CUSTOMS, EXCISE & SERVICE TAX APPELLATE TRIBUNAL, MUMBAI

REGIONAL BENCH - COURT NO. I

Customs Appeal No. 85485 of 2026

(Arising out of Order-in-Appeal No. GOA-CUSTOMS-APP(SBD)-033-2024-25 dated 26.11.2024 passed by the Commissioner (Appeals), CGST & Customs, Goa)

The Commissioner of Customs, Goa **.... Appellant**
Custom House, Marmagoa,
South Goa – 403 803

Versus

M/s Blueglobe Exports Pvt. Ltd. **.... Respondent**
B-3, F-1, Prudential Paradise,
Mapusa, North Goa – 403 507

APPEARANCE:

Shri Mahesh Patil, Authorized Representative for the Appellant

Shri Mukesh Laddha, Chartered Accountant for the Respondent

CORAM:

HON'BLE MR. S.K. MOHANTY, MEMBER (JUDICIAL)
HON'BLE MR. M.M. PARTHIBAN, MEMBER (TECHNICAL)

FINAL ORDER NO. A/85789/2026

Date of Hearing: 27.04.2026

Date of Decision: 27.04.2026

PER: S.K. MOHANTY

Heard both sides and perused the case records.

2. Revenue has assailed the impugned order dated 26.11.2024, by way of filing this appeal before the Tribunal. Revenue has contended that the impugned order setting aside the finalization of assessment is not proper and justified, inasmuch as the CRCL's report was not considered for determining the correct 'Fe content' in the exported Iron Ore.

3. On examination of the case records, we find that based on the agreements entered into between the respondent and their overseas buyer, the export proceeds were received on the basis of Fe content in the Iron Ore. Since both the parties to the agreement had agreed upon to settle the price

considering the Fe content of the exported Iron Ore as 54.69%, we are of the view that the benefit of Notification No. 58/2022-Customs dated 18.11.2022 should be available to the respondent for non-payment of customs duty on the Iron Ore exported by them.

4. In the present case, the Department had not questioned the issue as to whether, the transactions made between the parties should be categorized under Section 14 of the Customs Act, 1962 for determination of the transaction value. Since price paid or payable as per the contract was ultimately acted upon for settlement of the sale/purchase transaction in question, the case of the respondent squarely falls under the purview of Section 14 ibid for considering the value declared in the shipping bills as the transaction value for the purpose of levy of customs duty. Since the 'Fe content' in the exported iron ore was less than 57%, the benefit of Notification dated 18.11.2022 should be available to the respondent.

5. Therefore, we do not find any infirmity in the impugned order, insofar as it has set aside the final assessment order passed by the Department in demanding the customs duty on the exported goods. Accordingly, the appeal filed by the Revenue is dismissed.

(Dictated and pronounced in open court)

(S.K. MOHANTY)
MEMBER (JUDICIAL)

(M.M. PARTHIBAN)
MEMBER (TECHNICAL)

Sinha