

**CUSTOMS, EXCISE & SERVICE TAX APPELLATE TRIBUNAL
NEW DELHI**

PRINCIPAL BENCH – COURT NO. I

CUSTOMS APPEAL NO. 50049 OF 2026

(Arising out of Order-in-Appeal No. CC(A) CUS/D-II/ICD-PPG/710-726/2025-26 dated 03.10.2025 passed by the Commissioner of Customs (Appeals), New Customs House, New Delhi)

M/s Mitsubishi Electric Automotive India Pvt. Ltd. ...Appellant

Plot No. 167-170, Sector-5
IMT Manesar
GURUGRAM – 122 050 (HR.)

VERSUS

Commissioner of Customs

ICD Patparganj
NEW DELHI

...Respondent

WITH

C/50050/2026	C/50054/2026	C/50058/2026	C/50062/2026
C/50051/2026	C/50055/2026	C/50059/2026	C/50063/2026
C/50052/2026	C/50056/2026	C/50060/2026	C/50064/2026
C/50053/2026	C/50057/2026	C/50061/2026	C/50068/2026

APPEARANCE:

Ms. Anjali Gupta, advocate for the appellant
Shri Ranjan Prakash and Shri Nikhil Mohan Goyal, authorized
representatives of the department

**CORAM: HON'BLE DR. RACHNA GUPTA, OFFICIATING PRESIDENT
HON'BLE MS. HEMAMBIKA R. PRIYA, MEMBER (TECHNICAL)**

**DATE OF HEARING : 22.06.2026
DATE OF DECISION : 01.07.2026**

FINAL ORDER NO. 51101-51117/2026

DR. RACHNA GUPTA:

The present order disposes of seventeen appeals arising
out of common order-in-appeal bearing no. CC(A) CUS/D-II/ICD-
PPG/710-726/2025-26 dated 03.10.2025 and pertaining to the

same importer, namely, M/s Mitsubishi Electric Automotive India Pvt. Ltd.¹

2. The facts, substantially, as are relevant for the present adjudication, are that the appellant had imported various goods including Electronic Control Unit for Electronic Power Steering (hereinafter referred to as 'EPS-ECU') and parts thereof during the period April 2025 to July 2025 vide various Bills of Entry. The details of which are as under :

Sr. No.	Appeal Number	Bill of Entry and date	Total Duty	Duty paid under protest
1	C/50049/2026	9890936 dt 06.05.2025	404784	176227
2	C/50050/2026	3100083 dt 07.07.2025	436921	190219
3	C/50051/2026	9872745 dt 05.05.2025	1423484	822885
4	C/50052/2026	3188426 dt 11.07.2025	339392	206189
5	C/50053/2026	2298963 dt 06.05.2025	872755	552934
6	C/50054/2026	2471425 dt 06.05.2025	80258	34941
7	C/50055/2026	3330518 dt 18.07.2025	261190	113712
8	C/50056/2026	2674211 dt 16.06.2025	3796	1652
9	C/50057/2026	9307110 dt 05.04.2025	687382	392244
10	C/50058/2026	2880810 dt 01.07.2025	89721	39061
11	C/50059/2026	2298374 dt 27.05.2025	377154	164199
12	C/50060/2026	9307095 dt 05.04.2025	760722	420597
13	C/50061/2026	9821789 dt 02.05.2025	1304300	800018
14	C/50062/2026	3188432 dt 11.07.2025	2063786	1307512
15	C/50063/2026	9581873 dt 19.04.2025	259461	112959
16	C/50064/2026	2673487 dt 16.06.2025	828477	519803
17	C/50068/2026	9472172 dt 14.05.2025	261854	114001

The appellant has classified the aforesaid goods under CTH 8708 94 00/8504 5090. However, the department was of the opinion that the impugned goods are classifiable under CTH 8708 94 00. On being pointed out vide letter dated 30.06.2017, the appellant informed the competent authority that the correct classification for the goods is CTH 8537 or 8543 or maybe 9032. However, the duty, as demanded for considering the CTH as 8708 had been paid under protest. The said differential duty was as per the

¹ the appellant

assessment order with respect to the respective Bills of Entry passed by the assessing officer, ICD. Being aggrieved of the said assessment order, the impugned appeals have been filed.

3. We have heard Ms. Anjali Gupta, learned counsel appearing for the appellant and Shri Ranjan Prakash and Shri Nikhil Mohan Goyal, authorized representatives of the department.

