



प्रधान आयुक्त (सामान्य) सीमाशुल्क का कार्यालय

OFFICE OF THE COMMISSIONER OF CUSTOMS (GENERAL)

कस्टम ब्रोकर अनुभाग, नवीन सीमाशुल्क भवन,बेलाड ईस्टेट, मुंबई- I

**CUSTOMS BROKER SECTION, NEW CUSTOM HOUSE, BALLARD ESTATE,
MUMBAI – 400001**

Email-Id: cbsec.nch@gov.in

F. No. GEN/CB/LIC/311/2011-CBS

16-12-2025

DIN- 2025127700000022EA9

SHOW CAUSE NOTICE No. 34 /2025-26 CBS

M/s. DAS CARGO LOGISTICS (AIBPD7512RCH001), having registered address: Flat 1202, Plot No. 1, L-21, Asawari CHS, Sector-27, Talaja Panchanand , Raigad, Maharashtra- 410208 (hereinafter referred to as the Customs Broker/CB) is the holder of Customs Broker License No. (11/2701) (PAN No. AIBPD7512R)), issued by the Commissioner of Customs, Mumbai under Regulation 7(1) of CBLR, 2013 erstwhile (now Regulation 7(2) of CBLR, 2018) and as such, they are bound by the regulations and conditions stipulated therein.

1.1. A report regarding the offences made by the CB, issued by the Additional Director, DRI, AZU vide letters F.No. DRI/AZU/CI-1/ENQ-62(INT- 25)/2025 dated 04.07.2025 and 29.09.2025 was received in the Customs Broker Section, NCH, Mumbai Zone-I. The report, inter alia, conveyed the following information:

Brief facts of the case

2. This is a case involving misdeclaration and misuse of import licenses for the import of 10 Mesh material/ tyre scrap, aimed at circumventing the applicable EXIM policy restrictions. Acting on specific intelligence, the Directorate of Revenue Intelligence, Ahmedabad Zonal Unit, intercepted and examined two consignments of M/s. Shabbir and Sons Eco Exim Pvt. Ltd. at the Nhava Sheva port. The examination revealed that the importer M/s. Shabbir and Sons Eco Exim Pvt. Ltd. had imported Used Tyre Scrap consignments by misusing licenses issued specifically for the import of 10 Mesh material.
3. The responsible person, Mr Syed Aslam Ali, from importer M/s. Shabbir and Sons Eco Exim Pvt. Ltd. was summoned and his statement was recorded under Section 108 of the Customs Act, 1962. During the course of the statement, he admitted to wilfully misusing the 10 Mesh licenses to import used rubber tyre scrap in forms such as multiple-cuts, shredded, and pressed baled scrap. This admission covered the current intercepted consignments as well as 11 specific past consignments. Such acts constitute smuggling as defined under Section 2(39) of the

Customs Act, 1962. Consequently, for committing offences punishable under Sections 135(a) and 135(b) of the Customs Act, 1962, the responsible person was arrested under Section 104 of the Customs Act, 1962.

4. Further scrutiny revealed that the Bills of Entry for both the live consignments and the 11 earlier consignments, where scanning images confirmed the import of Used Tyre Scrap (pressed baled/multi-cut) not falling under the 10 Mesh license category, were filed by M/s. Yash Shipping Services. Licenses issued for imports under the Customs Tariff Item (CTI) 40040000 for tyre scrap are restricted both in terms of quantity and validity period. These licenses permit the import of only one specific type of rubber tyre scrap within the stipulated time frame either "Used Tyre Scrap (pressed baled/multi-cut)" or "Rubber/granules finer than 10 Mesh to 20 Mesh, devoid of iron, steel, and most fibers" both falling under the broad category of *Waste, parings, and scrap of rubber (other than hard rubber), and powders and granules obtained therefrom*. Therefore, a valid license authorises the import of a particular quantity of a specified type of tyre scrap as mentioned in the DGFT license, within the specified period.

