IN THE CUSTOMS, EXCISE & SERVICE TAX APPELLATE TRIBUNAL, CHENNAI

Customs Appeal No. 40503 of 2024

(All appeals arising out of Order in Original No. 106928/2024 dated 15.05.2024 passed by the Commissioner of Customs, Chennai – II (Import), Chennai)

M/s. Syndicate Diagnostics (P) Ltd. **Appellant**
No. 127B, 1st Floor
Brickkiln Road,, Puraswalkam,
Chennai – 600 007.

Vs.

Commissioner of Customs **Respondent**
Chennai – II Commissionerate (Import)
Customs House, 60, Rajaji Salai,
Chennai – 600 001.

APPEARANCE:

Shri Ajay Kumar Gupta, Advocate for the Appellant
Shri Anoop Singh, Authorised Representative for the Respondent

CORAM

Hon'ble Shri P. Dinesha, Member (Judicial)
Hon'ble Shri M. Ajit Kumar, Member (Technical)

FINAL ORDER NO. 41032/2026

Date of Hearing: 30.03.2026
Date of Decision: 22.09.2026

Per M. Ajit Kumar,

This appeal filed by the appellant is against Order in Original No. 106928/2024 dated 15.05.2024 passed by the Commissioner of Customs (Import), Chennai (impugned order).

Brief Facts

2. Brief Facts of the Case are that the appellant imported 35 shipments of "STA Satellite Cuvette 6X220 (Spare parts for Coagulation Analyser)" and related items starting in December 2018, self-assessing and clearing them as equipment parts under CTI 9027

9090. However, Customs Audit objected to this classification, maintaining that because the cuvettes are disposable consumables, they cannot be treated as machine parts and must instead be categorized as general plastic articles under CTI 39269099, which attract higher duty rates. Accordingly, a Show Cause Notice came to be issued on 18.12.2023, and after following due process, the Adjudicating Authority reclassified the goods under CTI 3926 9099, ordered the recovery of ₹3,38,70,870 in differential duty alongside applicable interest. He also imposed an equal penalty under Section 114A, and a redemption fine of ₹1 crore under Section 125 on the goods that were cleared and no longer available for physical confiscation. Aggrieved by the Order the Appellant is before us.

3. The Ld. Advocate Shri Ajay Kumar Gupta appeared for the appellant and the Ld. Authorized Representative Shri Anoop Singh appeared for the respondent.

Submissions made by the Appellant

3.1 Shri Ajay Kumar Gupta ld. Advocate for the appellant submitted as under:

A. The appellant imports STAGO blood coagulation analysers, their parts and related disposables from Diagnostica Stago S.A.S., France, the original manufacturer and patent holder, and that the present proceedings arose solely from a post-audit objection.

B. The goods in dispute are STA micro-cuvettes, being patented, sealed cartridge assemblies consisting of a plastic body with a small steel ball enclosed therein. They are imported in cassette or cartridge form, are designed exclusively for STAGO coagulation analysers, and

have no independent or general use. The supplier classifies and supplies them internationally under Heading 9027, including in approximately 100 countries, and identical goods are stated to be imported throughout India under the same heading.

C. It was submitted that the disputed micro-cuvettes are fundamentally different from ordinary cuvettes or generic sample vessels. Their particular dimensions, sealed construction, geometry and incorporated steel ball are dictated by the requirements of the STAGO analyser. In operation, the cuvette holds the plasma sample between the analyser's magnetic sensors, while the steel ball is rotated by a magnetic field. As fibrin strands form during coagulation, the ball ceases to rotate, and the coagulation time is detected through the analyser's sensing system. The cuvette and steel ball thus interact directly with the magnetic and optical systems of the analyser and enable its viscosity-based diagnostic function; the analyser cannot perform the intended test without them.

D. The micro-cuvettes are identifiable and essential functional parts of the STAGO coagulation analyser, notwithstanding their consumable or replaceable character. The tariff does not require a part to be durable hardware, and the supplier's description of the goods as "solutions and disposables" does not exclude them from being parts. Their status must be determined by their specific design, exclusive use and functional relationship with the principal machine, rather than by treating them as independent plastic vessels. The comparison made by the lower authority between the steel ball in the cuvette and the metal handle of a plastic basket was therefore said to be misconceived.

