

SRI SANKAR MALIGAI

Branch Office: No.23, Onion Mundy, Mylam, Trichy -620 008
Head Office : Thillainagar, Trichy – 620 018

SP
988671008
11/10/19

30.09.2019



The Commissioner of State GST
Chepauk, Ezhilagam Complex,
Chennai 600 005.

Sir,

Sub: Submission of affidavit as per CGST Notification No.27/2017-C.T. (Rate) dated 22.9.2017 and SGST Notification G.O.Ms.No.115 dt. 22.09.2017.

Please find enclosed original copy of the affidavit affirmed by the Partner of the Firm to voluntarily forego actionable claim or enforceable right of the brand name / logo used in the unit packing as required under CGST Notification No.27/2017-C.T. (Rate), dated 22.9.2017 and SGST Notification G.O.Ms.No. 115 dt. 22.09.2017 to avail the exemption for goods packed and sold by us.

We never claimed any actionable claim or enforceable right on our proprietorship name /logo and never restrained any person from using it till today. To avoid legal complications if any this affidavit is filed.

Kindly acknowledge the receipt of the affidavit.

Thanking You,

Yours faithfully,

FOR SRI SANKAR MALIGAI
S. Mahalakshmi.
PROPRIETOR

Encl: Affidavit



தமிழ்நாடு தமில்நாடு TAMILNADU 30-9-19

MADHAVAN MAHALAKSHMI.

TRICHY

h d r.
 BX 527529
 A. SARASWATHI &
 L No: 8/2000 T.M
 Sub-Court Trichy



AFFIDAVIT

I, Mahalakshmi, Wife of Shri S.Subramani, Aged 42 Years, residing at No-15/10, Maduram Grounds, Thillai Nagar, Tiruchirappalli -620018 do hereby solemnly affirm and state as follows:-

1. That I am the Proprietor of SRI SANKAR MALIGAI having Registered Office at , No-15/10, Maduram Grounds, Thillai Nagar, Tiruchirappalli -620018, Tamil Nadu. My GSTN: 33AFZPM1125Q1ZU in such capacity, I am legally competent to swear this affidavit on behalf of my concern.
2. That my firm is engaged in the business of selling in India, goods such as Gram (or) Channa, Gram dhall, Toor dhall, Moong dhall, Moong Gram, Toor, orid, orid dhall, orid dust(Husk), Dried chick peas, kanam, Thatai payaru, mochai, peas, peas-dhall, soya, garlic, Rice, Salt, Indu Salt(Rock Salt), Poppad, Vathal, Jagerry powder, jagerry, Rice flour, Gram flour Maida, Wheat, wheel chips, Starch etc



S. Mahalakshmi

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3. The name –“SSS”, “SURYA ☼”, “ SUPER ☆ ” which is used by me is an unregistered Brand as per the GST Notification No.01/2017- Central tax (Rate) dated 28.06.2017 as it is not Registered under the Trade Marks Act, 1999 or under Copyright Act, 1957(14 of 1957) or under any law for the time Being in force in any other country as on the 15th May 2017.
 4. The firm does not have any pending applications in respect to the above mentioned brand name. I further affirm that any actionable claim or enforceable right in respect of such name/ logo has not been claimed by me or the said firm at any point of time till today or claim such right at any time in future.
 5. I am voluntarily foregoing my actionable claim or enforceable right in the above mentioned brand name.
 6. I will clearly print the below declaration in all our unit containers during sales or storage with the indelible ink in both English & local language –

“I have voluntarily foregone our actionable claim or enforceable right in respect to the brand names printed on this unit container”.

Hence the above products sold by the unit will be clearly taxed at Nil the rate of GST

7. That with the 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 person undertaking packing of goods 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 Notification No: 27/2017 Central Tax (Rate) dated 22.09.2017.
8. I am submitting this Affidavit pursuant to the said Notification dated 22nd September 2017 to state that our company is selling aforesaid goods in packaging without any brand name (here is effect of the said notification) ...

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9. I submit that printing the information regarding 'Name and Address of Seller' (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 of Food Adulteration Act, 1954), Regulation 6 of the Food Safety & Standards Regulations 2013 issued by the FSSAI, and Rule 39(2) of the Weights and Measures Act, 1976. Accordingly, the Name of the unit 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 provisions of other laws.
10. That this affidavit is executed and submitted by me for and on behalf of my company entirely in good faith and in compliance with the existing law.

DEPONENT

VERIFIED at Trichy on this 30th day of September - 2019 that the contents of paragraphs 1 to 10 of the foregoing affidavit are true and correct, no part of it is false, and nothing material has been concealed.

DEPONENT

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For **SRI SANKAR MALIGAI**

S. Mahalakshmi
PROPRIETOR



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