated the clearance of non-originating goods under wrongly claimed CEPA concessions. Further, when various case facts against him came on record, he was summoned severally to confront the same but he never cooperated in the investigation and never turned up to tender his statement. As per the statement of Mr. Diwakar Sharma, he used to be given instruction regarding various day to day operations of the firm by Shri Rakesh Dutta, further he mentioned that he had never seen actual movement of goods, subject firm M/s KDL was being managed by Shri Rakesh Dutta and Shri Anil Runthala; similarly in the statement of Mr. Kirtan Limbasiya, it is revealed that the papers related to M/s KDL were being prepared on direction of Mr. Rakesh Dutta and work M/s KDL was being managed at premise of M/s Godha Cabcon and Insulation Limited, on direction of Mr. Rakesh Dutta. These facts made it clear that, Rakesh Dutta has tried to mis-guide the investigation by not admitting its actual role and when he was asked about the duty evasion by M/s KDL, he named Mr. Ashok Kumar Sewda and hid the above-mentioned facts regarding his role in M/s KDL.

In light of these facts, Shri Rakesh Dutta 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**. Therefore, he appears liable for penalty under **Sections 112(a) (ii), and 114AA of the Customs Act, 1962**.

49.5 Shri Gaurav Chakrawarti – Import Export Assistant Manager of M/s KDL

The investigation has revealed that Shri Gaurav Chakrawarti, an MBA-qualified employee associated with M/s Kkrrafton 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.

49.6 Role of Shri Vinod Kumar Mishra, Nirali Prabhatbhai Karella, Director

Despite multiple summons Shri Vinod Mishra, , Smt. Nirali Prabhatbhai Karella either failed to appear or furnished vague, non-specific replies devoid of any verifiable facts reply just to avoid the investigation. As a Director, they appear to be responsible for policy and compliance, they appears 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.**

49.7 M/s World Cargo Logistics – Customs Broker of M/s GTL at Mundra port.

The firm acted as CHA for filing 70 Bills of Entry under the CEPA claim, having duty involvement of Rs. 34,77,40,387/- . Statement of the authorised signatory was recorded on 29-30.01.2025 & 01.05.2025 wherein they admitted 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)** of the Customs Act, 1962. Separate recommendation will be made to the jurisdictional Commissioner for action under **CBLR 2018**.

49.8 M/s Krishna Logistic and Clearing Service – Customs Broker of M/s KDL at Mundra port

The firm acted as CHA for filing 03 Bills of Entry having duty involvement of Rs. 1,03,46,840/- under the CEPA claim. Statement of the proprietor was recorded on 29.10.2025, wherein he admitted 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. 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)**. A separate recommendation will be made to the jurisdictional Commissioner for action under **CBLR 2018**.

49.9 Whereas, name of Shri Shrikant Sharma, was also surfaced during the investigation, as UAE based employee of Sh. Anil Kumar Runthala, however, the available whereabouts was only the WhatsApp numbers +971569489571, and the same was foreign contact number (UAE based), therefore the investigation could not be extended at this end.

50. Now, therefore, M/s KKrafton Developers Limited(KDL) (IEC No.AACP9354K), Seven, A 707, Sun West Bank, Ashram Road, Ahmedabad, Gujarat-380009 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 import consignment vide BoE No.7515467 dt. 29.12.2024 & BoE.7515449 dt.29.12.2024):

- (i) The description, CTH & Value of imported goods i.e. "**54077400-Woven Fabrics containing 85% or more by weight of synthetic filaments, printed, n.e.s**" which had been classified under CTH 54077400 at the time of filing of above said Bills of Entry, should not be rejected and re-determined **as per Annexure A** to show cause notice;
- (ii) Imported goods i.e. "**54077400-Woven Fabrics containing 85% or more by weight of synthetic filaments, printed, n.e.s**" having re-determined valued as **Rs. 10,71,14,200/-** 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 KDL 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. 3,09,15,762/- (Rupees Three Crore Nine Lakh Fifteen Thousand Seven Hundred Sixty Two Only)**, in terms of Section 17 of the Customs Act, 1962.
- (v) The voluntarily deposited duty of Rs.10,00,000/- paid vide challan no. 597233573 dated 18.01.2025, should not be appropriated towards the payable differential duty in respect of BoE No.7515467 dt. 29.12.2024; The voluntarily deposited duty of Rs.10,00,000/- paid vide challan No

1055810374 dated 18.01.2025, should not be appropriated towards the payable differential duty in respect of BoE No.7515449 dt.29.12.2024;

- (vi) Penalty should not be imposed on M/s KDL under Section 112 (a)(ii) & Section 114AA of the Customs Act, 1962.

