

REGISTERED

SPEED POST



**F. No. 375/62/B/2015-R.A.  
GOVERNMENT OF INDIA  
MINISTRY OF FINANCE  
(DEPARTMENT OF REVENUE)**

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

Date of Issue.....4/4/18

**ORDER NO. 55/18-Cus dated 2-4-2018 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/1928/2015 dated 09.10.2015, passed by the Commissioner of Customs (Appeals), NCH, New Delhi.

APPLICANT : Mr. Navi Hasan, Muradabad,(U.P.)

RESPONDENT : Commissioner of Customs, IGI Airport, Terminal- 3, New Delhi

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**ORDER**

A Revision Application No.375/62/B/2015-R.A. - Cus dated 03/12/2015 has been filed by Mr. Navi Hasan, Village Chamaraua, P.O. Akka Dillari, Muradabad(U.P.) (hereinafter referred to as the applicant) against the Order-in-Appeal No. CC(A)/Cus/D-I/Air/1928/2015 dated 09/10/2015, issued by the Commissioner of Customs(Appeals), New Custom House, New Delhi, whereby the applicant has been allowed to redeem the confiscated gold bars weighing 300 gms of the value of Rs.7,47,948/- on payment of fine of Rs.3,70,000/- and personal penalty of Rs.80,000/-.

2. The revision application is filed mainly on the ground that he had brought the gold for self use only from Jeddah and, therefore, the redemption fine and penalty imposed by the Commissioner(Appeals) is on the higher side.

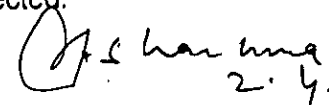
3. Personal Hearing was fixed on 12/03/2018 in this case and it was availed by Sh. Sanjay Kumar, Air Customs Officer, and pleaded that Order-in-Appeal is just proper. However, the applicant did not appear for the personal hearing on the said date. Further no reason for non-availing the hearing and no request for any other date of hearing was also received from the applicant from which it is implicit that he is not interested in availing the personal hearing.

4. From the revision application it is evident that the applicant does not dispute the Commissioner (Appeals)'s order regarding confiscation of the gold which was brought by him from Jeddah in violation of Customs Act and Foreign Trade (Development and

Regulation) Act 1992 and his request is limited to the point that the redemption fine and personal penalty should be reduced.

5. As regards redemption fine and penalty imposed by the Commissioner(Appeals) in his order, the applicant has not advanced any convincing reason for reduction of fine and penalty and it is merely stated that redemption fine is on higher side. On the other hand the Commissioner(Appeals) has observed in his order that fine and penalty should be such that it should deter the applicant from any such smuggling of gold in the future. The Government does not have any reason to differ from this observation of the Commissioner(Appeals) and thus the revision application is not found maintainable.

6. Accordingly, the revision application filed by Mr. Navi Hasan is rejected.

  
2.4.18

(R.P. Sharma)

Additional Secretary to the Government of India

Mr. Navi Hasan  
R/O Village Chamaraua,  
P.O. Akka Dillari,  
Muradabad(U.P.)

**GOI ORDER NO 55/18-Cus dated 2-4-2018**

Copy to:-

1. The Commissioner of Customs(P), IGI Airport, Terminal – 3, New Delhi – 110 037.
2. The Commissioner of Customs (Appeals), New Customs House, Near IGI Airport, New Delhi – 110037.
3. The Additional Commissioner of Customs, IGI Airport, New Delhi - 110037.
4. Mr. Amit Attri, Advocate, Chamber No. 952, Patiala House Court, New Delhi.
5. P.S. to A.S.
- ✓ 6. Guard File
7. Spare Copy

ATTESTED

*2-4-2018*

(Debjit Banerjee)  
Sr. Technical Officer