



प्रधानआयुक्त सीमाशुल्ककार्यालय (सामान्य)  
**OFFICE OF THE PR. COMMISSIONER OF CUSTOMS (GENERAL)**  
कस्टमब्रोकरअनुभाग, नवीनसीमाशुल्कभवन,बेलाडईस्टेट, मुंबई- I  
**CUSTOMS BROKER SECTION, NEW CUSTOM HOUSE, BALLARD**  
**ESTATE, MUMBAI - I.**

**F. No. Gen/CB/155/2022-CBS**

**Date: 23 .06.2022**

**DIN: 2022067700000000FOE2**

**ORDER NO. 15 /2022-23**

M/s. Quick Clearing Agency, (PAN No. AAFAQ0917C) having office address at 32, Mulji Laxmidas Bldg., 1/3 Mint Road, Fort, Mumbai, is holder of regular Customs Broker License No. 11/145, issued by the Commissioner of Customs, Mumbai under Regulation 10(1) of CHALR, 1984, (Now regulation 7(2) of CBLR, 2018) and as such they are bound by the regulations and conditions stipulated therein.

2. SIIB(I), JNCH received specific information that there may be concealment in the goods imported under BE No. 8242068 dated 12.04.2022 which was filed by Customs Broker M/s Quick Clearing Agency on behalf of importer, M/s Celies Global International Private Limited. Acting upon the said input, the officers of SIIB(I) traced one container No TGHU8222948 of the two Containers, in the premises of a private warehouse which was imported under the said BE and already given Out of Charge by the Docks Officer at ULA CFS, Nhava Sheva after conducting 100% examination. The goods were declared as 110 Nos of "Industrial egg incubator Machine Model No. EG-7120" which were stuffed in two containers. The Docks Officer had reported that during examination conducted by him in the presence of CHA, the goods were found as per declaration in the said BE.

3. The Officers of SIIB (Import), Nhava Sheva, conducted 100% examination of the goods stuffed in Container No. TGHU8222948 once again under Panchnama dated 19/20.04.2022. During the examination of the said container 117 Nos of "old and used multifunctional devices/ photocopy machines of misc. brands"—were found stuffed inside the said container against declaration of 55 pcs of "industrial egg incubator Machine Model No.EG-7120".

4. Import of old and used multifunctional devices/ photocopy machines are restricted under para 2.31 I (b) of FTP 2015 -20 and/or under para 2.31 II and illegal traffic under Rule 15 of Hazardous and Other wastes (Management and Transboundary Movement) Rules, 2016. From the investigation, it appeared that the goods were completely mis-declared to circumvent the policy restriction. Based upon the e-commerce websites in India, the estimated market value of goods found during the examination comes to be approximately 58.5 lakh.

5. Statement of Mr. Jagdish Shadev Dhanavade, G Card Holder of M/s. Quick clearing Agency, Kardex No. D-502 were recorded on 21.04.2022 under section 108 of the Customs Act, 1962 wherein he *inter alia* stated that he had filed Bill of Entry No. 8242068 dated 12.04.2022 based on documents provided by the importer M/s Celies Global International Pvt. Ltd.; that the subject B/E was assessed on 12.04.2022 and the goods were examined on 13.04.2022; that there were two containers declared under the subject B/E which were examined 13.04.2022 at ULA CFL by Docks Officer and he was not present throughout during examination therefore, he couldn't say whether the container was 100% examined or not; that neither he nor any representative of CB was present during examination conducted by the Docks officer at ULA CFS, However, Shri Rahul Landge having Mob. No. 9130998737 was present during examination also for taking delivery out.; that he did not know