E. Classification must follow the relevant Section Notes, Chapter Notes and HSN principles. Heading 9027 covers instruments and apparatus for physical or chemical analysis, including viscosity-measuring instruments, and Chapter 90 Note 2(b), read with Note 3, brings identifiable parts and accessories of such instruments within that heading. Chapter 90 Note 1(e) expressly excludes laboratory glassware of Heading 7017, but contains no corresponding exclusion for machine-specific plastic cartridges of the present kind. The appellant's CDSCO import licences also identify the goods as parts of a medical device.

F. It was further contended that Heading 9027 is the specific entry for parts of analytical instruments and must prevail over Heading 3926, a general residuary entry for other articles of plastics. Reliance was placed on **Union of India & Ors. v. Garware Nylons Ltd. & Ors**. (1996) 10 SCC 413], for the principle that a specific entry prevails over a general one. Accordingly, the goods were claimed to be correctly classifiable under CTI 9027 9090.

G. In support, the appellant relied on **Sandor Medicaids Vs Principal Commissioner of Customs, Hyderabad** [2023 (3) TMI 593], wherein I-STAT blood-gas investigation cartridges, used with the analyser to generate analytical results, were held classifiable under CTH 902790. The decision was cited as recognising that a consumable article functionally integrated with an analytical system may be classified as a part under Heading 9027. Reliance was also placed on Order-in-Appeal No. AAAR/032018 (A.R.) dated 26.09.2018, **VXL India Ltd. Vs Collector of Customs** [1993 (7) TMI 173], **HID India**

(P) Ltd. Vs Principal Commissioner of Customs [2023 (7) TMI 1065], **CC, Bombay Vs Fuel Furnaces Manufacturers** [1997 (5) TMI 201], and **Chemilab Corporation Vs Collector of Customs, New Delhi** [1994 (3) TMI 211]. It was emphasised that **Chemilab Corporation** treated consumable TLC sheets as parts under Chapter 90 Note 2(b). **Canada Customs** Memorandum D10-0-1 was also cited for recognising dedicated disposables marketed for a specific unit as parts.

H. Learned counsel additionally relied on **CCE, Delhi Vs Insulation Electrical (P) Ltd.** [2008 (224) E.L.T. 512 (SC)], for the test of an essential component or part of a machine. It was submitted that the STA micro-cuvette satisfies that test because it both contains the plasma and, through the magnetically controlled movement of its steel ball, participates in determining coagulation time.

I. The Department's reliance on **Laxbro Manufacturing Co. Vs Commissioner of Central Excise, Pune** [2008 (9) TMI 655], was distinguished. That case concerned different laboratory-ware items classified under Headings 3923, 3926 and 9018, with a dispute principally between Headings 9018 and 9027, and did not examine the construction or functional characteristics of the present patented micro-cuvette. Reliance on **United States tariff rulings** was likewise said to be misplaced because international harmonisation extends only to the six-digit HSN level; the United States ten-digit entry for "laboratory ware" has no counterpart in the Indian tariff and concerns general-purpose articles such as beakers and pipettes rather than instrument-specific cartridges.

J. On limitation, learned counsel submitted that the extended period under Section 28(4) of the Customs Act, 1962 could not be invoked because the dispute was a bona fide classification issue and there was no material showing collusion, suppression of facts, deliberate misstatement or mala fide intent. The show-cause notice itself was stated not to contain the necessary allegations. The appellant had accurately declared the goods, consistently adopted the classification used by the manufacturer, and obtained clearance over several years without objection; some Bills of Entry had also been examined and the goods released after verification. Reliance was placed on **CETC Renewable Energy Technology (India) Pvt. Ltd. Vs Commissioner of Customs, Chennai** [2023 (8) TMI 415], **Wanbury Ltd. Vs CCE, Guntur** [2016 (6) TMI 1056], **Anand Nishikawa Co. Ltd. Vs Commissioner of Central Excise, Meerut,** [2005 (188) E.L.T. 149 (SC)], and **M/s. Samsung India Electronics Pvt. Ltd. Vs Principal Commissioner of Customs** [2023 (12) TMI 1155 – CESTAT NEW DELHI]

K. For the same reasons, it was submitted that penalty under Section 114A was unsustainable, since its essential ingredients—collusion, wilful misstatement or suppression of facts with the requisite intent—were absent. The appellant's consistent declaration of the supplier's classification and the Department's earlier acceptance of the same demonstrated the absence of any intent to obtain an undue benefit.