4. It has been brought to notice that the issue involved in the present appeals stands already adjudicated in favour of the department in appellants' own case with respect to the prior Bills of Entry filed by the appellant. Learned counsel has endorsed her acknowledgement to the said fact. Copy of the said order passed in Customs Appeal No. 50362 of 2025 and others dated 30.03.2025 is also placed on record.

5. Having heard both the parties and after perusing the record as well as the copy of the order dated 30.03.2025, it is observed that the issue involved in the present set of appeals is regarding classification of EPS-ECU and parts thereof as to whether the goods are classifiable under CTH 8537 10 00/8543 70 99 or CTH 9032 89 10. It is observed that this Tribunal vide Final Order No. 50420-50615/2026 dated 30.03.2026 has already dealt with the identical issue. The relevant paragraphs of the said order is hereby reproduced below :

"4. Earlier, 127 appeals filed by the appellant on the same issue in respect of Bills of Entry filed from February 2018 and May 2021 were decided by this Tribunal by a Final Order dated 30.07.2024. The relevant paragraphs of this Final Order are reproduced below:

31. We are conscious that there are electronic instruments and apparatus which, though used in automobiles, are classifiable under Chapter 90. However, EPS-ECU is not an instrument or an apparatus but is a part of the power steering system. Merely because it is in the form of a PCB and other electronic components does not change it from a part of an automobile into an instrument or

an apparatus. It is, in essence, a microprocessor with certain other parts which receives information from the speed and torque sensors and processes it and issues instructions to regulate the assistance provided by the power steering to the driver. **Therefore, in our considered view, EPS-ECU does not merit classification under CTI 9032 90 00.**

32. The first alternative claim of the appellant is CTI 8537 10 00 as "Boards, panels, consoles, desks, cabinets and other bases, equipped with two or more apparatus of CTH 8535 or 8536, for electric control or the distribution of electricity, including those incorporating instruments or apparatus of 20 C/51294 OF 2022 & 126 others Chapter 90, and numerical control apparatus, other than switching apparatus of CTH 8517 of voltage not exceeding 1000 volts".

33. As discussed above, EPS-ECU is not designed for electricity distribution or electric control. It is a part of an automobile – specifically a part of the power steering system to decide how much assistance should be provided to the driver in steering. The mere fact that it makes this determination and intervenes between the 12-volt car battery and a small motor does not, in our considered view does not make, EPS-ECU into an electrical board, panel, etc. We, therefore, find that EPS-ECU does not merit classification under CTI 8537 10 00.

34. The second alternative claim of the appellant is for the EPS-ECU to be classified under CTI 8543 70 99 as "Electrical machines and apparatus having individual functions, not specified or including elsewhere in this chapter- others".

35. We find that CTH 8543 covers various "electrical machines and apparatus having individual functions but not specified elsewhere in that Chapter". This includes, various specific electrical machines and apparatus such as particle accelerators, signal generators, machinery for electroplating, electrolysis, audio visual equipment. This CTH lists various types of machines and has a residual category 'Other' preceded by "---" (three dashes). Within this three dash 'Other' category are various equipment and machines each preceded by "----" (four dashes) such as radio frequency power amplifiers, beauty care equipment, audio visual stereo encoders, etc. and the last four dash category is CTI 8543 70 99 "----other". We do not find that EPS-ECU, which is essentially a part of an automobile specifically designed to be a part of power steering and which has no other function, can be classified in the general residual entry of electrical machines and equipment.

36. For all the above reasons, we find that EPS-ECU and its subassembly deserve to be classified and

were correctly classified under CTI 8708 94 00. The impugned order insofar as this classification is concerned needs to be upheld. Classification of parts of EPS-ECU.

37. According to the Revenue, parts of EPS-ECU are also parts (or child parts) of the power steering and hence they were correctly classified under CTI 8708 94 00.

38. The appellant has three alternative submissions on the classification of parts of EPS-ECU. Its first submission is that they are classifiable under CTI 9032 89 90. According to the appellant, since the EPS-ECU itself is classifiable under CTI 9032 89 10, its parts consequently fall under CTI 9032 89 90. Since we have held that EPSECU do not merit classification under CTI 9032 89 10, its parts, consequently, do not fall under CTI 9032 89 90.

39. The appellant's alternative (second) submission is that parts of EPS-ECU are classifiable under CTI 8538 90 00 (cover, housing, housing assembly, spacer and circuit assembly) and CTI 8538 10 90 (heat sink). This submission is linked to its alternative submission that EPS-ECU is classifiable under CTI 22 C/51294 OF 2022 & 126 others 8537 10 00. Since we have held that EPS-ECU do not merit classification under CTI 8537 10 00, its parts, consequently, do not fall under CTI 8538 90 00 (cover, housing, housing assembly, spacer and circuit assembly) and CTI 8538 10 90(heat sink).