Mr. Rahul Landge, he had authorized Mr. Rahul Landge on behalf of CB to clear the goods vide mail dated 13.04.2022 to the CFS mail ID [operations@imbaxi.com](mailto:operations@imbaxi.com) at around 3.15 pm.; that Mr. Sachin Shirke persuaded him to authorize Mr. Rahul Landge for clearance of goods and his friend Shri Laxman Shrike introduced him to his brother Mr. Sachin Shirke. He had to say that goods imported by the subject B/E belonged to Mr. Sachin Shirke on the instructions of Mr. Sachin Shirke. He had done and prepared the documentation of the present consignment and he had authorized Mr. Rahul Landge for clearance; that after taking the consignment he came to know that Mr. Sachin Shrike was involved in Smuggling of Red Sanders and Xerox Machine: that Mr. Sachin Shirke was the mastermind behind import of Xerox Machine imported under Bill of Entry No. 8242068 dated 12.04.2022, he was not aware of motive of Mr. Sachin Shirke who used importer IEC for importing Xerox Machine and gave him all supporting import documents based on which he filed the subject bill of entry.

However, in his statement dated 20.04.2022 he had accepted that he was present during the examination of subject goods examined by Docks Officer before granting out of charge.

**6.** Statement of Mr. Surendra Kumar, Driver of Vehicle No. MH-43 U-7799 was recorded on 20.04.2022 under section 108 of the Customs Act, 1962 wherein he *inter alia* stated that he had loaded the sealed container No. TGHU8222948 and drove it to a private warehouse on instruction with an unidentified person, and thereafter, on instruction from Customs Officer he drove the said container back to the ULA CFS. During transit period, the seal of the said container was cut in the said private warehouse but goods have been neither unloaded from nor loaded in the said container.

**7.** From the above, it is apparent that CB M/s. Quick Clearing Agency were indulged in wrong practice and got cleared the



restricted goods by way of gross mis-declaration in collusion with Mr. Sachin Shirke who used importer IEC for importing Xerox Machine and gave all supporting import documents to CB M/s. Quick Clearing Agency, based on which CB filed the subject bill of entry and with Mr. Rahul Landge, who cleared the goods from ULA CFS and directed Mr. Surendra Kumar, Driver of Vehicle No. MH-43 U-7799. It *prima facie* appears that CB M/s. Quick Clearing Agency failed to carry out some statutory obligations in terms of the provisions contained in CBLR 2018.

8. Mr. Jagdish Shadev Dhanavade, G Card Holder of M/s. Quick clearing Agency in his statements dated 21.04.2022 has stated that all the import documents for clearance of goods imported vide Bill of Entry No. 8242068 dated 12.04.2022 in Container No. TGHU8222948 were handed over to him by Mr. Sachin Shirke, who was the mastermind behind import of Xerox Machine imported under Bill of Entry No. 8242068 dated 12.04.2022. As, all the import documents were provided by Mr. Sachin Shirke, who used IEC of Importer M/s Celies Global International Private Limited for importing Xerox Machine. Therefore, it appears that CB was not in contact with the real importer M/s Celies Global International Private Limited to advise their importer to comply with the provision of Customs Act, Rules & Regulations. CB failed to bring the matter regarding fraudulent use of IEC and Import documents to the notice of DC Docks. Thus, it appears that CB have violated **Regulation 10(d)** of CBLR, 2018 which reads as under: -

*“A Customs Broker shall 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.”*

9. It appears that CB M/s. Quick Clearing Agency attempted to clear restricted goods in connivance with Docks Officer who

