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सीमा शुल्क आयुक्त का कार्यालय (निवारक)
OFFICE OF THE COMMISSIONER OF CUSTOMS (PREVENTIVE)
नं 1, विल्लियम्सरोड, कन्टोनमेंट, तिरुचिरापल्ली-620001

NO.1 WILLIAMS ROAD, CANTONMENT, TIRUCHIRAPPALLI- 620 001

Tel / Fax: 0431-2418819: : E-mail: cuspoltry@gmail.com

C.No.VIII/13/03/2018-Cus.Pol

Date: 23.03.2018

**ORDER OF SUSPENSION OF LICENCE OF THE M/S MAYURAA SHIPPING SERVICES UNDER
THE PROVISION OF REGULATION 19 OF CBLR, 2013**

M/s Mayuraa Shipping Services, 9/215, Radhakrishna Street, Narayanasamy Layout, Ammapalayam, Tirupur-641652, is the holder of regular License at Coimbatore Commissionerate Vide No. CBL/CBE/01/2014 (PAN No. AAKPU8017B) and was allowed to operate under regulation 7(2) of CBLR, 2013 vide F.No.S2/25/2013-CHA . The license is valid upto 23.02.2024. Shri.M. Unnikrishnan qualified under regulation-9 of CHALR, 1984 is the authorised signatory (for custom House agent's work) of the Custom Broker Licence for M/s Mayuraa Shipping Services.

2. Office of The Principal Commissioner of Customs, Custom House, Ahmedabad vide F.No.VIII/48-07/Cus/T/2017 dated 04.01.2018 has intimated that M/s Mayuraa Shipping Services, who has been authorized Custom Broker for five different importers viz., M/s Shubhkarman fashion Pvt. Ltd, M/s Ambaji Prints, M/s E-met Technology, M/s Maharaj Textiles, M/s. Rakesh Fab and against whom evasion cases has been booked at different formations of Ahmedabad Customs, and as M/s Mayuraa Shipping has contravened the provision of regulation 11(d), (e), (m), (n) & 17(9) of the Custom Broker Licensing regulation 2013, as an immediate measure, the aforesaid Customs Broker has been prohibited from operation at all parts ports of Ahmadabad Customs under regulation 23 of the CBLR, 2013 and has also requested that necessary action may be initiated under regulation 18 & 19 of CBLR, 2013.

2. On perusal of statement of Shri. Manoj Gadhiya, G-card holder of CHA firm M/s. Mayuraa Shipping services, 608-609, 6th floor, APMC Building, Krushi Bazar, Sahara

Gate, Ring Road, Surat recorded u/s 108 of Customs Act, 1962 before the Superintendent of Customs, ICD Tumb on 22.12.2017 in respect of M/s. Rakesh Fab has inter-alia admitted following cases have been booked against their client. The details are produced below :-

Sl. No.	Name of the party	Customs Station at which case was booked	Description of the cases	Value of seizure/case (In Rs.)	Date of booking offence
01.	Shubhkarman Fashion Pvt. Ltd.	ICD Sachin	Model difference in Embroidery machine import	40.00 Lakhs (Approx)	Aug/2016
02.	Ambaji Prints	Hazira Port	Undeclared goods import	6.00 Crores (Approx)	June/2017
03.	E. Met Technology	ICD Sachin	Undeclared goods import (follow up case of M/s. Ambaji Prints based on the information I had passed on to DRI)	39.00 Lakhs (Approx)	June/2017
04.	Maharaj Textiles	ICD Tumb	Misdeclared/Undeclared/excess goods import	150.99 Lakhs	10.11.2017
05.	Rakesh Fab	ICD Tumb	Undeclared goods import	30.88 Lakhs	11.12.2017

5. Shri M. Unnikrishnan, Proprietor of M/s Mayuraa Shipping Services 9/215, Radhakrishna Street, Narayanasamy Layout, Ammapalayam, Tirupur-641652 in his statement dated 23.12.2017 recorded under Section 108 of Customs Act, 1962 before Superintendent of ICD Tumb has inter-alia admitted he was informed by Shri Manoj Gadhiya about the following cases booked in Gujrat against his client. The details are produced below :-