II. In respect of the provisional Bills of Entry: 16 Bills of Entry as per Annexure B

- (i) The description & CTH of imported goods as declared by the importer at the time of filing of Bill of Entry No. 5902199 /01-10-2024, 4985500 /10-08-2024, 5276825 /27-08-2024, 4002371/14-06-2024, 5452325/06-09-2025 and 4134448 /22-06-2024, should not be rejected, and re-assessed as per details mentioned against their respective entries in Annexure-B;
- (ii) Imported goods vide said sixteen provisional Bills of Entry as per Annexure B, having assessable value of **Rs. 36,16,45,499/-** (Rs. Thirty-six crore sixteen lakh forty-five thousand four hundred ninety-nine) should not be held liable for confiscation as per the provisions of 111 (m) and 111(o) of the Customs Act, 1962 and the subject bills of Entry as per Annexure B should not be reassessed accordingly;
- (iii) Accordingly, the duty exemption under Notification No. 22/2022-Cus, availed by M/s KDL 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-B, should not be reassessed after considering the differential Customs Duty of **Rs. 8,47,59,258/- (Rupees Eight Crore Forty Seven Lakh Fifty-Nine Thousand Two Hundred and Fifty Eighty Only)**, in terms of Section 17 of the Customs Act, 1962.
- (v) Penalty should not be imposed on M/s KDL under Section 112(a)(ii) of the Customs Act, 1962.
- (vi) Penalty should not be imposed on M/s GTL under Section 114AA of the Customs Act, 1962.

III. In respect of the Final Bills of Entry:

- (i) The description & CTH of imported goods as declared by the importer at the time of filing of Bill of Entry No. 5824638 dt.27.09.2024, 3733306 dt.30.05.2024 & 5355734 dt.31.08.2024, should not be rejected, and re-assessed as per details mentioned against their respective entries in Annexure-C;
- (ii) Imported goods as mentioned in Annexure-C having declared value as **Rs.104,16,06,009/-** (Rs. One hundred four crore sixteen lakh six thousand nine only) should not be held liable for confiscation as per the provisions of

Section 111 (m) and 111(o) of Customs Act, 1962 and the subject bills of Entry as per Annexure B should not be reassessed accordingly;

- (iii) Accordingly, the duty exemption under Notification No. 22/2022-Cus, availed by M/s KDL 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) Applicable differential duties of Customs aggregating to **Rs.24,24,12,206/-** (Rupees Twenty-Four Crore Twenty-Four Lakh Twelve Thousand Two Hundred Six Only) in respect of the above said Bill of Entry/consignments, as detailed in the Annexure-C, evaded by M/s. KDL on the said goods should not be demanded and recovered from M/s. KDL under Section 28(4) of the Customs Act, 1962 along with applicable interest under provisions of Section 28 AA of the Customs Act, 1962;
- (v) Penalty should not be imposed on M/s GTL under Section 114A of the Customs Act, 1962.
- (vi) Penalty should not be imposed on M/s GTL under Section 114AA of the Customs Act, 1962.

51. Shri Anil Kumar Babulal Runthala alias Anil Kumar Runthala alias Anil Runthala, Mastermind/key person/handler of M/s. KDL is hereby called upon to Show Cause to the Principal Commissioner/ Commissioner of CustomsCustom 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.

52. Shri Ashok Kumar Sewda, Managing Director and Chairperson of M/s KDL, is hereby called upon to Show Cause to the Principal Commissioner/ Commissioner of CustomsCustom 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.

53. Sh. Rakesh Kumar Dutta, Director of M/s KDL is hereby called upon to Show Cause to the Principal Commissioner/ Commissioner of CustomsCustom 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.

54. Shri Dinesh Kumar Biharilal Sharma – Director of M/s KDL 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.

55. Ms. Nirali Prabhatbhai Karethia – Director of M/s KDL 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 Section 112 (a) (ii) of the Customs Act, 1962, for the reasons discussed above.

56. Shri Vinod Kumar Mishra, Director of M/s KDL, 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.

57. Shri Gaurav Chakrawarti, employee of M/s KDL is hereby called upon to Show Cause to Principal Commissioner/ Commissioner of CustomsCustom 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.

58. M/s World Cargo Logistics – Customs Broker of M/s KDL is hereby called upon to Show Cause to Principal Commissioner/ Commissioner of CustomsCustom 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.

59. M/s Krishna Logistic and Clearing Service – Customs Broker of M/s KDL is hereby called upon to Show Cause to Principal Commissioner/ Commissioner of CustomsCustom 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

60. 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.

61. 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.

62. 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.

63. 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.

64. 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.

Enclosures.: 1. Annexure-A, B & C
 2 . Annexure-R (List of relied-upon documents)
 3. RUDs

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

File No.:GEN/ADJ/COMM/764/2025-Adjn

SCN No. 42/2025-26/COMM/N.S./Adjn/MCH

Copy to Noticee:-

(i) M/s KKrafton Developers Limited (M/s KDL) (IEC No. AAACP9354K) having registered address at - Seven, A 707, Sun West Bank, Ashram Road, Ahmedabad, Gujarat-380009. (also known as M/s Bharat Global Developers ltd. 5th & 6th Floor, G Block, Uniza Corporate Office, Premchand Nagar Road, opp. Krishna Complex, Satellite, Ahmedabad, Gujarat, 380015)

(email id: kkrafton@gmail.com, inquiry@bgdl.co.in,
sales@kkraftondevelopersltd.com, sequelerou@gmail.com,
account@kkraftondevelopersltd.com).

