



GOVERNMENT OF INDIA
OFFICE OF THE COMMISSIONER OF CUSTOMS (PREVENTIVE)
UTTAR PRADESH & UTTARAKHAND

5TH FLOOR, KENDRIYA BHAWAN, SECTOR-H, ALIGANJ, LUCKNOW – 226 024.

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F.No.VIII(14)48/CP/KMR-International/LKO/2018

Dated:23.10.2018

Suspension Order 01/2018 dated 23.10.2018

Subject: Suspension Order against Narendra Singh, Customs Broker Registration Number CTSPS4938L-CH001, Kanpur for not exercising due diligence in discharging their Obligation as required under various Customs Broker Licensing Regulations, 2018- Reg

Mr. Narendra Singh, (hereinafter called as customs Broker) is holding a Customs Broker Registration Number CCTSPS4938L-CH001, Knapur issued by the Commissioner of Central Excise, Knapur and valid since 2012. The Customs broker is working at both ICDs JRY and ICD Panki.

As per the Incident Report No. 01/2018 dated 28.09.2018 forwarded vide letter C.No. VIII(6) ICD Panki/KNP/Offence/BE-8078493/20-18/942 dated 28.09.2018, it was informed by Superintendent, ICD Panki that a Bill of Entry No. 8078493 dated 17/09/2018 covering container Numbers ECNU2227627, ECNU 2228290 and ECNU 2307471 was filed by M/s Narendra Singh registration Number CCTSPS4938L-CH001, Kanpur in respect of Imports made by M/s KMR International, (IEC Number 0617500771), H.No. H2/42, Krishnapuram, G.T. Road, Kanpur and Satendra Pal Singh, House No. H.No. S-2/16, top Floor; block 'A' Sec-17, Rohini Sector-15, New Delhi 110089. The goods declared in the Bill of Entry were Calcium Carbonate under CTH 28365000. However, Black Pepper of Vietnam Origin (prohibited category of Goods as per FTP 2015-20) weighing 24975 Kg valued at 1,24,87,500/- were found concealed in Calcium Carbonate Bags, with weight 40000 Kgs valued at 3,65,652/- and were subsequently seized under Section 110(1), vide panchnama being liable to confiscation under Section 111(d) and (i) of Customs Act, 1962 for contravention of Section 46(1) & (4) of the Customs Act 1962, read with Foreign Trade Policy 2015-20 and DGFT Notification No. 21/2015-20 dated 25.07.2018 as Calcium Carbonate was used for concealment of contraband goods in contravention of Section 46(4) of Customs Act 1962 and therefore liable for confiscation under Section 119 of Customs Act, 1962.

On perusal of the provisions of Regulation 10 of the CBLR, 2018. It is seen that M/s Narendra Singh, with registration Number CCTSPS4938L-CH001 Kanpur, failed to comply with his obligation as prescribed under Regulations 10(d), 10(e), 10(m), 10(n), 10(q) of the CBLR, 2018. It also appears that said CB has played a key role in attempting to clear impugned, improper with goods and misdeclaration of the RITC, description of Goods deliberately and willfully by suppressing its true and correct declaration with an explicit intention to evade

proper Customs Duty and therefore has blatantly violated the provisions of the Customs and other Allied Acts and also appeared to have contravened the provisions of CBLR,2013. As such he failed to discharge his duties as a Customs Broker under law and prima-facie made him liable for their acts of Omission and Commission leading to the contravention of the regulations of CBLR,2018 as discussed so far.

In view of the facts stated above, I come to the conclusion that, prima facie, M/s Narendra Singh with registration Number CCTSPS4938L-CH001, Kanpur is liable for their acts of Omission and Commission for contravention of the provisions of CBLR, 2018, which also amounts to breach of trust and faith imposed on the said Customs Broker by Customs. Thus they appear to have failed to fulfill their responsibilities as per regulations 10(d), 10(e), 10(m), 10(n), 10(q) of the CBLR, 2018 thereby warranting urgent action by the Customs under the Rule.

ORDER

I, as Commissioner of Customs, Customs (P) Commissionerate, in exercise of powers conferred upon me under the provisions of regulation 16(1) of CBLR, 2018, hereby suspend the Customs Broker Licence CCTSPS4938L-CH001, Kanpur, in the name of M/s Narendra Singh, with immediate effect, being fully satisfied that Customs Broker had prima facie not fulfilled their obligations as laid down under regulations 10(d), 10(e), 10(m), 10(n), 10(q) of the CBLR, 2018. The Customs Broker M/s Narendra Singh is directed to submit all the Customs Identity Cards issued to him as Customs Broker and its employees immediately.

However, I offer the Customs Broker Shri Narendra Singh an opportunity to represent their case. A personal hearing is fixed on **05/11/2018** at **11:30 A.M.** under Regulation 16(2) of CBLR, 2018. Any written representation against this order shall reach the undersigned before the date of hearing.

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(VED PRAKASH SHUKLA)
COMMISSIONER OF CUSTOMS

To,

M/s Narendra Singh, CHA No. CTSPS4938LCH001
204, Bengali Colony, Harjender Nagar, Kanpur 208007

Copy forwarded for information and necessary action to:

1. The Commissioner of Customs, Central Excise, Kanpur
2. The Deputy/Assistant Commissioner, Customs, ICD Panki, Kanpur.
3. The Deputy/Assistant Commissioner, Customs, ICD JRY, Kanpur.
4. The Superintendent, Adjudication, Customs Headquarters, Lucknow for causing hearing on the date fixed.
5. All Sections of this Commissionerate.
6. Notice Board.
7. Superintendent, Systems for uploading on Official website and EDI system.

Chanchal
23/10/18
Deputy Commissioner (Prev.)
Customs (P) Commissionerate Lucknow

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24.10.18