



TAMIL NADU GOVERNMENT GAZETTE

EXTRAORDINARY PUBLISHED BY AUTHORITY

No. 192]

CHENNAI, SATURDAY, JUNE 24, 2017
Aani 10, Hevilambi, Thiruvalluvar Aandu – 2048

Part III—Section 1(a)

**General Statutory Rules, Notifications, Orders, Regulations, etc.,
issued by Secretariat Departments.**

NOTIFICATIONS BY GOVERNMENT

RURAL DEVELOPMENT AND PANCHAYAT RAJ DEPARTMENT

AMENDMENTS TO THE TAMIL NADU PANCHAYATS (ELECTIONS) RULES, 1995.

[G.O. (Ms.) No. 66, Rural Development and Panchayat Raj (PR-I), 24th June 2017.]

No. SRO A-29(c)/2017.

In exercise of the powers conferred by section 242 read with sections 11, 20, 32 and 57 of the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994), the Governor of Tamil Nadu hereby makes the following amendments to the Tamil Nadu Panchayats (Elections) Rules, 1995:-

AMENDMENTS.

In the said Rules,-

1. in rule 26, after sub-rule (2), the following sub-rule shall be inserted, namely:-

“(2-A) (a) Every candidate, at the time of filing his nomination paper for any election or casual election for electing a member to any Village Panchayat / Panchayat Union Council / District Panchayat or President of any Village Panchayat shall furnish full and complete information in an affidavit in Form 3-A:

Provided that having regard to the difficulties in swearing an affidavit in a village, a candidate contesting at the election to a Ward Member of Village Panchayat shall, instead of filing an affidavit, file before the Returning Officer, a declaration in Form 3-A.

(b) The said affidavit shall be duly sworn before a Magistrate of the First Class or a Notary Public or a Commissioner of Oaths appointed by the High Court of Madras or before an officer competent for swearing an affidavit. The affidavit shall be prepared in a Non judicial stamp paper of Rs.20/- (Rupees twenty only):

Provided that this clause shall not apply to a declaration filed under the proviso to clause (a) in Form 3-A.

(c) Non-furnishing of the affidavit or declaration, as the case may be, by any candidate shall be considered to be a violation of this rule and the nomination of the candidate concerned shall be liable for rejection by the Returning Officer at the time of scrutiny of nomination papers.

(d) If more than one nomination has been filed by a candidate for an election, the affidavit or declaration, as the case may be, shall be annexed along with the first nomination and there is no need to furnish the affidavit or declaration, with the other nomination papers.

(e) The information so furnished by each candidate in the aforesaid affidavit or declaration, as the case may be, shall be disseminated by the respective Returning Officers by displaying a copy of the affidavit or declaration on the notice board of his office and also by making the copies thereof available to all other candidates on demand and to the representatives of the print and the electronic media.

(f) If any rival candidate has furnished any information to the contrary, by means of a duly sworn affidavit, then such affidavit of the rival candidate shall also be disseminated along with the affidavit or declaration of the candidate concerned in the manner prescribed in clause (e).

(g) All the Returning Officers shall ensure that the format of the affidavit in Form 3-A shall be furnished to the candidates along with the forms of nomination papers as part of the nomination papers.

(h) In view of the penal provisions contained in section 177 of the Indian Penal Code, 1860, in case of furnishing of false information by any candidate, if any, confirmed at a later date, the Returning Officer concerned may initiate criminal action against that candidate, after providing reasonable opportunity of hearing and by following the procedure contemplated in section 195 of the Code of Criminal Procedure, 1973.”;

HANS RAJ VERMA,
Additional Chief Secretary to Government.

2. after Form 3, the following Form shall be inserted, namely:-

“FORM 3-A

[see sub-rule (2-A) of rule 26]

Affidavit / Declaration to be furnished by the candidate along
with Nomination Paper before the Returning Officer.

Please affix
your recent
passport size
photograph
here

Election of

Member to Ward No. of the
Village Panchayat/Panchayat Union Council/District Panchayat

President to the Village Panchayat of
..... Panchayat Union.

