

தமிழ்நாடு தமிழ்நாடு TAMILNADU

BD 612268

எண் 1100 நாள் 13.1.2018
சு: *[Signature]*

[Signature]
S. தங்கசுவாமி
ஸ்டாம்ப் வெண்டர்
தங்கம் போட்டோஸ்டெட் (ஜெராக்ஸ்)
Opp.ஹோட்டல் சித்ரா, 109-A, கார்ட் ரோடு
நாகர்கோவில்-1
உரிமை எண்: 1/2000 தேதி: 10-1-2008

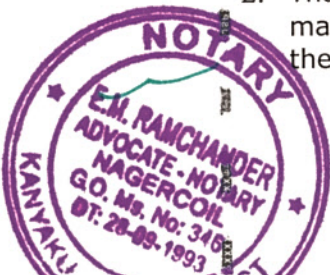
Cape Flour Mills (P) Ltd
Chunkankadai

AFFIDAVIT

I, P.K.S.Kuthalingam S/o.Mr.K. T.P.K.Sundara Mudaliar aged 83 years having Registered and Mills at Cape Flour Mills Private Limited, having GST No:33AABCT2255J1ZH,address 91/2- Chunkankadai-629003,Kanyakumari District,do hereby solemnly affirm and state as follows:-

1. That I am the Director of Cape Flour Mills Private Limited, GST No.33AABCT2255J1ZH, (hereinafter "our company") having our office at 91/2, Chunkankadai - 629 003, Kanyakumari District. In such capacity, I am legally competent to swear this affidavit on behalf of our company.
2. That since about 1983, our company has been engaged in the business of manufacturing and selling in India goods such as Atta, Maida, Sooji etc., under the brand name mentioned in the **Annexure I**

For CAPE FLOUR MILLS (P) LTD.



[Signature]
E.M. RAMCHANDER
ADVOCATE ER No: 211. NOTARY PUBLIC

[Signature]
(P.K.S. KUTHALINGAM)
Director

3. That with coming into effect of the Goods and Services Tax Act 2017, (GST) recently, the GST council has fixed 5% tax rate on the aforesaid goods if packaged and sold under a 'registered brand name'. No tax is payable on these goods if the manufacturer submits to the jurisdictional Commissioner (Tax) an affidavit foregoing any actionable claim or enforceable right on the 'brand name', as defined, on the packaging and also prints on each container / package a Disclaimer to the same effect. The said decision of the GST Council is notified under G.O (Ms.) No.115 dated 22.09.2017 issued by the Commercial Taxes and Registration (B1) Department.

4. That I am submitting this Affidavit (in addition to the Affidavit dated 02.12.2017 already filed with your office on 06.12.2017 as per acknowledgement enclosed) pursuant to the said Notification dated 22.09.2017 to state that;

4(a) Our Company has been manufacturing and selling Atta, Maida, Sooji and other wheat products by affixing our registered/licensed trade brand as mentioned in the annexure I (herein after branded goods). Our company shall continue to manufacture and sell these branded goods and pay 5% tax on such sales as per the rate schedule under the Goods & Service Tax law. Also, as per law our Company shall continue to claim and assert its exclusive legal rights to the said registered brand.


4(b) In addition, our company shall also be manufacturing and selling aforesaid goods in packaging with unregistered brand names as per Annexure II and the company declares that it voluntarily foregoes any actionable claims or enforceable rights in each and every word, design, device or other details and shall not claim any exclusive right in such goods.

5. I submit that printing the information regarding "Name and Address of Manufacturer" (apart from certain other information such as mentioning Month and Year of manufacture, MRP, Batch number and Lot number, Best before date etc.) on the package is a legal requirement pursuant to the provisions of Part VII Regulations 2013 issued by the FSSAI, and Rule 39(2) of the Weights and Measures Act, 1976. Accordingly, the name of the Company has been printed on the packaging to comply strictly with the provisions of these other laws and rules dealing with manufacture and sale of packaged food products. In other words, it is not used as a 'brand name', that is, in the trademark sense, and must not be construed as such and has been disclosed only for the purpose of compliance with the provision of other laws.

For CAPE FLOUR MILLS (P) LTD.