L. As regards confiscation and redemption fine, learned counsel submitted that the imported goods were no longer available for seizure

or confiscation and, therefore, no redemption fine could be imposed. Reliance was placed on **Commissioner Vs Finesse Creation Inc.,** [2010 (255) E.L.T. A120 (SC), affirming 2009 (248) E.L.T. 122 (Bom.)], for the proposition that where the goods are unavailable, the question of redemption does not arise.

The learned counsel accordingly prayed that the impugned order be set aside, CTI 9027 9090 be declared the correct classification of the imported micro-cuvettes, and the consequential duty demand, penalty and redemption fine be quashed.

Submissions made by the Respondent-Revenue

3.2 Shri Anoop Singh, learned Authorised Representative appearing for the Revenue, took us through the impugned Order-in-Original and reiterated its findings. He strenuously and forcefully submitted that:

A. The dispute concerns both misdeclaration and misclassification. The correct commercial description of the imported goods is "STA Cuvette", while the expression "spare parts for coagulation analyser" was added by the importer in the Bills of Entry and did not appear in the supplier's invoice.

B. The essential function of the imported cuvettes is to hold blood or laboratory samples during analysis. The analyser performs the analytical operation upon the sample, whereas the cuvette itself performs no function other than containing the sample. The manufacturer's catalogue and product literature describe the goods as single-use disposables or consumables and do not include them among the listed spare parts or sub-assemblies of the STAGO coagulation analyser. They are not supplied as constituent parts of the machine

and are discarded or incinerated after use for biosafety purposes. In commercial parlance and trade understanding, therefore, the goods are regarded as consumable laboratory ware rather than parts or accessories.

C. The imported STA cuvettes were essentially single-use plastic laboratory consumables intended merely for holding blood or plasma samples during analysis and could not be regarded as parts or accessories of the STAGO coagulation analyser. The fact that the cuvettes were designed for use with a particular analyser did not, by itself, confer upon them the character of parts of that analyser. The analyser remained a complete instrument without the cuvette, whereas the cuvette was neither fitted into nor incorporated as a constituent of any assembly or sub-assembly of the analyser.

D. A "part" must be an integral constituent of an assembly or sub-assembly and must be necessary to complete the principal article. Reliance was placed on **Pragati Silicons Pvt. Ltd. Vs Commissioner of Central Excise, Delhi,** 2007 (211) E.L.T. 534 (SC), and **Deputy Commissioner Vs Union Carbide India Ltd.**, (1976) 38 STC 198 (Ker.), for the proposition that an article can qualify as a part only when the main machine is incomplete without it. In **Commissioner of Customs, New Delhi Vs C-Net Communication (I) Pvt. Ltd**., 2007 AIR SCW 6208 / (2007) 12 SCC 72, the Hon'ble Supreme Court referred to the criteria whether the article is essential to the operation of the principal product, is a necessary and integral component, is installed in the principal product, and is recognised as a part in common trade usage.

E. As regards an "accessory", reliance was placed on **Supreme Motors Vs State of Karnataka** [1987 (27) E.L.T. 409 (Kar.)], and **Annapurna Carbon Industries Co. Vs State of Andhra Pradesh**, [(1976) 2 SCC 273], wherein an accessory was described as an article supplementary or secondary to something of greater or primary importance, which adds to its convenience or effectiveness or assists in its operation. Applying these tests, the learned Authorised Representative submitted that the cuvettes are neither parts nor accessories. The coagulation analyser remains a complete machine without a cuvette installed in it, and the cuvette is not an element of any assembly or sub-assembly of the analyser but merely a disposable article used with it.