5. During the course of the investigation, it was also ascertained that M/s. Shabbir and Sons was involved in over-debiting of licenses, importing quantities exceeding the permitted limits by manipulating manual debit sheets. Such excess imports render the goods liable to confiscation and constitute an offence under Section 135 of the Customs Act, 1962. Prima facie, this over-debiting appears to have been carried out with the active involvement of customs brokers.

6. The Customs Broker M/s. DAS CARGO LOGISTICS (AIBPD7512RCH001) is one of the brokers involved in the over-debiting of the SIL licence. A total quantity of 5746.8 metric tons with an assessable value of Rs. 4,84,44,958/- was over-debited using the C.B. licence of M/s. DAS CARGO LOGISTICS (AIBPD7512RCH001). Furthermore, the statement of Shri Binay Kumar Lal Das, proprietor of M/s. DAS CARGO LOGISTICS (AIBPD7512RCH001) confirms that Shri Sabindra Kumar Das, Proprietor of M/s. VINITA GLOBAL SERVICES used to use the SIL licence of M/s. Shabbir and Sons Eco Exim Private Limited for debiting the same on behalf of the importer, as well as the licence of the Customs Broker M/s. DAS CARGO LOGISTICS (AIBPD7512RCH001) for customs clearance work. These details of Specific violations committed by the customs broker are summarised in the table below:

Sr. No.	Name of Customs Broker with licence no.	Violation on the part of the Customs Broker	Corresponding Documentary Evidence
1.	M/s DAS CARGO LOGISTICS(AIBPD7512RCH001)	The said licence was used in	1. The detailed calculation sheet

	over- debiting of the	quantifying the over-debiting done by the
	SIL licence to the tune of 5746.8 MTS having assessable value of Rs. 4,84,44,958/-	<p>Customs Broker Firm.</p> <p>2. Statement of Customs Broker Shri Binay Kumar Das, acknowledging that he used the licence of M/s. Das Cargo Logistics for customs clearance work related to M/s. Shabbir and Sons Eco Exim Private Limited.</p> <p>3. Statement of Shri Sabindra Kumar Das, acknowledging that he used the licence of M/s. Vinita Global Services for customs clearance work related to M/s. Shabbir and Sons Eco Exim Private Limited.</p> <p>4. Statement of Importer Shri Syed Aslam Ali</p>

7. Further, the statement of Shri Binay Kumar Lal Das, proprietor of M/s. DAS CARGO LOGISTICS (AIBPD7512RCH001) was also recorded by DRI, AHMEDABAD, on 06.08.2025.

He stated that he is the proprietor of the firm M/s. DAS CARGO LOGISTICS, however, Shri Sabindra Kumar Lal Das, who is the proprietor of M/s. Vinita Global Logistics handles operational work in M/s. Das Cargo Logistics.

He further stated that M/s. Das Cargo Logistics does not charge any consideration in money from M/s. Vinita Global Logistics. He also stated he does not handle customs clearance of Used Tyre Scrap and the whole customs clearance work of used tyre scrap is handled by Shri Sabindra Kumar Das only.

He also added that once he had met Mr. Syed Aslam Ali when he was introduced to him by Shri Sabindra Kumar Das.

8. SUMMARY

This is a case involving misdeclaration and misuse of import licenses for the import of 10 Mesh material/ tyre scrap, aimed at circumventing the applicable EXIM policy restrictions. Acting on specific intelligence, the Directorate of Revenue Intelligence, Ahmedabad Zonal Unit, intercepted and examined two consignments of M/s. Shabbir and Sons Eco Exim Pvt. Ltd. at the Nhava Sheva port. The examination revealed that the importer M/s. Shabbir and Sons Eco Exim Pvt. Ltd. was misusing licenses issued specifically for the import of 10 Mesh rubber crumb, which were instead used to import restricted used tyre scrap in various forms such as pressed, baled, shredded and multi-cut scrap. Acting on specific intelligence, two consignments were intercepted at Nhava Sheva Port and, upon examination, were found to be in violation of the EXIM policy. The investigation further revealed that the firm over-debited quantities from the SIL licenses by manipulating manual debit sheets, with the active involvement of customs brokers. A total quantity of 5746.8 metric tons with an assessable value of Rs. 4,84,44,958/- was over-debited using the C.B. licence of M/s. DAS CARGO LOGISTICS (AIBPD7512RCH001). Furthermore, the statement of Shri Binay Kumar Lal Das proprietor of M/s. DAS CARGO LOGISTICS (AIBPD7512RCH001) confirms that Shri Sabindra Kumar Das Proprietor of M/s. VINITA GLOBAL SERVICES, used to use the SIL licence of M/s. Shabbir and Sons Eco Exim Private Limited, as well as the licence of the Customs Broker M/s. DAS CARGO LOGISTICS (AIBPD7512RCH001) for customs clearance work.