P.K.S. KUTHALINGAM
Director



Attested

17/11/2018

E.M. RAMCHANDER
ADVOCATE ER No: 346, NOTARY PUBLIC
G.O. Ms. No: 346, dt: 28
G.J. Building, 12C, Alexan:
NAGERCOIL-1, KANYAKUMARI DIST: KANYAKUMARI

6.I further state that the Company shall clearly print in indelible ink, both in English and local language on each packaging of products mentioned on para 4(b) that the Company is voluntarily forgoing its actionable claim or enforceable right on any feature printed on the packaging.

7. That this Affidavit is executed and submitted by me for and on behalf of our company entirely in good faith and in compliance with the existing law.

For CAPE FLOUR MILLS (P) LTD.

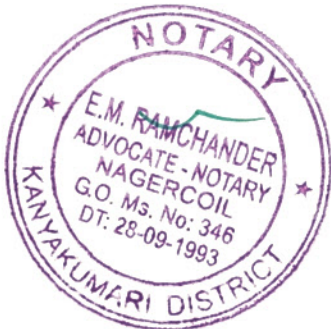


Attested
17/1/2018
E.M. RAMCHANDER
ADVOCATE ER No: 241 NOTARY PUBLIC
G.O. Ms. No: 346, dt: 28-09-1993
G.J. Building, 12C, Alexandra Press Road
NAGERCOIL-1, KANYAKUMARI DIST., TAMILNADU


(P.K.S. KUTHALINGAM)
Director
DEPONENT

Verified at Chunkankadai, Nagercoil on this 17th day of January 2018 the contents of paragraphs 1 to 7 of the foregoing affidavit are true and correct, no part of it is false, and nothing material has been concealed.

For CAPE FLOUR MILLS (P) LTD.



Attested
17/1/2018
E.M. RAMCHANDER
ADVOCATE ER No: 241 NOTARY PUBLIC
G.O. Ms. No: 346, dt: 28-09-1993
G.J. Building, 12C, Alexandra Press Road
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(P.K.S. KUTHALINGAM)
Director

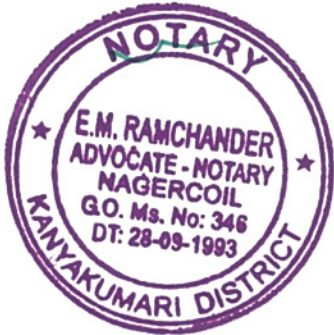
ANNEXURE I

List of Registered and Licensed trade Mark / brand name

- 1 KUTHUVILAKKU
- 2 KERA
- 3 CAPE JET
- 4 SVASTI
- 5 ADVAYA
- 6 LAKSHMI
- 7 THIRUONAM
- 8 IMAYAM






For CAPE FLOUR MILLS (P) LTD.


(P.K.S. KUTHALINGAM)
Director



Attested
Em
17/11/2018
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ANNEXURE – II : List of Branded Products / Goods in which the company voluntarily foregoes any actionable claims or enforceable rights.

N	 The logo for KVRM features the letters 'KVRM' in a bold, black, sans-serif font. The text is centered between two thick, black, curved horizontal lines that resemble stylized flour or a wide brushstroke.
O	 The logo for KVALA features the letters 'KVALA' in a bold, green, sans-serif font. The text is centered between two thick, green, curved horizontal lines that resemble stylized flour or a wide brushstroke.
P	 The logo for KVJT features the letters 'KVJT' in a bold, blue, sans-serif font. The text is centered between two thick, blue, curved horizontal lines that resemble stylized flour or a wide brushstroke.
Q	 The logo for KVPLUS features the letters 'KVPLUS' in a bold, green, sans-serif font. The text is centered between two thick, green, curved horizontal lines that resemble stylized flour or a wide brushstroke.
R	 The logo for KVTHENNAI features the letters 'KVTHENNAI' in a bold, orange, sans-serif font. The text is centered between two thick, orange, curved horizontal lines that resemble stylized flour or a wide brushstroke.



Attested

For CAPE FLOUR MILLS (P) LTD.

A handwritten signature in black ink, appearing to be a stylized 'S' or similar character.