



आयुक्त (सामान्य) सीमाशुल्क का कार्यालय
OFFICE OF THE COMMISSIONER OF CUSTOMS (GENERAL)
कस्टम ब्रोकर अनुभाग, नवीन सीमाशुल्क भवन, बेलार्ड इस्टेट, मुंबई - I
CUSTOMS BROKER SECTION, NEW CUSTOM HOUSE, BALLARD ESTATE,
MUMBAI - I.

22-04-2026

DIN NO. -2026047700000000E622

ORDER NO. 03/2026-27 CBS

M/s. Capricorn Logistics Pvt. Ltd. (Lic. No. 11/1805 & PAN: AABCC6364M), having registered address: 13-13A, Keytuo Industrial Estate, 220, Kondivita Road, Andheri (East), Mumbai- 400 059 (hereinafter referred to as the Customs Broker/CB), is the holder of Customs Broker License No. (11/1805) (PAN No. AABCC6364M), issued by the Commissioner of Customs, Mumbai, under Regulation 7(1) of CHALR, 2004, 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 Principal Additional Director General, DRI, MZU vide letter F.No. DRI/MZU/NS-II/INT-47/2026 dated 17.04.2026 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 the C.B.'s access pass, which was executed/facilitated the illegal acts. Acting on specific intelligence, the Directorate of Revenue Intelligence, Mumbai Zonal Unit, has reported that a container (No. TGHU6099161), covered under B/L No. JSSONSA2603010 dtd. 18.03.2026, imported in the name of M/s. C.K. International (IEC: CSNPD7021D), misdeclared to contain "Household Items and Cleaning Product", had reached M/s. ICTPL Globicon CFS on 09.04.2026 and goods contained therein were being unauthorizedly removed from the Customs area by members of the syndicate.

3. Acting promptly, DRI officers rushed to the CFS and secured the container and the imported goods. It was observed that the imported goods were being hurriedly transferred to another vehicle/truck. The consignment was being unauthorizedly removed without filing a Bill of Entry, and without the requisite Customs permission, by illegally breaking the container seal. The examination conducted on 12.04.2026 revealed that the entire consignment, declared as "Household Items and Cleaning Product," actually comprised of Chinese-origin "Fireworks/Firecrackers", having a market value of appx. Rs 3.99 crore.

4. Further, another vehicle/ trailer carrying palletised goods in cartons labelled "Made in China" of value appx. Rs 5 lakh, was positioned nearby to replace the goods after

unloading of smuggled goods from the container and the said trailer had entered CFS under the guise of carrying 'export goods'. On examination, some of these cartons were found to contain household goods, whereas many others were found empty.

5. Preliminary investigation by DRI indicates that the smuggling and subsequent attempted clandestine removal of the firecrackers from the CFS was orchestrated, abetted, and facilitated by a syndicate, which included a persons named Shri Sandeep Shukla, a salaried employee engaged in Cargo Clearance work of authorized Customs Broker M/s Capricorn Logistics Pvt. Ltd. (CLPL) (License No. 11/1805 and PAN: AABCC6364M). He holds a company ID in the name of the said Customs Broker, and a Brihanmumbai Custom Brokers Association (BCBA) pass under the name of the said Customs Broker. He possesses neither a 'G' card nor an 'H' card, as mandated by the Customs Broker Licensing Regulations (CBLR), 2018, for the Customs-related work.

6. Based on the investigation conducted by DRI, it appears that to execute the physical cargo substitution inside the CFS, Shri Sandeep Shukla employed by M/s CLPL used the access pass of the Customs Broker and executed/ facilitated the following illegal acts:

a. Unauthorized Entry of Private Persons: Shri Sandeep Shukla, the employee and pass holder of the Customs Broker, arranged the entry of laborers from outside for the 'container stuffing' by using copy of the letter head of M/s CLPL, obtained the permission slip for entry of the laborers in the guise of stuffing the Export cargo covered under a checklist/ shipping bill filed by M/s CLPL. However, these laborers, instead of stuffing the mentioned export cargo, were found to be involved in the clandestine removal of the prohibited imported goods from the container no. TGHU6099161.

b. Unauthorized Entry of Vehicle with so-called 'Export' Cargo for Substitution: Shri Sandeep Shukla, the employee and pass holder of the Customs Broker, requested entry of three vehicles against the Checklist/ shipping bill (No. 2259124 dated 9th April 2026) declaring export goods as 'Industrial Valves', filed by M/s CLPL. One of the vehicles among these was used by Shri Sandeep Shukla to bring 'Household Items and Cleaning Product' to replace them with the imported fireworks. It did not carry any declared export goods i.e., industrial valves.

c. Unauthorized Placement of Container in Hazardous Cargo Area: Shri Sandeep Shukla, the employee and pass holder of the Customs Broker, without having any G or H card for Customs Work, entered the Customs area and instructed the CFS Kalmar operator to move the import container to the hazardous area for substituting the prohibited imported goods.

d. Unauthorized Seal Cutting: Shri Sandeep Shukla, the employee and pass holder of the Customs Broker, influenced the CFS Seal Cutter to cut the seal of the import container, without any official documentation, requisite permission, or the presence of the designated Customs officer.

7. In view of the above, the preliminary investigation indicates that M/s Capricorn Logistics Pvt. Ltd. (License No. 11/1805 and PAN: AABCC6364M) violated, inter alia, the following key provisions of CBLR, 2018:

7.1 Regulation 10(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;"*

The CB failed to ensure that only his employees authorized under CBLR, 2018 (and not a mere BCBA pass holder with no 'G' or 'H' Card authority) are transacting Customs-related business in the Customs Station. Shri Sandeep Shukla, a salaried employee engaged in Cargo Clearance work of CLPL, did not possess either a 'G' card or an 'H'

card, as mandated by the Customs Broker Licensing Regulations (CBLR), 2018, for the Customs-related work.

