



**प्रधान आयुक्त ( सामान्य) सीमाशुल्क का कार्यालय**

**OFFICE OF THE PRINCIPAL COMMISSIONER OF CUSTOMS (GENERAL)**

**कस्टम ब्रोकर अनुभाग, नवीन सीमाशुल्क भवन, बेलार्ड इस्टेट, मुंबई- I**

**CUSTOMS BROKER SECTION, NEW CUSTOM HOUSE, BALLARD ESTATE,  
MUMBAI - I.**

F.NO. GEN/CB/208/2025-CBS

Date: 20.06.2025

DIN: 2025067700000002020B

**SHOW CAUSE NOTICE NO. 13/2025-26**

M/s. MRB Logistics (11/2522, PAN No. CHMPB2668C), having address registered at 2<sup>nd</sup> Floor, Room No. 31, Laxmi Sadan Shivaji Nagar, Opp. Narayan Smruti Bldg, Wagle Estate, Thane - 400604 (hereinafter referred as the Customs Broker/CB) is holder of Customs Broker License No. 11/2522 issued by the Principal Commissioner of Customs, Mumbai under Regulation 7(2) of CBLR 2018 and as such they are bound by the regulations and conditions stipulated therein.

**2.** An offence report in the form of SCN No. 1745/2024-25/DC/Gr. I&IA/NS-I/CAC/JNCH dated 27.02.2025 was received from the Office of the Commissioner of Customs (NS-I), Jawaharlal Nehru Custom House, Mumbai-400707, in respect of import of Minced Chicken Meat declared as 'Frozen Chicken' by the importer, M/s. National Agro Exports, Bangalore (IEC-ERZPM3846Q) vide BE No. 6737529 dated 06.07.2023 filed by the CB M/s. MRB Logistics on their behalf.

**3.** M/s EFC Logistics India Pvt. Ltd., CFS vide their letter dated 01.08.2023 informed that Container No. HLBUE9586387 under seal No. HLG0382855 and HLBUE9355270 under seal No. HLG0382851 were longstanding uncleared/unclaimed cargo lying in their CFS and requested to examine the said container under Section 48 of Customs Act, 1962.

Upon examination, it was found that the container bearing No. HLBUE9355270 was sealed with seal No. MLJ01327397 that was different from the seal No. declared in the Bill of Lading i.e. HLG0382851, sealed with customs bottle seal no. 4269883 and another sealed with no. 3. Second container bearing No. HLBUE9586387 (40 fts) was sealed with seal no. MLJ01327396 that was different from the seal no. mentioned in the Bill of lading i.e. HLG0382855, sealed with customs bottle seal no. 4269884 and another sealed with seal no. 342877. After cutting outer transparent plastic and carton, the goods appeared to be frozen mincemeat, however, the importer declared the said item as frozen chicken. The country of origin found on the goods was Brazil. Manufacture date printed on the cartons was 04.07.2022 and expiry date was 03.07.2023 and all cartons had marking of Agrosul Foods on them.

**4.** Statement of Shri Satish Dalvi, G-Card holder (Card No. – 665/2021) of M/s MRB Logistics was recorded on 18.01.2024 under Section 108 of the Customs Act, 1962 wherein he, inter-alia stated that:

- i. He looks after all the work related to document filing and clearing for his firm.
- ii. Mr. Atiq Zama, who is importer's representative of the firm M/s National Agro Exports contacted their firm for clearance of the said Bill of Entry.
- iii. The importer provided Bill of Lading, packing list and health certificate to file the subject Bill of Entry.
- iv. His firm has not filed any previous Bill of Entry for the importer. Only one Bill of Entry i.e. 6737529 dated 06.07.2023 was filed by his company.
- v. His firm has not filed any Bill of Entry for Frozen Chicken for any other Importer.
- vi. KYC documents containing IEC copy, GST registration copy, Aadhar Card copy, PAN Card Copy, Bank signature verification letter and Authorization letter were taken for KYC verification. No physical KYC verification was completed by his firm.
- vii. They came to know about the seal mismatch during the course of the examination. They tried to convey the same to the representative of the importer Shri Atiq Zama but he had not given any reply.
- viii. His firm filed the said Bill of Entry on the basis of documents provided by Shri Atiq Zama to save late filing charges of Bill of Entry. After filing of Bill of Entry, they came to know that the goods which were to be imported under the said Bill of Entry had already expired. They informed the importer's representative that they could not be present during examination as the goods were already expired and asked him to take back their documents for further clearance process. They had not received any reply from the importer's representative on this matter. Further, they were contacted by SIIB (I) Officers to be present at the time of examinations.
- ix. His firm filed said Bill of Entry on the basis of documents provided by the Importer to save late filing charges. He accepted the mistake at their end. His firm is ready to pay any fine, penalty or any other dues, if any for the mistake committed at their end.
- x. His firm had not received any payment from the importer, M/s. National Agro Exports for customs clearance of the said goods.