examined the goods 100% either in presence of Shri Shadev Dhanavade, G Card Holder of M/s. Quick clearing Agency or Mr. Rahul Ladge on behalf of CB firm to clear the restricted goods. When it was examined by SIIB(I), JNCH it was revealed that 117 Nos of "old and used multifunctional devices/ photocopy machines of misc. brands"—were stuffed in the impugned Container. It is apparent that Shri Jagdish Shadev Dhanavade or Shri Rahul Ladge, who was not duly authorized for Customs Clearance Work was present during the examination conducted by Docks Officer. Therefore, it appears that CB was well aware about the mis-declaration during the course of examination conducted by Docks Officer either in the presence of Shri Jagdish Shadev Dhanavade or Mr. Rahul Ladge. Thus, it appears that CB did not inform importer M/s Celies Global International Private Limited about the restricted goods. Therefore, it appears that CB did not take any reasonable steps to avoid clearance of restricted goods and imparting correct information to importer. However, when the same container and goods were examined by SIIB(I) JNCH, 117 Nos of "old and used multifunctional devices/ photocopy machines of misc. brands"—were found stuffed inside the said container against declaration as 55 pcs of "industrial egg incubator Machine Model No. EG-7120". Thus, it appears that CB did not exercise due diligence with reference to goods imported under B/E no. 8242068 dated 12.04.2022 in Container No. TGHU8222948. Hence, it appears that CB have violated **Regulation 10(e)** of CBLR, 2018 which reads as under: -

*“A Customs Broker shall 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”*

**10.** Since, it was the system instruction that goods should be examined 100% by Docks Officer. Therefore, the goods under B/E No. 8242068 dated 12.04.2022 was given Out of Charge by

the Docks Officer at ULA CFS Nhava Sheva after conducting 100% examination either in the presence of Shri Jagdish Shadedev Dhanavade or Mr. Rahul Ladge. When the same goods and container were examined by SIIB(I), JNCH restricted items i. e. old and used multifunctional devices/ photocopy machines of misc. brands were found. Therefore, it appears that CB obtained the favour of Docks officer in clearance of goods imported under B/E no. 8242068 dated 12.04.2022. Therefore, *prima facie*, it appears that CB have violated **Regulation 10(i)** of CBLR, 2018 which reads as under: -

*“A Customs Broker shall not attempt to influence the conduct of any official of the Customs Station in any matter pending before such official or his subordinates by the use of threat, false accusation, duress or the offer of any special inducement or promise of advantage or by the bestowing of any gift or favour or other thing of value.”*

**11.** From the above facts, *prima facie* it appears that Customs Broker CB M/s. Quick Clearing Agency (PAN No. AAFAQ0917C) having Customs Broker Licence No. 11/145 failed in discharging their obligation as required under provisions 10(d), 10(e) and 10(i) of CBLR, 2018. It is therefore apprehended that the Customs Broker may adopt similar *modus operandi* in future consignments and department cannot remain oblivious to the danger posed by such an eventuality.

**12.** Accordingly, I pass the following Order:

### **ORDER**

- (i) I, Principal Commissioner of Customs (General), in exercise of powers conferred upon me under the provisions of Regulation 16 (1) of CBLR, 2018 hereby suspend the licence of Customs Broker CB M/s. Quick Clearing Agency (PAN No. AAFAQ0917C), CB License No. 11/145 with immediate



effect, being fully satisfied that the Customs Broker have violated provisions of Regulation 10(d), 10(e) and 10(i) of CBLR, 2018.

(ii) However, I offer the Customs Broker CB M/s. Quick Clearing Agency (PAN No. AAAFQ0917C), an opportunity of personal hearing on 4/7/2022 at 12.30 noon through video conferencing facility. Any written representation against this order should reach the undersigned before the date of hearing.

(iii) Broker CB M/s. Quick Clearing Agency (PAN No. AAAFQ0917C), CB License No. 11/145 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 there under or under any other law for the time being in force.

  
(SUNIL JAIN)

**Principal Commissioner of Customs (G)**

**NCH, Mumbai - I.**

To,

CB M/s. Quick Clearing Agency (PAN No. AAAFQ0917C),  
32, MULJI LAXMIDAS BLDG., 1/3 MINT ROAD, FORT, MUMBAI  
-400001

Copy to:

1. The Pr./ Chief Commissioner of Customs, Mumbai I, II, III  
Zone
2. CIU's of NCH, ACC & JNCH
3. Pr. Additional Director General, DRI, MZU.