

REGISTERED

SPEED POST



F. No. 375/93/B/2016-R.A.
GOVERNMENT OF INDIA
MINISTRY OF FINANCE
(DEPARTMENT OF REVENUE)

14, HUDCO VISHALA BLDG., B WING
6th FLOOR, BHIKAJI CAMA PLACE,
NEW DELHI-110 066

Date of Issue... 21.9.18

al

ORDER NO. 177/18 ~ Cus dated 14.9.2018 OF THE GOVERNMENT OF INDIA, PASSED BY SHRI R.P. SHARMA, ADDITIONAL SECRETARY TO THE GOVERNMENT OF INDIA, UNDER SECTION 129DD OF THE CUSTOMS ACT, 1962.

SUBJECT : Revision Application filed, under section 129DD of the Customs Act, 1962 against the Order-in-Appeal No. CC(A)CUS/D-I/AIR/868/2016 dated 08.11.2015, passed by the Commissioner of Customs (Appeals), NCH, New Delhi.

APPLICANT : Mr. Mohd. Ayub, Delhi

RESPONDENT : Commissioner of Customs, New Delhi.

ORDER

A Revision Application No. 375/93/B/2016-R.A. dated 16.11.2016 has been filed by Mr. Mohd. Ayub, H.No. 1540, Pahari Darzian, Bazar Chitli Qabar Jama Masjid, Delhi-110006 (hereinafter referred to as the applicant) against order No. CC(A)CUS/D-I/AIR/868/2016 dated 08.11.2016, passed by the Commissioner of Customs (Appeals), NCH, New Delhi, whereby the penalty imposed by the original adjudicating authority has been reduced from Rs. 3,90,000/- to Rs. 1,30,000/- .

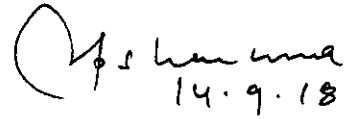
2. The Revision application is filed mainly with a request to set aside the Commissioner (Appeal)'s order or reduce the penalty.

3. A personal hearing was held on 01.08.2018 and it was attended by Sh. S.S. Arora, Advocate, on behalf of the applicant who reiterated the grounds of revision already pleaded in their revision application. However, no one appeared on behalf of respondent and no request has been received for a personal hearing on any other date also from which it is implied that they are not interested in availing any hearing in the matter.

4. The Government has examined the matter and it is observed that the Commissioner (Appeal) has already been fair and judicious in reducing the penalty from Rs. 3,90,000/- imposed by the original adjudicating authority to Rs. 1,30,000/- even when the applicant was involved in serious offence of smuggling of gold of Rs

26,16,334/- weighing 1081 grams. Therefore, the government does not find any justifiable reason to further reduce the penalty in this case.

4. In view of the above discussion, the Revision Application filed by Mr. Mohd. Ayub is rejected.


14.9.18

(R. P. SHARMA)

ADDITIONAL SECRETARY TO THE GOVERNMENT OF INDIA

Mr. Mohd. Ayub,
S/o Mr. Amanullah Khan,
1540, Pahari Darzian,
Bazar Chitli Qabar,
Jama Masjid, Delhi-6.
ORDER NO. 177/18 - Cus dated 14.9.2018

Copy to:-


1. The Commissioner of Customs, NCH, New Delhi.
2. The Commissioner of Customs (Appeals), delhi.
3. The Additional Commissioner of Customs, IGI Airport, New Delhi.
4. Sh. S. S. Arora, Advocate, B1/71, Safdarjung Enclave, New Delhi.

S. PA To AS (RA)

6. Guard File

7. Spare Copy

ATTESTED


(Ravi Prakash)
OSD (RA)