F. Classification is governed by the General Rules for the Interpretation of the Import Tariff, the relevant Section and Chapter Notes, and the HSN Explanatory Notes. Chapter 90 provisions concerning parts and accessories would apply only after the goods are found to be parts or accessories; the use of the expression "does not cover" in Chapter Note 1 does not render every unlisted article classifiable in Chapter 90. Since the cuvettes do not satisfy the legal tests of parts or accessories, their classification under CTH 902790 was said to be untenable.

G. The goods are essentially articles of plastics used as laboratory ware and are appropriately classifiable under CTH 39269099. Their plastic body imparts the essential character, and the presence of a small steel ball does not alter that character, just as the presence of a metal handle would not deprive a plastic basket of its character as a

plastic article. As per HSN Explanatory Notes to Chapter 39, Heading 3926 covers a broad range of other articles of plastics, including laboratory equipment and accessories. Had the goods been made of glass, they would fall as laboratory glassware under the appropriate heading, but their manufacture principally from plastic attracts Heading 3926.

H. As per the **United States Harmonized Tariff Schedule**, Revision 1 of 2024, which, as an expanded version of the WCO HSN, places plastic laboratory ware under CTH 3926 9099 10 at the ten-digit level. Although the Indian tariff extends only to eight digits, this treatment was cited as supporting classification under CTH 3926 9099. Reliance was placed principally on **Laxbro Manufacturing Co.** (supra), wherein articles used for holding or storing samples or slides, certified as consumable laboratory ware and incinerated after use for biosafety, were held not classifiable under CTH 9027 but as articles of glass or plastics used in laboratories.

I. In support of the principles governing classification and commercial parlance, the Department further relied on **Vanasthali Textile Industries** [2007 12 SCC 115]; **Madhav Marbles and Granites Ltd**. [2024 (8) TMI 592-CESTAT CHENNAI]; **Triveni Glass Limited** [2023 (10) TMI 493 SC]; **Asian Paints India Ltd**. [1988 (3) TMI 61 - Supreme Court], and **Metagraphs Pvt. Ltd** [1996 (11) TMI 68-Supreme Court]

J. The appellant's reliance on **Sandor Medicaids** (supra), was distinguished on the ground that the goods and factual circumstances

considered therein were dissimilar and therefore did not govern the present dispute.

K. On limitation and penalty, the learned Authorised Representative submitted that Sections 46(4) and 46(4A) of the Customs Act, 1962 require an importer, under the self-assessment regime, to ensure the truthfulness, correctness and accuracy of the declared description, classification, rate of duty, value and claim to exemption. In the present case, while the supplier's invoice merely described the goods as cuvettes, the importer added the words "spare parts for coagulation analyser" in the Bills of Entry. This as a deliberate misstatement intended to disguise the true nature of the goods and obtain a lower rate of duty, thereby attracting Section 28(4).

L. Reliance was placed on **Uniworth Textiles Ltd. Vs Commissioner of Central Excise, Raipur**; **Interglobe Aviation Ltd. Vs Principal Commissioner of Customs, Bangalore** [2022 (379) E.L.T. 235], and **Eastern Silk Industries Ltd. Vs Commissioner of Customs (Airport/Admn.), Kolkata**. It was submitted that the authorities cited by the Appellant on limitation were inapplicable because the present case involved a deliberate addition to the description in the Bills of Entry. The extended period of five years under Section 28(4), recovery under Sections 28(4) and 28(8), and interest under Section 28AA were therefore justified. The goods were consequently liable to confiscation, and penalties under Sections 112(a) and 114A were also properly imposable.

M. With regard to redemption fine under Section 125 of the Customs Act, 1962, reliance was placed on **Weston Components Ltd. Vs**

Commissioner of Customs, New Delhi [2000 (115) E.L.T. 278 (SC)], and **Visteon Automotive Systems India Vs CESTAT, Chennai** [2018 (9) G.S.T.L. 142 (Mad.)], to contend that redemption fine may be imposed once the imported goods are found liable to confiscation, irrespective of whether the goods remain physically available.

The learned Authorised Representative accordingly submitted that the impugned order had correctly classified the goods under CTH 3926 9099, confirmed the duty and interest, and imposed confiscation, redemption fine and penalties, and he prayed that the appeals be rejected.

4. We have heard Shri Ajay Kumar Gupta, learned Advocate for the appellant, and Shri Anoop Singh, learned Authorised Representative for the Revenue. We have perused the impugned order and the records of the case.