**5.** A letter dated 31.01.2024 was issued by SIIB(I) to FSSAI, JNPT Nhava Sheva regarding testing of goods imported vide said Bill of Entry. FSSAI observed that the said goods were frozen chicken and were not fit for human consumption since the product in the consignment was already expired and rejected the FSSAI NOC vide test report dated 14.03.2024.

**6.** During the course of investigation, Summonses dated 20.05.2024, 14.11.2024, 26.11.2024 and 06.01.2025 were issued to the Director, M/s National Agro Exports (Importer), however, the importer or the authorized representative did not appear before SIIB(I) to participate in the investigation.

**7.** In view of the discussion above, it is evident that the Customs Broker was involved in the attempt of import of expired frozen chicken which was not only mis-declared, but also were not in compliance with FSSAI Regulations.

**8.** In the regime of trade facilitation, a lot of trust is being placed on the Customs Broker who directly deals with the importers/exporters. Failure to comply with regulation by the CB mandated in the CBLR gives room for unscrupulous persons to get away with import export violations and revenue frauds. In this case, several non-compliances, as detailed above, were found with respect to the imported goods. Therefore, it appears that the Custom Broker failed to adhere to the responsibilities as was expected in terms of the Regulations made under CBLR 2018.

**8.1** Regulation 10(d) of CBLR, 2018 reads as

*“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,”*

Shri Satish Dalvi, in his statement recorded on 18.01.2024, has stated that they filed Bill of Entry No. 6737529 dated 06.07.2023 on the basis of documents provided by the representative of the importer and after filing Bill of Entry, they came to know that the goods which were to be imported had already expired. Further, although the health certificate bore marking of ‘Jordan Foods & Drugs’, the cartons clearly indicated that the goods originated from Brazil and were labelled “Agrosul Foods.” The CB being a professional in the field and having knowledge of Customs and allied Acts was mandated to advise the importer regarding the FSSAI requirements. It appears that the CB did not advise his client to comply with the provisions of the Customs Act 1962, other allied Acts and the rules and regulations thereof, nor did the CB bring the non-compliance to the notice of the Deputy Commissioner of Customs or Assistant Commissioner of Customs. Therefore, it appears that the CB failed to comply with Regulation 10(d) of CBLR, 2018.

**8.2** Regulation 10(e) of CBLR, 2018 reads as

*“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,”*

From the statement of Shri Satish Dalvi recorded on 18.01.2024, it is evident that the CB proceeded to file the Bill of Entry based solely on documents provided by the importer’s representative, without raising any concern regarding the classification, condition, or legality of the goods. Therefore, it appears that the CB failed to comply with Regulation 10(e) of CBLR, 2018.

**8.3** Regulation 10(n) of CBLR, 2018 reads as

*“verify correctness of Importer Exporter Code (IEC) number, Goods and Services Tax Identification Number (GSTIN), identity of his client and functioning of his client at the declared address by using reliable, independent, authentic documents, data or information,”*

From the statement of Shri Satish Dalvi recorded on 18.01.2024, it is evident that the KYC documents containing IEC copy, GST registration copy, Aadhar Card copy, PAN Card copy, Bank signature verification letter and Authorization letter in the name of the CB M/s MRB Logistics were taken for KYC verification and no physical KYC verification was completed by their firm.

The CB firm collected scanned copies of documents such as IEC, GST, and PAN, without verifying the existence or functioning of the importer at the declared address. Also, the importer or the authorized representative did not appear before SIIB(I) to participate in the investigation. Therefore, it appears that the CB failed to comply with Regulation 10(n) of CBLR, 2018.

## **9. Relevant provisions of CBLR, 2018:**

### **Regulation 10(d)**

*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;*

### **Regulation 10(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;”*

### **Regulation 10(n)**

*“verify correctness of Importer Exporter Code (IEC) number, Goods and Services Tax Identification Number (GSTIN), identity of his client and functioning of his client at the declared address by using reliable, independent, authentic documents, data or information;”*

### **Regulation 14 of the CBLR, 2018: Revocation of license or imposition of penalty:**

*The Principal Commissioner or Commissioner of Customs may, subject to the provisions of regulation 17, revoke the license of a Customs Broker and order for forfeiture of part or whole of security, on any of the following grounds, namely:—*