8.2 In view of the foregoing, and considering the grave violations and deliberate misuse of SIL licenses through over-debiting, it is evident that the Customs Broker has engaged in misdeclaration and unauthorised use of restricted import licenses. These actions, carried out in clear contravention of the DGFT Policy, constitute a serious offence and warrant strict legal action under the Customs Broker Licensing Regulations (CBLR), 2018 and other applicable statutory provisions.

9. Role of Customs Broker:-

9.1 It is evident that the customs broker M/s. DAS CARGO LOGISTICS (AIBPD7512RCH001) have failed to fulfil their obligations laid down under Customs Broker Licensing Regulations (CBLR), 2018. The CB has given his CB License for use by Shri Sabindra Kumar Das, Proprietor of M/s. VINITA GLOBAL SERVICES, which appears to have actively guided the importer in committing the offence.

9.2 In view of the above, the relevant provisions of CBLR, 2018, outlining the obligations of customs brokers, are extracted below:

9.3 REGULATION 1(4) OF CBLR, 2018

“(4) Every license granted or renewed under these regulations shall be

deemed to have been granted or renewed in favour of the licensee, and no license shall be sold or otherwise transferred.”

9.4 In the present case, it appears that the Customs Broker M/s. DAS CARGO LOGISTICS (AIBPD7512RCH001) rented out their Customs Broker license to Shri Sabindra Kumar Das for some monetary benefit viz., rent of the office and payment of the staff was from the account of M/s. Vinita Global Services. Further, as per the statement recorded on 06.08.2025 by the Directorate of Revenue Intelligence, Ahmedabad and upon scrutiny of the subject report, it was revealed that Shri Sabindra Kumar Das had obtained the Customs Broker license from M/s. DAS CARGO LOGISTICS and used it for the clearance of the subject imported goods and also over debited the SIL on behalf of the importer.

9.5 This conduct clearly constitutes a violation of Regulation 1(4) of the Customs Broker Licensing Regulations (CBLR), 2018. Such an omission represents a significant breach of the duties and responsibilities prescribed under Regulation 1(4). In light of the foregoing, it appears that the Customs Broker has contravened the provisions of Regulation 1(4) by unlawfully renting out the Customs Broker license to Shri Sabindra Kumar Das, who had also over debited the SIL license on behalf of the importer.

9.6 REGULATION 10 (a) OF CBLR, 2018

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

9.7 In the present case, it appears that the Customs Broker, M/s. DAS CARGO LOGISTICS, failed to comply with the mandatory requirement as mandated in regulation 10(a) of CBLR, 2018. The Customs Broker did not obtain the necessary authorisation from the importer, as there is no record or indication of any direct meeting or interaction between the Customs Broker and the importer. As per the statement of the Importer, he had given customs clearance work to Shri Sabindra Das, as, in the statement recorded by DRI, Ahmedabad, Shri Binay Kumar Lal Das proprietor of M/s. Das Cargo Logistics has also stated that it had once met Mr. Syed Aslam Ali, when he was introduced to him by Shri Sabindra Kumar Das. Which proves that Shri Binay Kumar Lal Das proprietor of M/s. Das Cargo Logistics had never met him except when introduced to him by Shri Sabindra Kumar Das.

Therefore, it is evident that the Customs Broker did not obtain the requisite authorisation, thereby constituting a clear violation of Regulation 10(a) of CBLR, 2018.

