OFFICE OF THE COMMISSIONER
CUSTOM HOUSE, KANDLA
NEAR BALAJI TEMPLE, NEW KANDLA
Phone: 02836-271468/460 Fax: 02836-271467

F.No. - B/7-58/CFA/2009

1. This Order is hereby promulgated with immediate effect.

2. Any person aggrieved by this Order - in - Original may file an appeal under Section 129A(1)(a) of Customs Act, 1962 read with Rule 6(1) of the Customs (Appeals) Rules, 1982 in quadruplicate in Form C.A.-3 to:

   M/s. B.K. Thakker and Company,
   Room No. 207, 2nd Floor, Nilesh Park Building,
   Behind KDIA Gymkhana, Gandhidham,
   Kutch - 370201

3. All appeals relating to this Order must be filed within sixty days from the date of communication of this order.

4. This Appeal shall be heard within sixty days from the date of communication of this order.

5. The Appeal shall be filed in the Form prescribed and accompanied by the prescribed fee.

6. The Fee payable for filing the appeal shall be Rs. 200/-

7. This appeal shall be heard within sixty days from the date of receipt of the appeal.

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Subject: Revocation of suspension of Customs Broker license of M/s B.N. Thakker and Company, Gandhidham.

The facts in brief of the matter are that M/s B. N. Thakker and Company, Room No. 207, 2nd Floor, Plot No 80, Sector 8, Nilesh Park Building, Behind KDBA Gymkhana, Gandhidham, Kutch -370201, is holding CB Licence No. CHA/KCH/R/2/1994 (PAN No. AACFB1035E) dated 15.03.1994, valid up to 13.03.2027, issued by Custom House, Kandla, in terms of regulation 10(1) of CHALR, 1984 (now regulation 7(2) of CBLR, 2018.

2.1 An offence report along with Order-in-Original No. MCH/ADC/PK/114/2018-19 dated 26.02.2019, were received on 26.03.2019 from the Additional Commissioner (CBS), Custom House Mundra vide F. No. S/07-46/Misc-CB/CHM/2018-19 dated 15.03.2019 from the Deputy Commissioner (CBS), Custom House Mundra outlining the role of the Custom Broker in the case of export of cheap quality overvalued goods viz. Polyester Baby Rompers, Polyester frock, Ledies undergarments with an intention to avail higher amount of drawback and for the necessary action against the CB M/s B. N. Thakker and Company under Customs Brokers Licensing Regulations, 2018.


3. The Customs Broker has filed appeal before the CESTAT, WZB, Ahmedabad against the Suspension Order dated 30.04.2019 vide Customs Appeal No. 11073 of 2019. The CESTAT, Ahmedabad vide it’s Order No. A/11474/2019 dated 05.08.2019 has set aside the impugned O-in-O dated 30.04.2019 and allowed the appeal filed by the Customs Broker.

ORDER

Accordingly, I order to revoke the suspension of the Customs Broker License No. CHA/KCH/R/2/1994 (PAN No. AACFB1035E) issued to M/s B. N. Thakker and
P.No. - S/7-58/CHA/2009

Company, Room No. 207, 2nd Floor, Plot No 80, Sector 8 Nilesh Park Building, Behind KDBA Gymkhana, Gandhidham, Kutch -370201.

(SANJAY KUMAR AGARWAL)
PR. COMMISSIONER
CUSTOMS HOUSE, KANDLA

To,
M/s B. N. Thakker and Company, Room No. 207, 2nd Floor, Plot No 80, Sector 8, Nilesh Park Building, Behind KDBA Gymkhana, Gandhidham, Kutch -370201

Copy to:
1. The Chief Commissioner of Customs, Customs Zone, Ahmedabad,
2. The Principal Commissioner of Customs, Custom House Mumbai,
3. The Principal Commissioner/Commissioner of Customs, New Custom House, Ballard Estate, Mumbai,
4. All Section Heads, Kandla Custom House,
5. The Joint Commissioner of Customs, EDI Section, Customs House, Kandla with a request to unblock the CB in system,
6. Office copy,
7. Notice Board.