4.1 We find that the parties to the appeal have relied on foreign Rulings, without showing whether the Tariff on which they are based are *pari materia* to the Indian Customs Tariff. In any case these Rulings are also private tax ruling and cannot formally be cited as an authority by another taxpayer/ appellant in their own judicial proceedings. Each Ruling is an authority in the setting of its own facts and will not help advance other appellants cause in their case before judicial fora. The Income Tax Appellate Tribunal – Mumbai, in the case of **Assistant Director Of Income Tax Vs Green Emirate Shipping And Travels** [(2006) 100 ITD 203 (MUM) / [2006] 286 ITR 60 (MUM)], while examining Rulings given by Indian Authorities, after referring to

the Hon'ble Supreme Court's judgment in **Union Of India And Anr Vs Azadi Bachao Andolan And Anr** [AIR 2004 SUPREME COURT 1107], held that the **Authority for Advance Rulings, not being a part of the judicial hierarchy, cannot lay down a binding precedent for anyone - the Revenue, the assessees or the appellate authorities - except for the assessee who sought the Ruling and its jurisdictional authority. This according to us, would be applicable with greater force to foreign Rulings, where the law is not even shown to be *pari materia* to the applicable domestic law.** We hence do not propose to examine the same.

Question for Consideration

5. The dispute in the present appeal relates to the classification of STA micro-cuvettes imported by the appellant for use in STAGO blood coagulation analysers. The appellant had classified the goods under CTI 9027 9090, whereas the Department has classified them under CTI 3926 9099, treating them as articles of plastics/laboratory consumables. The principal issue for determination is, therefore, whether the imported micro-cuvettes are merely articles of plastics/laboratory consumables classifiable under Heading 3926, as held by the Department, or whether they constitute identifiable parts/accessories of the STAGO coagulation analyser and are consequently classifiable under Heading 9027 by virtue of Note 2(b) to Chapter 90.

Discussion and Analysis

6. The undisputed description of the impugned goods is that they are STA micro-cuvettes, for use with STAGO coagulation analysers. The material placed on record indicates that the goods are sealed cartridge assemblies consisting of a plastic body containing a small steel ball. They are not ordinary sample vessels capable of general laboratory use. Their dimensions, configuration and construction are designed for the particular STAGO analytical system. The Revenue has also not established that the subject goods have any practical use with instruments other than the STAGO coagulation analyser.

6.1 The manner in which the goods function is also material. **The plasma sample is contained in the micro-cuvette which consists of a plastic body with a small steel ball enclosed therein. The steel ball enclosed therein is subjected to magnetic control within the analyser. During coagulation, formation of fibrin strands causes the ball to cease rotating. The analyser detects the resulting change through its sensing system and determines the coagulation time. Thus, the micro-cuvette is not merely a passive container in which a sample happens to be placed. Its construction, including the incorporated steel ball, participates in the analytical process performed by the coagulation analyser.** The submission of Revenue that the analyser remained a complete instrument without the cuvette, whereas the cuvette was neither fitted into nor incorporated as a constituent of any assembly or sub-assembly of the analyser, hence does not appear to

be correct. Without the micro-cuvette the analytical process would not be complete.

6.2 We find considerable force in the submission of the learned Advocate that the goods have to be considered having regard to their specific design, exclusive use and functional relationship with the principal instrument, rather than merely by reference to the material of which their outer body is made. Classification cannot be determined by isolating the plastic body from the article as a whole when the article, as imported, is a specially designed cartridge incorporating a steel ball and intended for a particular analytical system.

6.3 Chapter 90 Note 2 provides the statutory scheme for classification of parts and accessories of machines, instruments and apparatus falling under that Chapter. **Note 2(b) specifically provides that other parts and accessories, if suitable for use solely or principally with a particular kind of machine, instrument or apparatus, are to be classified with the machines, instruments or apparatus of that kind. The requirement is thus not that the article should be permanently fitted into the principal machine. The relevant consideration, in this case, is whether the article qualifies as a part or accessory and is suitable for use solely or principally with the particular instrument, satisfying Note 2(b) to Chapter 90.**

6.4 In the present case, the subject micro-cuvettes satisfy the test of specific suitability in a particularly clear manner. They are designed exclusively for the STAGO coagulation analyser and are necessary for carrying out the intended coagulation test. The fact that the analyser

remains physically intact when the cuvette is removed does not by itself establish that the cuvette is merely a generic consumable. A distinction has to be maintained between an article which is consumed in a process independently of the identity of the machine and an article which is specifically designed to interact with and perform an essential function in a particular analytical instrument, even if it be a single use article.