- (a) failure to comply with any of the conditions of the bond executed by him under regulation 8;*
- (b) failure to comply with any of the provisions of these regulations, within his jurisdiction or anywhere else;*
- (c) commits any misconduct, whether within his jurisdiction or anywhere else which in the opinion of the Principal Commissioner or Commissioner of Customs renders him unfit to transact any business in the Customs Station;*
- (d) adjudicated as an insolvent;*
- (e) of unsound mind; and*
- (f) convicted by a competent court for an offence involving moral turpitude or otherwise.*



**Regulation 17(1) & 17(2) of the CBLR, 2018: Procedure of revoking license or imposing penalty:**

*(1) The Principal Commissioner or Commissioner of Customs shall issue a notice in writing to the Customs Broker within a period of ninety days from the date of receipt of an offence report, stating the grounds on which it is proposed to revoke the license or impose penalty requiring the said Customs Broker to submit within thirty days to the Deputy Commissioner of Customs or Assistant Commissioner of Customs nominated by him, a written statement of defense and also to specify in the said statement whether the Customs Broker desires to be heard in person by the said Deputy Commissioner of Customs or Assistant Commissioner of Customs.*

*(2) The Commissioner of Customs may, on receipt of the written statement from the Customs Broker, or where no such statement has been received within the time-limit specified in the notice referred to in sub-regulation (1), direct the Deputy Commissioner of Customs or Assistant Commissioner of Customs, as the case may be, to inquire into the grounds which are not admitted by the Customs Broker.*

**Regulation 18 of the CBLR, 2018: Penalty-**

*(1) The Principal Commissioner or Commissioner of Customs may impose penalty not exceeding fifty thousand rupees on a Customs Broker or F card holder who contravenes any provisions of these regulations or who fails to comply with any provision of these regulations.*

*(2) The Deputy Commissioner or an Assistant Commissioner of Customs may impose penalty not exceeding ten thousand rupees on a G card holder who contravenes any provisions of these regulations in connection with the proceedings against the Customs Broker.*

*(3) The imposition of penalty or any action taken under these regulations shall be without prejudice to the action that may be taken against the Customs Broker or F card holder or G card holder under the provisions of the Customs Act, 1962 (52 of 1962) or any other law for the time being in force."*

**10.** A Custom Broker occupies a very important position in the Custom House and supposed to safeguard the interests of both the importers and the customs department. A lot of trust is kept in CB by the Government Agencies, but by their acts of omission and commission it appears that the CB M/s. MRB Logistics has violated Regulation 10(d), 10(e) and 10(n) of the Customs Broker Licensing Regulation, 2018 and rendered himself liable for penal action under Regulations 16 & 17 of CBLR, 2018.

**11.** In view of the above, in terms of Regulation 17(1) of CBLR, 2018, CB M/s. MRB Logistics (11/2522) is hereby called upon to show cause, as to why:

- i. The Customs Broker license bearing no. 11/2522 issued to them should not be revoked under Regulation 14 read with Regulation 17 of CBLR, 2018.
- ii. Security deposited should not be forfeited under Regulation 14 read with Regulation 17 of CBLR, 2018, and/or
- iii. Penalty should not be imposed upon them under Regulation 18 read with Regulation 17 of CBLR, 2018.

**12.** The CB are directed to submit written representation to this Show Cause Notice within 30 days from the date of issue of this notice and appear for personal hearing on the date as may be fixed and to produce proof of evidence/documents, if any, in their defence to the **Inquiry Officer Shri A.K. Dutta, Assistant Commissioner of Customs, General Commissionerate, Mumbai** who has been appointed as the Inquiry Officer to conduct inquiry into the case under regulation 17 of CBLR, 2018. If no reply is received within the stipulated time period, it will be presumed that they have no explanation to offer and it will be presumed that they do not want personal hearing and the issue will be decided on the facts available on records.

**13.** 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 there under or any other law for the time being in force.

The documents/records relied upon are as under:

- i. SCN vide no. 1745/2024-25/DC/Gr. I & IA/NS-I/CAC/JNCH dated 27.02.2025 issued by Deputy Commissioner of Customs, Group I, NS-I, JNCH.

**(Rajan Chaudhary)**

Principal Commissioner of Customs (G)  
New Customs House, Mumbai – I

To,

M/s. MRB Logistics,  
2<sup>nd</sup> Floor, Room No.31,  
Laxmi Sadan Shivaji Nagar,  
Opp. Narayan Smruti Bldg,  
Wagle Estate, Thane – 400604.

Copy to:

1. Inquiry Officer Shri A.K. Dutta, Assistant Commissioner, NCH, Mumbai
2. The Pr./Chief Commissioner of Customs, Mumbai Zone -I, II & III
3. The Commissioner of Customs, Mumbai Zone I, II & III.
4. EDI of NCH, ACC & JNCH.
5. BCBA.
6. Office copy.
7. Notice Board.