9.8 REGULATION 10 (b) OF CBLR, 2018

“(b) transact business in the Customs Station either personally or through an authorised employee duly approved by the Deputy Commissioner of Customs or Assistant Commissioner of Customs, as the case may be;”

9.9 Based on the subject report and the statement of Shri Binay Kumar Lal Das, dated 06.08.2025, recorded by the Directorate of Revenue Intelligence, Ahmedabad, it is evident that Shri Sabindra Kumar Das Proprietor of M/s. VINITA GLOBAL SERVICES, used to use the SIL licence of M/s. Shabbir and Sons Eco Exim Private Limited, as well as the licence of the Customs Broker M/s. DAS CARGO LOGISTICS (AIBPD7512RCH001) for customs clearance work. However, as per Regulation 10(b), a Customs Broker is required to carry out business either personally or through an authorised employee who has been duly approved by the Deputy Commissioner of Customs or Assistant Commissioner of Customs.

In the instant case, it appears that the Customs Broker was not transiting business either personally or through an authorised employee and neither had he authorised Shri Sabindra Kumar Das after obtaining the approval of the Deputy Commissioner of Customs or Assistant Commissioner of Customs. This constitutes a clear violation of Regulation 10(b) of CBLR, 2018.

9.10 REGULATION 10 (d) OF CBLR, 2018

“(d) Advise the client to comply with the provisions of the Customs Act, allied Acts, and the rules and regulations thereof, and in cases of non-compliance, bring the matter to the notice of the Deputy Commissioner or Assistant Commissioner of Customs, as applicable;”

9.11 It appears that the Customs Broker failed to advise their client to declare the correct description of goods, specifically “Used Tyre Scrap (pressed baled/multi-cut),” which does not fall under the 10 Mesh license category. Licenses issued for imports under Customs Tariff Item CTH 40040000 pertaining to tyre scrap are restricted both in terms of quantity and validity period. These licenses authorize the import of only one specific type of rubber tyre scrap within the stipulated timeframe, either “Used Tyre Scrap (pressed baled/multi-cut)” or “Rubber/granules finer than 10 Mesh to 20 Mesh, devoid of iron, steel, and most fibers.” Both types fall under the broader category of waste, parings and scrap of rubber (other than hard rubber) including powders and granules obtained therefrom.

10.4.1 Therefore, a valid license permit is required for the import of a specified quantity of a particular type of tyre scrap as detailed in the DGFT license within the prescribed period. By misdeclaring the goods, the importer has circumvented the conditions imposed by the DGFT import policy. Also, the SIL was over debited on behalf of the importer, which indicates that the C.B. had hand in gloves in this case. Furthermore, the Customs Broker failed to bring this non-compliance to the attention of the Deputy Commissioner or Assistant Commissioner of Customs.

As per Regulation 10(d) of the CBLR, 2018, it is the responsibility of the Customs Broker to advise the importer to declare the correct description of goods and ensure the proper utilization of the SIL license issued by the DGFT, rather than allowing or facilitating its over- debiting. Furthermore, the Customs Broker failed to report this non- compliance

to the Deputy Commissioner or Assistant Commissioner of Customs, as required under the said regulation. This represents a clear deviation from the responsibilities outlined in Regulation 10(d) of CBLR, 2018. In view of the above, it appears that the Customs Broker has contravened the provisions of Regulation 10(d) by not ensuring compliance with the relevant statutory requirements and by neglecting to inform the Deputy/Assistant Commissioner of the irregularities.

9.12 REGULATION 10 (e) OF CBLR, 2018

“(e) Exercise due diligence to ascertain the correctness of any information provided to the client related to clearance of cargo or baggage.”

9.13 It appears that the Customs Broker failed to exercise due diligence and merely accepted the incorrect declaration provided by the importer, rather than ensuring the correct classification under Customs Tariff Heading (CTH) 40040000, which pertains to tyre scrap. This lapse contributed to the contravention of the DGFT Policy Conditions governing such imports. Furthermore, the Customs Broker has also been found to be involved in the over-debiting of the SIL license issued by the DGFT, further indicating a pattern of non-compliance.