PART-A

I, son/daughter/wife[Ⓢ] of aged years,
resident of
(mention full postal address including pincode), a candidate at the above election, do hereby solemnly affirm and state on
oath as under:-

(1) I am a candidate set up by (name of the political party) / am contesting as an independent
candidate.[Ⓢ]

(2) My name is enrolled in Ward No. of Village Panchayat of Panchayat
Union at Serial No. in Part No.

(3) My contact telephone number(s) is / are (with STD Code) / mobile number(s) is/are
..... and my e-mail id (if any) is

(4) Details of Permanent Account Number (PAN) and status of filing of Income Tax return:

Sl.No.	Names.	PAN	The financial year for which the last Income-tax return has been filed.	Total income shown in Income - tax return (in Rupees)
1.	Self			
2.	Spouse			
3.	Dependent-1			
4.	Dependent-2			
5.	Dependent-3			

[Ⓢ] strike out whichever is not applicable

(5) I am/am not accused of any offence(s) punishable under section 37(1) of the Tamil Nadu Panchayats Act, 1994 in any case(s) in which a charge(s) has/have been framed by the court(s) of competent jurisdiction.

If the deponent is accused of any such offence(s), he shall furnish the following information:-

(i) The following case(s) is/are pending against me in which charges have been framed by the court for an offence punishable with imprisonment for two years or more:-

(a)	Case/First Information Report No. / Nos. together with complete details of concerned Police Station/District/State.	
(b)	Section(s) of the concerned Act(s) and short description of the offence(s) for which charged.	
(c)	Name of the Court, Case No. and date of order taking cognizance:	
(d)	Court(s) which framed the charge(s)	
(e)	Date(s) on which the charge(s) was/ were framed.	
(f)	Whether all or any of the proceedings(s) have been stayed by any Court(s) of competent jurisdiction.	

(ii) The following case(s) is /are pending against me in which cognizance has been taken by the court [other than the cases mentioned in item (i) above]:-

(a)	The details of cases where the court has taken cognizance, section(s) of the Act(s) and description of the offence(s) for which cognizance taken.	
(b)	Name of the Court, Case No. and date of order taking cognizance:	
(c)	Details of Appeal(s)/ Application(s) for revision (if any) filed against the above order(s)	

(6) I have been/have not been convicted and sentenced to imprisonment of an offence(s) other than any offence(s) referred to in section 37(2) of the Tamil Nadu Panchayats Act, 1994 for more than two years. And I have been /have not been removed/disqualified under the Tamil Nadu Panchayats Act, 1994.

If the deponent is convicted and punished as aforesaid, he shall furnish the following information:-

(i) Cases in which, I have been convicted and sentenced to imprisonment by a court of law:-

(a)	The Details of cases, section(s) of the concerned Act(s) and description of the offence(s) for which convicted	
(b)	Name of the Court(s), Case No. and date(s) of order(s):	
(c)	Punishment imposed	
(d)	Whether any appeal was/has been filed against the conviction order. If so, details and the present status of the appeal:	

(ii) If the deponent is removal/disqualified from the post of under the Tamil Nadu Panchayats Act, 1994, he shall furnish the following information:

(a)	Removed/Disqualified under which section(s) of the Tamil Nadu Panchayats Act, 1994	
(b)	Period of punishment	From to (..... Years)
(c)	Order No. and Date (i.e. Statutory Orders issued by the Tamil Nadu State Election Commission or Proceedings issued by the authority)	
(d)	Date of enforcement of removal/disqualification	
(e)	Whether any appeal was/has been filed against the removal/disqualification order. If so, details and the present status of the appeal:	

(7) That I give herein below the details of the assets (movable and immovable etc.) of myself, my spouse and all dependents:

A. Details of movable assets:

Instructions:

1. Assets in joint name indicating the extent of joint ownership will also have to be given.
2. In case of deposit/investment, the details including Serial Number, Amount, date of deposit, the scheme, Name of the Bank/Institution and Branch are to be given.
3. Value of Bonds/Share Debentures as per current market value in Stock exchange in respect of listed companies and as per books in case of non-listed companies should be given.
4. Dependent here means a person, substantially dependent on the income of the candidate.
5. Details including amount is to be given separately in respect of each investment.