Sl. No.	Name of the party	Customs Station at which case was booked	Description of the cases	Value of seizure/case (In Rs.)	Date of booking offence
01.	Shubhkarman Fashion Pvt. Ltd.	ICD Sachin	Model difference in Embroidery machine import	40.00 Lakhs (Approx)	Aug/2016
02.	Ambaji Prints	Hazira Port	Undeclared goods import	6.00 Crores (Approx)	June/2017
03.	E. Met Technology	ICD Sachin	Undeclared goods import (follow up case of M/s. Ambaji Prints based on the information of Shri. Manoj Gadhiya to DRI that other consignment of the same party was in pipeline)	39.00 Lakhs (Approx)	June/2017
04.	Maharaj Textiles	ICD Tumb	Misdeclared/Undeclared/excess goods import	150.99 Lakhs	10.11.2017
05.	Rakesh Fab	ICD Tumb	Undeclared goods import	30.88 Lakhs	11.12.2017

Shri M. Unnikrishnan, has inter-alia admitted he is well aware of the regulation 17 (9) of CBLR, 2013 and acknowledged all the responsibility of all the acts or omission of his employees during the course of their employment.

6. Shri Unnikrishnan, Proprietor of M/s Mayuraa Shipping Services stated that he monitors the business of his branches through telephone, e-mail and whatsapp and sometimes visit the branch offices. It appears that Shri Unnikrishnan has paid little attention towards the functioning of his branch office at Surat and did not care enough to ensure compliance of Customs provision by his branch office.

7. Thus it appears that, M/s Mayuraa Shipping Services has failed to advise its clients to comply with the provision of Customs Act 1962 and as a result of non-compliance of the same repeated offence cases were booked against its clients. M/s Mayuraa Shipping Services failed to exercise due diligence to ascertain the correctness of the information imparted from his clients with reference to the works related to clearance of cargo, due to which its clients did not take the Customs/restriction/ Prohibition seriously. M/s Mayuraa Shipping Services also failed to discharge its duties as Customs Broker and also failed to verify antecedents and proper identity of clients from reliable information and this resulted in repeated offences by its clients.

8. It appears that the conduct of Shri Unnikrishnan, Proprietor of M/s Mayuraa Shipping Services has contravened to the terms of Regulation 11(d), (e), (m), (n) of the Custom Broker Licensing Regulation 2013 which read as follows-

- a. 11(d) advise his client to comply with the provisions of the Act 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-
- b. 11(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
- c. 11(m) discharge his duties as a Customs Broker with utmost speed and efficiency and without any delay
- d. 11(n) verify antecedent, correctness of Importer Exporter Code (IEC) number, identity of his client and functioning of his client at the declared address by using reliable, independent, authentic documents, data or information;

9. Accordingly, I pass the following order.

SLAB

ORDER

10. In view of the discussion above and in exercise of power conferred under Provision of Regulation 19 of Custom Broker Licensing Regulation 2013, I suspend the Custom Broker M/s Mayuraa Shipping Services, CBL Number CBL/CBE/01/2014 from working in any section of the Trichy Customs Station under jurisdiction of the Trichy Customs Commissionerate (Preventive). However, all documents filed prior to this order will be allowed to be completed.

11. This order is issued without prejudice to any other action that may be taken against the Customs Broker and their employees/representative etc. under the provision of the Customs Act, 1962 or any other Act/Law for the time being in force in the union of India.

12. However, an opportunity of Personal hearing is granted to the Custom M/s Mayuraa Shipping Services, on 27/03/2018 at 15:00 hrs before the undersigned at Trichy Hqrs.


23/3/18-
ASHOK
COMMISSIONER

To,
M/s Mayuraa Shipping Services
9/215, Radhakrishna Street,
Narayanasamy Layout, Ammapalayam,
Tirupur-641652

By Speed Post

Copy to-

1. Commissioner of Customs
New Harbour Estate, Beach Road, Salt Pans,
Thoothukudi, Tamil Nadu 628004
2. Commissioner of Customs,
No. 60, Rajaji Salai, Chennai,
Tamil Nadu 600001
3. Commissioner of Customs
Indira Gandhi Road, Willingdon Island,
Kochi, Kerala 682009
4. Commissioner of Customs
New Custom House,
Ballard Estate, Mumbai-400001
5. Commissioner of Customs
No. 15/1, Strand Rd, Near Fairley Place,
B B D Bagh, Kolkata, West Bengal 700001
6. Commissioner of Customs
Ishwar Complex, Kamla Society,
Hindu Colony, Navrangpura,
Ahemdabad, Gujrat-380009

✓ EDI Section, Hqrs. Trichy

Copy Submitted to- Chief Commissioners of Customs (P), Trichy