

**Office of Shaktisinh Gohil**  
**National Spokesperson, AICC & MLA, Abdasa**

<http://www.shaktisinhgohil.com>

**Press Note**

**05th November, 2015**

- **Bumper Diwali gifts by Modi government to big smugglers.**
- **No criminal case against big smugglers.**
- **Modi government through a circular dated 23/10/2015 made a provision of no criminal case against big smugglers.**
- **Provision of default bail so that smugglers don't have to remain in jail.**
- **Despite Supreme Court's instructions of simultaneous departmental inquiry and criminal case proceedings Modi government is helping smugglers.**
- **UPA government of Congress had made smuggling a non bailable offence for stern action against them.**
- **'Achche Din' of big smugglers during Diwali.**
- **Modi came to power saying that he will guard interest of people while he is safeguarding interest of smugglers.**

National spokesperson of Congress and MLA Shaktisinh Gohil today exposed Modi government's move to help smugglers caught with huge contrabands. He pointed out that instead of initiating criminal proceedings against person caught with contrabands under the Customs Act immediately, Modi government has said that the action should be taken after departmental inquiry which should be completed within six months. As per section 135 of Customs Act there is provision of criminal proceedings and departmental action as soon as a person is caught smuggling huge amount of contraband. But recently the Modi government through a circular 27/2015 Customs dated 23/10/2015 made a provision of no immediate criminal case against smuggling of precious metals like gold, items prohibited under section 11 and 123 and foreign currency whose value is more than Rs.20 lakhs. Distributing copies of the circular

among media persons he said that the circular is against Customs Act and will bankrupt economy. It is like 'Aachhe Din' for big smugglers. The circular has provision of departmental inquiry first and six months time is given for it. This is a ploy so that smugglers have not to remain in jail. Now once 60 day period is over, smuggler gets bail by default. This provision cripples authorities.

Supreme Court has clarified in the case of Radheshyam Kejriwal [ 2011 (266) ELT 294 (S.C.) that departmental inquiry and criminal proceedings can be done simultaneously. To file criminal case it is not necessary that departmental inquiry should be completed first. Departmental inquiry and criminal case are independent of each other. Despite this the Modi government has issued a circular which provides ease to smugglers for smuggling.

UPA government of Congress had made smuggling a non bailable offence for stern action against them while BJP government is giving open field to smugglers.

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Note :- **Please logon [www.shaktisinhgohil.com](http://www.shaktisinhgohil.com) to see the circular No. 27/2015 Customs issued by Modi government on 23/10/2015.**

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To,  
The Editor,

Request to kindly publish this press note in your esteemed newspaper.

**(Sunil Rami)**  
**Personal Assistant**