(ii) Shri Anil Kumar Runthala, Mastermind/Key Person/Handler of M/s KKrafton Developers Limited (M/s KDL) -5th & 6th Floor, G Block, Uniza Corporate Office, Premchand Nagar Road, opp. Krishna Complex, Satellite, Ahmedabad, Gujarat, 380015

(Residential Address:W-38, Ghanshyamnagar Society, Subhash Bridge, Opposite RTO Office, Gandhi Ashram, Ahmedabad, Gujarat 380027)

(email id: runthalaenterprise@gmail.com, kkrrafton@gmail.com, inquiry@bgdl.co.in, sales@kkrraftondevelopersltd.com, sequelerou@gmail.com, account @kkrraftondevelopersltd.com).

(iii) Shri Ashok Kumar Sewda, Director and Chairperson of M/s KKrrafton Developers Limited (M/s KDL) -5th & 6th Floor, G Block, Uniza Corporate Office, Premchand Nagar Road, opp. Krishna Complex, Satellite, Ahmedabad, Gujarat, 380015 (email: ashoksewda@gmail.com, kkrrafton@gmail.com, inquiry@bgdl.co.in, sales@kkrraftondevelopersltd.com, sequelerou@gmail.com, account @kkrraftondevelopersltd.com)

(iv) Shri Rakesh Rajkumar Dutta, Director of M/s KKrrafton Developers Limited (M/s KDL) -5th & 6th Floor, G Block, Uniza Corporate Office, Premchand Nagar Road, opp. Krishna Complex, Satellite, Ahmedabad, Gujarat, 380015.

Residential Address:C-1, Swagat Bunglows-2, Motera ,Ahmedabad City, Ahmedabad, Gujarat-380005. (email id:rdutta1305@gmail.com, inquiry@bgdl.co.in, sales@kkrraftondevelopersltd.com, sequelerou@gmail.com, account @kkrraftondevelopersltd.com).

(v) Shri Dinesh Kumar Biharilal Sharma , Director of M/s KKrrafton Developers Limited (M/s KDL) -5th & 6th Floor, G Block, Uniza Corporate Office, Premchand Nagar Road, opp. Krishna Complex, Satellite, Ahmedabad, Gujarat, 380015

Residential Address: Ward no. 42, Veer Teja Colony, Ramawat Nagar ke pass, Nawalgarh Road, Sikar, Rajasthan - 332001.

(email: inquiry@bgdl.co.in, sales@kkrraftondevelopersltd.com, sequelerou@gmail.com, account @kkrraftondevelopersltd.com)

(vi) Ms. Nirali Prabhatbhai Karethia, Director of M/s KKrrafton Developers Limited (M/s KDL) -5th & 6th Floor, G Block, Uniza Corporate Office, Premchand Nagar Road, opp. Krishna Complex, Satellite, Ahmedabad, Gujarat, 380015

Residential Address:B-802, Haridwar Hills, Nana Mava, Main Road, Ajay Park, Rajkot, Gujarat-360005.

(email:karethanirali@gmail.com, inquiry@bgdl.co.in, sales@kkrraftondevelopersltd.com, sequelerou@gmail.com, account @kkrraftondevelopersltd.com)

(vii) Shri Vinod Kumar Mishra, Director of M/s KKrrafton Developers Limited (M/s KDL) -5th & 6th Floor, G Block, Uniza Corporate Office, Premchand Nagar Road, opp. Krishna Complex, Satellite, Ahmedabad, Gujarat, 380015

Residential Address:0, Amrit Hights, Aaga Chowk, Life Medicity Hospital, Jabalpur-482002..

(email: vmishra42@gmail.com, inquiry@bgdl.co.in,
sales@kkrraftondevelopersltd.com, sequelerou@gmail.com, account@kkrraftondevelopersltd.com)

(viii) Shri Gaurav Chakrawarti, Import-Export handler; M/s KDL (M/s BGDL) at 5th & 6th Floor, G Block, Uniza Corporate Office, Premchand Nagar Road, opp. Krishna Complex, Satellite, Ahmedabad, Gujarat, 380015

(Residential Address:04, Rajendra Nagar, VTC : Orai, Sub District – Orai, District – Jalaun, Uttar Pradesh – 285001) (email: gchakrawarti92@gmail.com, inquiry@bgdl.co.in, sales@kkrraftondevelopersltd.com, sequelerou@gmail.com, account@kkrraftondevelopersltd.com)

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

(x) M/s Krishna Logistic and Clearing Service, SF Mahtma Gandhi Road, Raj Nagar II, Palam Colony West Delhi, Delhi, 110045 (krishnalogistic2015@gmail.com)

Copy to:

(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.