In view of the above, it appears that Customs Broker M/s. DAS CARGO LOGISTICS, instead of acting in accordance with regulatory obligations, actively facilitated and guided the importer in the commission of the offence. As per Regulation 10(e) of the CBLR, 2018, it is the responsibility of the Customs Broker to exercise due diligence and ensure the proper utilisation of the SIL license issued by the DGFT rather than allowing or facilitating its over-debiting. Accordingly, it appears that the Customs Broker failed to adhere to the prescribed procedures and responsibilities outlined under Regulation 10(e) of the Customs Broker Licensing Regulations (CBLR), 2018.

14. In view of the above and considering the gross violation and deliberate misuse of the SIL licenses, it appears that the CB has knowingly misused his license and chose to give his license on loan for monetary benefit, which resulted in a huge loss of Govt. revenue. Such negligence and carelessness towards his duties as a Customs Broker might be harmful for the Indian Economy on a larger scale.

15. In view of the foregoing and considering the grave violations and deliberate misuse of the SIL licenses, it is evident that the Customs Broker knowingly misused the license and rented it out for monetary gain. This conduct has resulted in a substantial loss to government revenue. Such actions not only compromise the integrity of the import control framework but also constitute an offence of smuggling as defined under Section 2(39) of the Customs Act, 1962.

16. I observe that the CB has a very important role in customs clearances and a lot of trust has been placed by the Department in the CB. In a regime of trade facilitation and with more and more goods being facilitated by the Risk Management Systems without examination by the Customs, the role of CB has further increased so that economic frontiers of the country are well guarded. In this regard, I rely on the judgment of the Hon'ble Supreme Court in the case of Commissioner of Customs Vs M/s K.M. Ganatra & Co has held that:

"The Customs House Agent (CHA) occupies a very important position in the customs house. The customs procedures are complicated. The importers have to deal with a multiplicity of agencies, namely carriers, custodians like BPT, as well as the Customs. The importer would find it impossible to clear his goods through its agencies without wasting valuable energy and time. The CHA is supposed to safeguard the interests of both the importers and the customs. A lot of trust is kept in CHA by the importers/exporters as well as by the government agencies..."

17. The misdeclaration and unauthorised use of restricted import licenses, particularly in blatant contravention of DGFT Policy, amount to a serious offence warranting stringent legal action under the Customs Broker Licensing Regulations (CBLR), 2018 and related statutes. Moreover, the gross negligence and dereliction of duty exhibited by the Customs Broker pose a significant threat to the Indian economy at large. In the era of trade facilitation, the Customs Broker works as a bridge between the importer and Customs authorities. However, in the instant case, it appears that CB M/s. DAS CARGO LOGISTICS (AIBPD7512RCH001) was careless in his duties and knowingly misused the license and rented it out for monetary gain and was also involved in over-debiting of SIL licenses, importing quantities exceeding the permitted limits by manipulating manual debit sheets. Thus, it appears that the CB M/s. DAS CARGO LOGISTICS (AIBPD7512RCH001) has committed a gross offence and violated regulations 1(4), 10(a), 10 (b), 10(d), 10(e) of the Customs Broker Licensing Regulations, 2018, which have made them unfit to transact any business at Mumbai Customs and also in other Customs Stations.

18. Accordingly, the Customs Broker license no. 11/2701 of M/s. Das Cargo Lotistics (PAN No. AIBPD7512RCH001) was suspended vide Order No. 09/2025-26 dated 17.01.2025 and opportunity of personal hearing was granted to the CB on 30.10.2025 at 04:30 PM.

19. RECORD OF PERSONAL HEARING & WRITTEN SUBMISSION OF THE CB

Pursuant to the issuance of Suspension Order No. 09/2025-26 dated 17.10.2025, Advocate Shri R.K. Tomar and Advocate Shri Gaurav S. Sarfare, appeared on behalf of the party (C.B.) for personal hearing on 30.10.2025 at 04:30 PM. During the Personal Hearing, the Representative of CB reiterated their written submission dated 30.10.2025.

