

REGISTERED  
SPEED POST



F. No. 375/09/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... 2/11/17

ORDER NO. 39/17- Cus dated 02-11-2017 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/Air/10/2015 dated 19.01.2015 passed by  
Commissioner (Appeals), NCH, New Delhi.

APPLICANT : Mr. Abdul Jabbar, New Delhi

RESPONDENT : Commissioner of Customs, IGI Airport, New Delhi

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ORDER

A Revision Application No. 375/09/B/2015-R.A.. dated 23/03/2015 has been filed by Sh. Abdul Jabbar of New Delhi (hereinafter referred to as the applicant) against the Commissioner (Appeals)'s Order No. CC(A)CUS/Air/10/2015 dated 19.01.2015 whereby the applicant has been allowed release of three gold bars weighing 250 grams valued at Rs.6,34,055/- on payment of redemption fine of Rs.2,90,000/- and penalty of Rs.63,000/- which was imposed by original adjudicating authority. Out of this penalty the applicant has already paid Rs.5000/- as a part payment of the penalty vide GAR Challan dated 27/10/2014.

2. The Revision Application has been filed by the applicant mainly on the ground that the redemption fine and personal penalty imposed on the applicant be reduced being on higher side.

3. A personal hearing was granted on 09/10/2017 which was attended by Mrs Harsimrah Kaur, Advocate, who reiterated the grounds of revision. However, no one attended the personal hearing from the respondent side.

4. From the revision application it is evident that the applicant does not dispute the Commissioner (Appeals)'s order regarding confiscation of the goods which were brought by him illegally from Jeddah in violation of Customs Act and the Foreign Trade (Development and Regulation) Act 1992 and his request is limited to a point that the redemption fine and penalty should be reduced.

5. Considering the fact that applicant is not a repetitive offender and the respondent has not given any evidence to establish that the gold brought by the applicant is for commercial purpose, the Government reduces the redemption fine from Rs.2,90,000/- to Rs.2,50,000/- and penalty from Rs.63,000/- to Rs.50,000/-.

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6. Accordingly, the revision application is allowed and the Commissioner (Appeals)'s order is modified in above terms.

*(R.P. Sharma)*  
2.11.17

(R.P.SHARMA)

ADDITIONAL SECRETARY TO THE GOVERNMENT OF INDIA

Mr. Abdul Jabbar  
484/37, Zakir Nagar  
Okhla, New Delhi

ORDER NO. 39/17 - Cus dated 02-11-2017

Copy to:-

1. The Commissioner of Customs, (Airport), IGI Airport, Terminal-3, New Delhi - 110037.
2. The Commissioner of Customs(Appeals), New Customs House Near IGI Airport, New Delhi - 110037.
3. The Deputy Commissioner of Customs, IGI Airport, Terminal-3, New Delhi.
4. Smt. Harsimran Kaur, C/o Sh. S.S. Arora & Associates, B1/71, Safdarjung Enclave, New Delhi-110029
5. P.S. to A.S.

✓ 6. Award File  
7. Spare Copy

ATTESTED

*(Debjit Banerjee)*  
STO (Revision Application)

*(Signature)*  
6111  
Superintendent / अधीक्षक  
Customs & Central Excise  
केन्द्रीय उत्पाद एवम् सीमा शुल्क  
New Delhi / नई दिल्ली