40. The appellant's another alternative (third) submission is that parts of EPS-ECU are classifiable under CTI 8543 90 00. This submission is linked to its alternative submission that EPS ECU is classifiable under CTI 8543 70 99. Since we have held that EPS-ECU do not merit classification under CTI 8543 70 99, its parts, consequently, do not fall under CTI 8543 90 00.

41. In view of the above, the impugned order deserves to be upheld. All the 127 appeals, therefore, deserve to be dismissed and are dismissed.

5. Learned counsel for the appellant submits that in the above decision, this bench had followed its earlier decision in **M/s Continental Automotive Brake Systems India Private Limited vs. Commissioner of Customs, ICD, Patparganj** decided by Final Order dated 19-03-2024. Thereafter, the Chennai bench of this Tribunal had, in the following orders, decided that ECU is classifiable under CTH 9032.

- a. **Hyundai Motors Ltd. vs Commissioner of Customs, Final Order No. 41308-41310/2024 dated 21.10.2024**

b. **Commissioner of Customs, Chennai Import Commissionerate vs M/s. Mobis India Ltd., Final Order NO. 40800/2025 dated 7.8.2025**

6. We have examined the above two orders of the Chennai bench of this Tribunal. The order in Hyundai Motors was passed after the order of this bench in the own case of the appellant on 30.7.2024 but it appears that the decision was not brought to the notice of the Chennai bench and hence it was not considered. The decision in Continental Automotive Brake Systems was, however, brought to the notice of the Chennai bench and it was distinguished on facts in Hyundai Motors. It was held that ECU is a generic term and each ECU must be considered on its own merits to decide the classification. The relevant portion of the order of the Tribunal in Hyundai Motors is reproduced below:

12.26.1 The Ld. AR has drawn attention to the Order of a Coordinate Bench at New Delhi in M/s Continental Automotive Systems India Private Ltd Vs Commissioner of Customs, Delhi [2024 (3) TMI-CESTAT New Delhi], wherein it was held that ECU in that case was not a regulator of electrical quantity nor was it an instrument or apparatus for regulating non-electrical quantities which depend on electrical phenomenon. Merely because ECU is a chip which analyses the data (and through any chip electricity flows), the function of ABS or it's part ESCS (manufactured by the HMIL) or it's further sub part ECU (imported by HMIL) do not, qualify as automatic regulator of electrical quantities and instruments or apparatus for automatically controlling non-electrical quantities the operation of which depends on electrical phenomenon. Accordingly, the Principal Bench, dismissed the Appeals and upheld the Order of the Adjudicating Authority wherein the goods were classified under CTI 8708 9900. We find that ECU is a generic name. It is not unique to motor vehicles and is used in domestic machines like refrigerators, washing machine, dish washers etc. and also in industrial machines. Even in motor vehicles there are known to be between 1 to more than 70 ECU's. They include body control modules for the door, seat, power lock, airbag, air condition system etc. and powertrain control modules which includes anti-lock brake system (ABS), engine control unit, transmission control unit etc. Each ECU performs separate functions as per the machine and mechanism it is a part of and is not comparable to another. Hence the classification of each ECU for the purpose of assessment as per the Tariff must be considered separately. The issue in the said judgment was whether the ECU which was a printed circuit board imported by HMIL to be used in the manufacture of Electronic Stability Control Systems which are used by manufacturers of automobiles in Anti Lock Braking Systems or Electronic Braking Systems, was classifiable under CTI 9032 8910 as claimed by HMIL or under CTI 8708 9900 as per revenue. We find that the

dispute in this case is distinguished in as much as HMIL in that case had imported a printed circuit board which is a part of the Anti-Lock Braking System of cars. It is thus a part of a part of a motor vehicle. Central ECU's are commonly known as the engine's "brain." It is a rugged solid block item which is positioned outside the engine and as per the discussions above has been found to be an apparatus with an independent function which though not essential for the functioning of an IC engine adds to its effectiveness. In Bhavnagar University Vs Palitana Sugar Mills Pvt. Ltd [2003(2) SCC 111], the Apex Court observed; "It is well settled that a little difference in facts or additional facts may make a lot of difference in the precedential value of a decision". A similar view was taken by a Larger Bench of this Tribunal at paras 25, 26 and 27 of its decision in The Ramco Cements Ltd. Vs. CCE, Puducherry [2023 (12) TMI 1332 -CESTAT Chennai LB]. As discussed, the goods in the impugned case are not comparable, and the judgment in Continental Automotive (supra) is hence distinguished.