7. The Hon'ble Supreme Court in **CCE, Delhi Vs Insulation Electrical** (supra), while considering the distinction between a part and an accessory, recognised that a part is an essential component of the whole without which the whole cannot function. Applying this functional test, the subject micro-cuvette cannot be equated with an ordinary sample vessel. The analytical operation contemplated by the STAGO system requires the plasma to be contained in the specially designed cuvette and the steel ball therein to interact with the magnetic system of the analyser.

7.1 The Revenue has relied upon **Pragati Silicons Pvt. Ltd. Vs CCE, Delhi,** [2007 (211) ELT 534 (SC)] and submitted as stated therein, that a "part" is an element of a sub-assembly that is typically not useful on its own and cannot be further disassembled for maintenance purposes and that, in common parlance, parts are essential components used in manufacturing the final product, without which the completed product cannot be conceived. It further cited **C-Net Communication** (supra), wherein the Hon’ble Supreme Court relied on the Canadian International Trade Tribunal's decision in **York Barbell Company Limited Vs Canada** [(DMNRCE), AP-90-161,

[1991] CITT No. 43], to highlight the following four essential criteria for determining whether a product qualifies as a "part" of another product:

- **Operational Necessity:** The item is essential to the operation of the principal product.
- **Integral Component:** The item forms a necessary and integral component of the main product.
- **Physical Installation:** The item is installed or incorporated directly into the principal product.
- **Trade Usage:** Common commercial understanding and prevailing trade practices classify it as a part.

We find that the same test, when applied to the actual characteristics of the present goods, supports rather than defeats the appellant's case. The question is not whether the analyser can be physically switched on without a cuvette inserted into it, but whether the imported article is an essential component for the intended analytical operation. On the facts before us, the answer is in the affirmative.

8. **We further find that "disposable" and "consumable" are not synonymous. "Disposable" describes an article's intended life or use-cycle; "consumable" describes an article that is used up, exhausted, physically or chemically consumed, or loses its identity in operation or manufacture.** [See: M/s. Meridien Industries Ltd. Vs. Commissioner of Central Excise [2015 (325) E.L.T. 417 (S.C.)]. **Accordingly, 'single use', 'short durability', or 'discard after use' does not, by itself, render an article a consumable or exclude it from being a part, accessory,**

apparatus, or functional component of a machine. Conversely, where the article is merely supplied as a consumable material and is used up in the operation without constituting a functional component of the machine, it may as per relevant facts be classified as a consumable and not a part. Classification must be determined under GRI 1, the terms of the relevant headings, and the applicable Section and Chapter Notes, having regard to the article's objective characteristics, function, and sole or principal suitability for use with the machine. Commercial descriptions such as "disposable" or "consumable" are not determinative. There is no general HSN principle that an article ceases to be a part merely because it is disposable or has a short useful life.

8.1 This distinction was recognised in **Indian Telephone Industries Ltd. Vs Collector of Customs** [1983 (13) ELT 1012 (CEGAT)], where silicone-rubber sleeving was held not to become a consumable merely because it was less durable. The expression was considered more apt for materials, such as chemicals, that are used up in the course of operation. The same principle was applied in **Ashi Pvt. Ltd. Vs Collector of Customs, New Delhi** [1997 (91) ELT 508 (Tribunal)], rejecting the contention that an article discarded after use must necessarily be treated as a consumable.

8.2 Further **Circular No. 19/2013-Customs** dated 18.07.2013 classified "Disposable Sterilized Dialyzer" and "Microbarrier" under tariff item 8421 2900 as filtering apparatus. Applying GRI 1, Note 2(a) to Chapter 90, and the HS General Explanatory Note, the Board treated the articles according to their nature and function within the blood-

purifying system, notwithstanding that they were expressly described as disposable.