7.2 Regulation 10(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 itemized 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”*

The CB failed to maintain an up-to-date record of shipping bills to ensure that the correct number of vehicles are entering the Customs area to bring the export cargo.

7.3 Regulation 10(q): *“co-operate with the Customs authorities and shall join investigations promptly in the event of an inquiry against them or their employees”*

The CB failed to ensure that their employee, Shri Sandeep Shukla, is cooperating with the Customs authorities. Shri Sandeep Shukla has not joined the DRI investigation despite being issued summons.

7.4 Regulation 13(12): *“The Customs Broker shall exercise such supervision as may be necessary to ensure proper conduct of his employees in the transaction of business and he shall be held responsible for all acts or omissions of his employees during their employment”*

The CB failed to exercise the effective supervision necessary to ensure the proper conduct of employees in the transaction of business. Shri Sandeep Shukla, a salaried employee engaged in CLPL was actively involved in the above-mentioned act of smuggling.

7.5 Regulation 14(c): Gross Misconduct by the Customs Broker's

employee by actively facilitating the clandestine removal of the smuggled goods through:

- . facilitation of unauthorized placement and seal cutting of the container.
- . facilitation of unauthorized entry of the private labourers inside the CFS to carry out the clandestine removal of the prohibited imported goods.
- . facilitation of the entry of vehicle with so-called 'Export' Cargo for substitution.

8. The involvement in organized smuggling, misuse of Customs processes, and serious revenue and security implications committed by the Customs Brokers involved, amount to a serious offence warranting stringent legal action under the Customs Broker Licensing Regulations (CBLR), 2018 and related statutes.

9. Thus, it appears that the CB has committed a gross offence and their negligence may not be ignored. In view of the above, it appears that the subject license is subject to action under Regulation 16(1) of the CBLR, 2018, or otherwise.

Regulation 16(1) of the CBLR, 2018:-

“Notwithstanding anything contained in regulation 14, the Principal Commissioner or Commissioner of Customs may, in appropriate cases where immediate action is necessary, suspend the license of a Customs Broker where an enquiry against such Customs Broker is pending or contemplated: Provided that where the Principal Commissioner or Commissioner of Customs may deem fit for reasons to be recorded in

writing, he may suspend the license for a specified number of Customs Stations."

10. SUMMARY

10.1 This is a case involving misdeclaration and smuggling of Chinese origin "Fireworks / Firecrackers". It was observed that the imported goods were being hurriedly transferred to another vehicle/truck. The consignment was being unauthorisedly removed without filing a Bill of Entry, and without the requisite Customs permission, by illegally breaking the container seal. The examination conducted on 12.04.2026 revealed that the entire consignment, declared as "Household Items and Cleaning Product," actually comprised of Chinese-origin "Fireworks/Firecrackers", having a market value of appx. Rs 3.99 crore.

10.2 In view of the foregoing, and considering the grave violations, it is evident that the Customs Broker has engaged in clearing the smuggled goods as mentioned in the foregoing paras. 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.

11. The misdeclaration and smuggling of the Chinese origin "Fireworks/Firecrackers" amount to a serious offence warranting stringent legal action under the Customs Broker Licensing Regulations (CBLR), 2018 and related statutes. Moreover, the gravity of the violations, which have serious fiscal and security implications, it appears that CB M/s. CAPRICORN LOGISTICS PVT. LTD. (11/1805 and PAN: AABCC6364M) was careless in his duties and knowingly helped in clearing misdeclared goods. Thus, it appears that the CB M/s. CAPRICORN LOGISTICS PVT. LTD. (11/1805 and PAN: AABCC6364M) has committed a gross offence and violated regulations 10 (b), 10(k), 10(q), 13(12) and 14(c) 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.

12. Accordingly, I pass the following order: -

ORDER

12.1 I, Commissioner of Customs, CBS (General), in exercise of powers conferred upon me under the provisions of Regulation 16 (1) of CBLR, 2018 hereby suspend the CB license of M/s. CAPRICORN LOGISTICS PVT. LTD. (11/1805 and PAN: AABCC6364M), with immediate effect, being fully satisfied that the Customs Broker has prima facie not fulfilled their obligations as laid down under Regulation 10(b), 10(k), 10(q), 13(12) and 14(c) of CBLR, 2018.

12.2 However, I offer the Customs Broker M/s. CAPRICORN LOGISTICS PVT. LTD. (11/1805 and PAN: AABCC6364M), **an opportunity of a personal hearing on 7th May at 12 pm**. Any written representation against this order should reach the undersigned before the date of the hearing.

12.3 CB M/s. CAPRICORN LOGISTICS PVT. LTD. (11/1805 and PAN: AABCC6364M) is directed to surrender all the original Custom Passes issued to their employee/partner/director/Proprietor immediately.

13. This order 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 under any other law for the time being in force.

Digitally signed by
Shraddha Joshi Sharma
Date: 22-04-2026
18:04:00

(Shraddha Joshi Sharma)
Commissioner of Customs, CBS (General)
Mumbai Customs Zone-I

To,
M/s. CAPRICORN LOGISTICS PVT. LTD. (11/1805 and PAN: AABCC6364M), I3-13A KeyTuo Industrial Estate, 220 Kondivita Road, Andheri (East), Mumbai 400 059.

Copy to:

1. The Pr./Chief Commissioner of Customs, Mumbai Zone I, II, III.
2. The Pr. Additional Director General, DRI, Mumbai Zonal Unit
3. The Pr./Commissioner of Customs, Mumbai Zone I, II, III.
4. EDI of NCH, ACC & JNCH.
5. BCBA.
6. Office copy.
7. Notice Board.