7. Thus, according to the **Hyundai Motors**, each ECU must be considered on its own merits and the ECUs cannot be compared and the ECU in that case were different from the ECUs in **Continental Automotive**.

8. The ECU in this case are identical to the ECUs decided in respect of the same appellant in the previous Final Order dated 4.10.2024 of this bench.

9. Both learned counsel for the appellant and the learned authorised representative for the Revenue have stated that the Final Order in the case of the appellant has been appealed against by the appellant before the Supreme Court but no stay has been granted. The earlier decision of this bench, therefore, holds the field on the question of classification of EPS-ECU imported by the appellant.

10. In view of the above, following the earlier order of this bench in respect of the same appellant, we uphold the impugned order and dismiss all the 196 appeals."

6. At this stage, we have also perused the order under challenge wherein the Commissioner (Appeals) has held as under :

"5.4 I find that the CTH 8543 70 99 under which the appellant classified their goods i.e. EPS-ECU, covers, other electrical machines and apparatus having individual functions, not specified or included elsewhere in this Chapter 85. It is evident beyond reasonable doubts that the impugned goods i.e. EPS-ECU, do not perform any individual function of its own, rather in tandem with the torque sensor and speed sensor. They are integral part of 'Steering columns' of automobiles and have no independent use. Since the appellant themselves acknowledge the fact that goods under dispute i.e. EPS-ECU do not perform individual function as a machine, the contention of appellant to classify the same under CTH 8543 is nothing but

an attempt at classifying goods contradicting the chapter sub-heading and appellant's own submission. The classification of EPS-ECU under CTH 8543, as the appellant has claimed, will be in utter disregard to the logic and well delineated description of goods under Tariff item. I find that the goods do not have their independent use. They have their utility in being 'part' of the whole electrical assembly i.e. the Electric Power Steering, which then is fitted in the target vehicle. By all accounts it is, and indeed should be, treated as integral part of the Electric Power Steering Power of the vehicle in which it is fitted. Clearly, apart from this intended use the goods lose its utility.

Chapter 87 falls under Section XVII of the Tariff. HSN Explanatory Note to this section lays down three yardsticks for parts to be classified under the headings of that section. The three conditions are as under:

- a. They must not be excluded by the terms of Note 2 of Section XVII;
- b. They must be suitable for use solely or principally with the articles of Chapter 86 to 88; and
- c. They must not be more specifically included elsewhere in the nomenclature.

EPS-ECU and its part are not excluded as per note 2 to Section XVII and therefore, the first condition is met. EPS-ECU and its parts are designed principally for use in automobiles with power steering as is evident from the description and there is no evidence of any other use and therefore, the second condition is also met. BPS-ECU is not more specifically covered elsewhere in the tariff and hence the third condition is also met.

As per General Interpretative Rule 2(a), a specific heading should be preferred over a general heading. CTH 8708 94 00 under which the department classified the EPS-ECU is a more specific heading and it covers 'Steering wheels, steering columns, steering boxes and parts thereof'. Similarly, parts of EPS-ECU such as cover, housing, housing assembly, frame assembly, spacer, circuit assembly were classified.

The basic parameter which determines its proper classification is its use and utility. That makes the goods classifiable under the CTH 8708 which has a specific entry 8708 94 00- Steering Wheels; Steering Columns and Steering boxes; parts thereof. When there is a specific entry for Steering Columns and parts thereof, any attempt to classify EPS-ECU and its parts in any other heading completely defies the scheme of Customs Classification. Undoubtedly, the EPS-ECU is specifically designed to be used in 'Electronic Power Steering' to be fitted in automobile vehicles of Chapter 87. They have no other use. Thus, in terms of Section Note 2 & 3 of Section XVII of the First Schedule of the Customs Tariff Act 1975; they remain classifiable under CTH 8708."

7. It is observed that there seems no infirmity in the said findings of the Commissioner (Appeals) when glanced through the

findings of this Tribunal on the same issue with respect to the same appellant in the final order dated 30.03.2026. The ECU in this case are identical to ECUs decided in respect of the same appellant in the said previous order. Since the issue stands already decided by this Tribunal in totality of the above observations, we find no reason to differ from the earlier findings of this Tribunal and, therefore, the orders under challenge are hereby upheld. Consequent thereto, all seventeen appeals are hereby dismissed.

(Pronounced in the open Court on 01.07.2026)

(DR. RACHNA GUPTA)
OFFICIATING PRESIDENT

(HEMAMBIKA R. PRIYA)
MEMBER (TECHNICAL)

Golay