8.3 We therefore hold that the description "single-use disposable" is not legally sufficient to classify an article as a consumable. A disposable article may be classified as a part or accessory where it is specifically designed for, functionally integrated with, and necessary to the operation of the machine; conversely, an article merely supplied as material and used up in operation, without constituting a functional component, may be classified as a consumable or supply. The determination must in every case follow the applicable tariff headings, Section and Chapter Notes, and the General Rules for Interpretation.

9. This proposition finds support from the decision of the Tribunal in **Chemilab Corporation** (supra). In that case, specially treated TLC sheets used in chromatographic analysis were considered in the context of Note 2(b) to Chapter 90. The Tribunal found that the goods performed an essential function in the chromatographic process and, having acquired the character of an article specifically used with the chromatograph, classified them with the chromatograph under Heading 9027.20.

9.1 The ratio of **Chemilab** is relevant to the present dispute. The fact that the TLC sheets in that case were described as consumables did not, by itself, prevent their treatment as parts under Note 2(b). What was determinative was their special character and the essential function performed by them in the analytical process. The same reasoning applies with greater force in the present case, where the

imported cartridge itself incorporates a steel ball whose movement is controlled magnetically by the analyser.

10. We also take note of the decision in **Sandor Medicaids** (supra), cited by the Appellant. The Tribunal considered I-STAT blood-gas investigation cartridges used with an analyser and held that the goods were appropriately classifiable under Heading 9027, observing that the system and cartridges together performed chemical analysis and that Heading 9027 was more specific than the competing medical-instrument heading. Hence the principle emerging therefrom—that the classification of an analytical cartridge has to be considered with reference to its functional integration with the analytical system—is relevant.

11. The Revenue's reliance upon **Laxbro Manufacturing Co.** (supra), does not persuade us to take a contrary view. The goods considered therein and the factual and functional characteristics recorded in that case are materially different. Classification decisions are necessarily dependent upon the nature, design, use and tariff context of the goods before the Court or Tribunal. The said decision cannot be applied merely because both cases concern laboratory articles.

12. The Revenue has also relied upon the fact that the principal body of the micro-cuvette is made of plastic and that Chapter 39 covers articles of plastics. We are unable to accept that the material of construction by itself determines the classification where the imported article has acquired a specific identity and function as a component of an analytical instrument. Heading 3926 is a residuary entry for other

articles of plastics. Where the article is otherwise covered by a specific provision of the tariff read with the relevant Chapter Note, resort to the residuary plastic heading is not warranted.

13. In this regard, the principle that a specific entry is to prevail over a general or residuary entry is well settled. More importantly, however, in the present case the conclusion does not rest merely upon comparison of the tariff descriptions. It follows from the application of the specific statutory rule contained in Note 2(b) to Chapter 90.

14. We also find that the presence of the steel ball cannot be brushed aside as being analogous to a mere metal handle attached to a plastic article. The steel ball is not an incidental addition. It is specifically incorporated into the cuvette and its magnetically controlled movement forms part of the mechanism by which the coagulation time is determined. The article must therefore be considered in its entirety.

15. We accordingly hold that the subject STA micro-cuvettes are identifiable and functionally integrated parts/accessories suitable for use solely or principally with the STAGO coagulation analyser. By application of Note 2(b) to Chapter 90, they are classifiable with the analytical instrument under Heading 9027, and the classification under CTI 9027 9090, as claimed by the appellant, is sustainable.

Penalty, Confiscation and redemption fine

16. In the light of our findings the differential duty demand and interest arising from the proposed reclassification merit to be set aside hence the question of penalty, confiscation and redemption fine does not arise.

Conclusion

17. In view of the foregoing discussion, we hold that the STA micro-cuvettes imported by the appellant are classifiable under CTI 9027 9090 and not under CTI 3926 9099. The impugned order is accordingly set aside and the appeal is allowed with consequential relief, if any, in accordance with law. The appeal is disposed of accordingly.

(Order pronounced in open court on 22.09.2026)

Sd/-
(**M. AJIT KUMAR**)
Member (Technical)

Sd/-
(**P. DINESHA**)
Member (Judicial)

Rex