20. However, from the facts as mentioned in the suspension order no. 09/2025-26 dated 17.10.2025, prima-facie, the Customs Broker M/s Das Cargo Logistics (11/2701) appeared to have failed to fulfil their obligations under Regulation 10 of CBLR, 2018 and contravened the same. Therefore, for their acts of omission and commission as above, CB M/s Das Cargo Logistics (11/2701) appeared to be liable and guilty. Accordingly, the order vide Order No. 12/2025-26 dtd. 12 .11.2025 was passed whereby the suspension of the Customs Broker Licence of M/s Das Cargo Logistics (11/2701) (PAN BASED NO: AIBPD7512RCH001) ordered vide Order no. 09/2025-26 dated 17.10.2025 was continued pending inquiry proceedings under Regulation 17 of CBLR, 2018.

21. Considering the observations made above, it is to mention that the CB has a very important role in customs clearances and a lot of trust has been placed by the Department in the CB. In the context of trade facilitation, where an increasing number of goods are processed through Risk Management Systems without customs examination, the role of the Customs Broker has become even more critical in ensuring that the country's economic borders are effectively protected. But in the instant case, by their acts of omission and commission, it appears that the CB has violated sub-regulation 1(4), 10(a), 10 (b), 10(d), 10(e) of the CBLR, 2018.

22. In view of the above, in terms of Regulation 17(1) of CBLR, 2018, the Customs Broker, M/s Das Cargo Logistics (11/2701) (PAN BASED NO: AIBPD7512RCH001) is hereby called upon to show cause, as to why:

i. The license bearing CB Code No. (11/2701) (PAN BASED NO: AIBPD7512RCH001), issued to them should not be revoked;

ii. Security deposit should not be forfeited &

iii. Penalty should not be imposed,

upon them under Regulation 14 read with 17 & 18 of the CBLR, 2018, for their failure to comply with the provisions of CBLR, 2018, as elaborated in the above paras within 30 days from the date of issue of this notice.

23. They are directed to appear for personal hearing on the date as may be fixed and to produce evidence/documents, if any, in their defence to the Inquiry Officer, Shri Abhishek Jain, Deputy Commissioner of Customs, Export Commissionerate, Mumbai Zone-I, who shall conduct the inquiry under Regulation 17 of CBLR, 2018. If no reply is received within the stipulated time, it will be presumed that they have no explanation to offer, and it will be presumed that they do not want a personal hearing and the issue will be decided on the facts available on records.

24. This notice is being issued without prejudice to any other action that may be taken against the CB or any other person(s)/firm(s) etc. under the provisions of the Customs Act, 1962 and Rules/Regulations framed thereunder or any other law for the time being in force.

**Digitally signed by
Shraddha Joshi Sharma
Date: 16-12-2025
18:15:28**

(SHRADDHA JOSHI SHARMA)
Commissioner of Customs, CBS (General)
New Customs House, Mumbai, Zone-I

Enclosures: Copy of the Offence Report received from DRI, Ahmedabad. along with Bills of Entry, Panchnama dtd. 10.06.2025, 11.06.2025, 12.06.2025, copy of the statement of Mr. Syed Aslam Ali Power of Attorney holder of M/s. Shabbir and Sons Eco Exim Pvt. Ltd.; copy of statement of Mr. Binay Kumar Lal Das Proprietor of M/s. Das Cargo Logistics; copy of Statement of Mr. Sabindra Kumar Das, Proprietor of M/s. Vinita Global Services.

To,

M/s. DAS CARGO LOGISTICS (AIBPD7512RCH001).

Flat 1202, Plot No. 1, L-21, Asawari CHS, Sector-27,
Taloja Panchanand , Raigad, Maharashtra- 410208.

Copy to:

1. The Pr./Chief Commissioner of Customs, Mumbai Zone I, II, III.
2. The Joint Director, DRI, MZU, Mumbai
3. CIU's of NCH, ACC & JNCH, Mumbai
4. The Commissioner of Customs, Mumbai Zone I, II, III.
5. EDI of NCH, ACC & JNCH, Mumbai
6. BCBA
7. Office copy.
8. Notice Board.

Copy to:

----- Assistant Commissioner of Customs,
Commissionerate, Mumbai Zone-I, appointed as the Inquiry Officer
to conduct an inquiry into the case under regulation 17 of CBLR, 2018.