

অসম



ৰাজপত্ৰ

THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

PUBLISHED BY AUTHORITY

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No.68 Dispur, Monday, 28th February, 2005, 9th Phalguna, 1926 (S.E.)

GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

LEGISLATIVE DEPARTMENT :: : LEGISLATIVE BRANCH

NOTIFICATION

The 28th February, 2005

No. LGL.135/2003/17.-- The following Act of the Assam Legislative Assembly which received the assent of the Governor is hereby published for general information.

ASSAM ACT NO. VI OF 2005

(Received the assent of the Governor on 22nd February, 2005)

THE ASSAM MUNICIPAL (Amendment) ACT, 2004.

AN

ACT

further to amendment the Assam Municipal Act, 1956.

Preamble

Whereas it is expedient further to amend the Assam Municipal Act, 1956, hereinafter referred to as the principal Act, in the manner hereafter appearing ;

**Assam
Act XV of
1965.**

It is hereby enacted in the Fifty-fifth Year of the Republic of India as follows :-

**Short title,
extent and
commence-
ment.**

1. (1) This Act may be called the Assam Municipal (Amendment) Act, 2004.

(2) It shall have the like extent as the principal Act.

(3) It shall be deemed to have come into force on and from the 20th October, 2003.

**Insertion in
section 15.**

2. In the principal Act, in section 15, in sub-section (1), after clause (IX), the following clause shall be inserted, namely :-

“(X) fails to furnish a declaration in the form of an Affidavit in the format, as appended in the Fourth Schedule, at the time of filling nomination paper containing the following information which shall be made public by the respective returning officers by displaying a copy of the Affidavit on the Notice Board of his office :

(a) Whether the candidate had been convicted/ acquitted/ discharged of any criminal offence in the past and if convicted, whether he was punished with imprisonment or fine.

(b) prior to six month of filling of nomination whether the candidate is accused in any pending case of any offence punishable with imprisonment for a term of two years or more, and in which charge is framed or cognizance has been taken by the Court. If so, the details thereof,

(c) the assets (immovable, movable, bank balance etc.) of a candidate and of his/her spouse and, that of dependants,

(d) liabilities, if any, particularly whether there are any overdues of any public Financial Institutions or Government dues ;

(e) the educational qualifications of candidate”;

Insertion a new Schedule. 3. In the principal Act, after the existing “The third Schedule” the following “Fourth Schedule” shall be inserted, namely :-

“FOURTH SCHEDULE”

Affidavit to be furnished by candidate along with nomination paper before the Returning Officer for election as Commissioner of a Municipal Board.

District.....Ward No. Name, if any.....

I,son/daughter/wife of.....

age..... years, resident of

candidate at the above election, do hereby solemnly affirm and state on oath as under :-

(Strike out whichever not applicable)

(1) I have in the past, been convicted of criminal of offence in the following case (s) and the details are as under :-

- (i) Case No.
- (ii) Section of the Act and description of the offence for which convicted.
- (iii) Date(s) of conviction.
- (iv) Court(s) by which convicted,
- (v) Punishment imposed (indicate period of imprisonment awarded and/or quantum of fine imposed).
- (vi) Details of appeals/revision, etc. filed against above conviction (s),

(2) That I have in the past been discharges/acquitted in the following cases :-

- (i) Section of the Act description of the offence with which charges.
- (ii) Case No.
- (iii) Name of the Court by which acquitted/discharged,

- (iv) Date of acquittal/discharge,
- (v) Details of appeal (s) /application (s) for revision/review, if any, filed against above acquittal/discharge.

(3) That I have, in the period ending six months prior to the date of filling the present nomination, been accused of the following offences punishable with imprisonment with two years or more, and in which a charge has been framed or cognizance taken by the Court as indicated hereunder :-

(Note :- This excludes the cases mentioned in (1) and (2) above)

- (i) Section of the Act and description of the offence with which charges/ cognizance taken.
- (ii) The Court which has framed the charge/taken cognizance.
- (iii) Case No.
- (iv) Date of order of the Court framing charge/taking cognizance.
- (v) Details of appeal (s) /application (s) for revision, etc., if any, filed against above order framing charge/taking cognizance.

(4) That I give herein below the details of, the assets (Immovable, Movable, Bank balance, etc.) of myself, my spouse and dependents.

A. Details of moveable assests :-

Assets in joint name indicating the extent of joint ownership will also have to be given :-

Sl. No.	Description	Self	Spouse(s) Name(s)	Dependent-1 Name :	Dependent-2 Name :	Dependent-3 Name :	etc.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	

- (i) Cash,
- (ii) Deposit in Banks, Financial Institutions and Non-Banking Financial Companies,
- (iii) Bonds Debentures and shares in companies.
- (iv) Other Financial Instruments, NSS, Postal Savings, LIC Policies, etc.,
- (v) Motor Vehicles (Details of make etc).
- (vi) Jewellery (give details of weight and value).
- (vii) Other assets such as values of claim/ in terests.

Note :- 1. Dependent here means a person substantially depends on the income of the candidate.

2. Value of bonds/Shares/Debentures as per the latest market value in Stock Exchange in respect of listed Companies and as per books in the cases of non-listed companies should be given,

B. Details of Immovable Assets :-

(Note :- Properties in Joint ownership indicating the extent of joint ownership will also have to be indicated).

Sl. No.	Description	Self	Spouse(s)	Dependent-1 Name :	Dependent-2 Name :	Dependent-3 Name :
(1)	(2)	(3)	(4)	(5)	(6)	(7)

1. Agricultural Land

Location(s)

Survey number(s)

Extent (Total measurement)

Current market value).

9 (ii) None- Agricultural Land

-Location(s)

-Survey/door number(s)

- Extent (Total measurement)

-Current market value.

(iii) Building (Commercial and residential,

Location (s)

Survey/door number (s)

-Extent (Total measurement)

-Current market value.

(iv) Houses/Apartments, etc.

-Location (s)

- Survey/ door number (s)

-Extent (Total measurement)

-Current market value.

(v) Other (Such as interest in property).

5. I give herein below the details of my liabilities/ overdues to public financial institutions and Government dues :-

(Note :- Please give separate details for each item).

Sl. No.	Description	Name and address of Bank/Financial Institution (s) Department (s)	Amount Outstanding as on
1	2	3	4

- (a) (i) Loans from Bank
- (ii) Loans from Financial Institutions.
- (iii) Government dues (Other than income tax and wealth tax) (No. Due Certificate to be enclosed in case holding or having held any public office).
- (b)(i) Income tax including surcharge (Also indicate the assessment year upto which income tax return filed. Give also permanent Account Number (PAN).
- (ii) Wealth Tax (Also indicate the assessment year upto which wealth tax return filed.
- (iii) Sale tax only in case of Proprietary business).
- (iv) Property Tax.

6. My Educational Qualifications are as follows :
 (Give details of school and university education)
 (Name of School/College/University and the year in which the course was completed should also be given).

DEPONENT

VERIFICATION

I, the deponent above-named, do hereby verify and declare that the contents of this declaration are true/correct to the best of my knowledge and belief, no part of its false and nothing materials has been cancelled there-from.

Verified at.....this the.....
 day of200....

DEPONENT

Verified before me

Place.....
 Date (Signature of Verifying Authority with seal)

M. K. DEKA,
 Commissioner & Secy. to the Govt. of Assam,
 Legislative Department, Dispur.