



OFFICE OF THE COMMISSIONER OF GST & CENTRAL EXCISE
CHENNAI - OUTER

न्यूरी टावर्स, सं. 2054 - I : II एवेन्यू : अण्णा नगर : चेन्नै 600 040
NEWRY TOWERS : NO. 2054 - I : II AVENUE : ANNA NAGAR : CHENNAI-600 040
Ph.No.044-26142709 Email ID- chennaioutergsttech@gmail.com

सी. सं./C.No.IV/16/1/2017-CH.Outer -Tech.(Trade Notice)

दिनांक/Dated: 10.08.2017

GST TRADE NOTICE NO.07/2017

Sub:-issues related to furnishing of Bond for Export-waiver of Bank Guarantee-reg.

Attention of the trade and general public is invited to Para 5 of the Circular No.4/4/2017-GST dated 07.07.2017 wherein it has been clarified that;

"Form RFD-11 under Rule 96A of the CGST Rules requires furnishing of bank guarantee with bond. Field formations have requested for clarity on the amount of bank guarantee as a security for the bond. In this regard it is directed that the jurisdictional Commissioner may decide about the amount of bank guarantee depending upon the track record of the exporter. If Commissioner is satisfied with the track record of an exporter then furnishing of bond without bank guarantee would suffice. In any case the bank guarantee should normally not exceed 15% of the bond amount"

2. In pursuance of the above clarification made by the CBEC (GST Policy Wing) and in order to alleviate the compliance burden of exporters on account of the need to approach the undersigned seeking waiver of bank guarantee while furnishing a bond, in exercise of the power conferred by sub-section (3) of Section (5) of the Central Goods and Service Tax Act, 2017(12 of 2017), the undersigned has delegated the power to waive the bank guarantee to the jurisdictional Deputy or Assistant Commissioner, as the case may be, of the GST & Central Excise Division in all cases of supply of goods or services or both for export except the following:

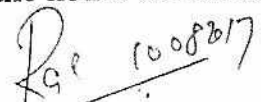
- Exporter has been prosecuted, or under prosecution, for tax evasion of any kind and amount under any law, past or present.*
- Fresh registrant under GST, and not eligible to furnish LUT.*
- Exporter has come to the adverse notice of the department for not fulfilling, or not adhering to, bond conditions in the earlier regime.*
- Exporter has collected tax or duty from customers in case of domestic supplies but not deposited with the exchequer on or before the due date.*
- Exporter has defaulted in filing returns for two consecutive months in case of Central Excise and the last six-monthly returns in case of Service Tax.*
- Exporter has defaulted in payment of arrears of revenue even though no appeal for the disputed amount is pending or the dispute has attained finality.*
- Exporter has defaulted in the payment of instalment of loan taken from a bank or a non-banking financial institution for two consecutive months in the last two year.*

3. In all the above cases a bank guarantee for 15% of the bond amount shall be taken.

4. A self-declaration that the exporter does not fall under any of the aforementioned categories in the enclosed format "**Annexure-A**" shall be furnished by the exporter while executing bond without a bank guarantee.

5. Contents of this Trade Notice may please be brought to the notice of the constituent member of the Trade.

6. Any difficulties in enforcing these instructions may be brought to the notice of this office.


(G.RAVINDRANATH)
COMMISSIONER OF GST & C.EX.
Chennai Outer

To

- (i) As per Mailing List (Trade & Department)
- (ii) Computer Section for uploading in Official website.

Copy submitted to:

- (i) The Principal Chief Commissioner of GST & C.Ex., Chennai-34
- (ii) The Commissioner of GST & C.Ex., Chennai North Commissionerate, Chennai-34
- (iii) The Commissioner of GST & C.Ex., Chennai South Commissionerate, Chennai-35

ANNEXURE-A

Self-declaration by the exporter

1. Name of the Exporter:
2. GSTIN
3. Address of the Principal Place of Business
4. Address of the premises from where goods/service exported or intend to be exported

We M/s. _____ declare that, we

- (i) have not been prosecuted, or under prosecution, for tax evasion of any kind and amount under any law, past or present.
- (ii) are not the fresh registrant under GST
- (iii) have not come to the adverse notice of the department for not fulfilling, or not adhering to, bond conditions in the earlier regime.
- (iv) have deposited the tax or duty collected from customers in case of domestic supply with the exchequer on or before the due date.
- (v) have not defaulted in filing returns for two consecutive months (in case of Central Excise).
- (vi) have not defaulted in filing the last six-monthly returns (in case of Service Tax).
- (vii) have not defaulted in payment of arrears of revenue wherever no appeal for the disputed amount is pending or the dispute has attained finality.
- (viii) have not defaulted in the payment of installment of loan taken from a bank or a non-banking financial institution for two consecutive months in the last two years.

Signature of the exporter
(Name of the person)
Designation
Office seal of the exporter