Sl. No.	Description.	Self	Spouse	Dependent-1	Dependent-2	Dependent-3
(i)	Cash in hand					
(ii)	Details of deposit in Bank accounts (FDRs, Term Deposits and all other types of deposits including saving accounts), Deposits with Financial Institutions, Non-Banking Financial Companies and Co-operative societies and the amount in each such deposit.					
(iii)	Details of investment in Bonds, debentures/ shares and units in companies/mutual funds and others and the amount.					
(iv)	Details of investment in NSS, Postal Savings, Insurance policies and investment in any Financial instruments in Post office or Insurance Company and the amount.					
(v)	Personal loans / advance given to any person or entity including firm, company, trust etc., and other receivables from debtors and the amount.					
(vi)	Motor Vehicles/ Aircrafts/Yachts/Ships (Details of Make, registration number etc. year of purchase and amount)					
(vii)	Jewellery, bullion and valuable thing(s) (give details of weight and value)					
(viii)	Any other assets such as value of claims/ interest.					
(ix)	Gross Total Value.					

B. Details of Immovable Assets:**Instructions:**

1. Properties in joint ownership indicating the extent of joint ownership will also have to be indicated
2. Each land or building or apartment should be mentioned separately in this format.

Sl. No.	Description.	Self	Spouse	Dependent-1	Dependent-2	Dependent-3
(i)	Agricultural Land - Location(s) - Survey number(s)					
	Area (total measurement in acres)					
	Whether inherited property (Yes or No)					
	Date of purchase in case of self-acquired property.					
	Cost of Land (in case of purchase) at the time of purchase.					
	Any investment on the land by way of development, construction etc.					
	Approximate current market value.					
(ii)	<u>Non-Agricultural Land:</u> - Location(s) - Survey number(s)					
	Area (total measurement in sq.ft.)					
	Whether inherited property (Yes or No)					
	Date of purchase in case of self-acquired property.					
	Cost of Land (in case of purchase) at the time of purchase.					
	Any investment on the land by way of development, construction etc.					
	Approximate current market value.					
(iii)	Commercial Buildings (including apartments) - Locations(s) - Survey number(s)					
	Area (total measurement in sq.ft.)					
	Built-up Area (total measurement in sq.ft.)					
	Whether inherited property (Yes or No)					
	Date of purchase in case of self-acquired property.					
	Cost of property (in case of purchase) at the time of purchase.					
	Any investment on the property by way of development, construction etc.					
Approximate current market value.						

(iv)	Residential Buildings (including apartments): - Location(s) - Survey number(s)					
	Area (total measurement in sq.ft.)					
	Built-up Area (total measurement in sq.ft.)					
	Whether inherited property (Yes or No)					
	Date of purchase in case of self-acquired property.					
	Cost of property (in case of purchase) at the time of purchase.					
	Any investment on the property by way of development, construction etc.					
	Approximate current market value.					
(v)	Others (such as interest in property)					
(vi)	Total of current market value of (i) to (v) above					

(8) I give herein below the details of liabilities/dues to public financial institutions and Government:-

Instruction: please give separate details of name of bank, institution, entity or individual and amount before each item.

Sl.No.	Description.	Self	Spouse	Dependent-1	Dependent-2	Dependent-3
(i)	Loan or dues to Bank/ financial institution(s) Name of the Bank or financial institution, Amount outstanding, Nature of Loan.					
	Loan or dues to any other individuals/ entity other than mentioned above Name(s), Amount outstanding, nature of loan.					
	Any other liability					
	Grand total of liabilities					
(ii)	Government dues: Dues to departments dealing with Government accommodation.					
	Dues to department dealing with supply of water.					
	Dues to department dealing with supply of electricity.					
	Dues to department dealing with supply of telephones / mobiles.					
	Dues to department dealing with Government transport (including aircrafts and helicopters)					
	Income tax dues.					
	Wealth tax dues.					
	Service tax dues.					
	Panchayat property tax dues.					
	Sales tax dues.					
	Any other dues.					

(iii)	Grand total of all Government dues.					
(iv)	Whether any other liabilities are in dispute, if so, mention the amount involved and the authority before which it is pending.					

(9) Details of profession or occupation:

(a) Self.....

(b) Spouse

(10) My educational qualification is as under:-

.....

(Give details of highest School/University education mentioning the full form of the certificate/diploma/degree course, name of the School/College/University and the year in which the course was completed.)

PART-B

(11) ABSTRACT OF THE DETAILS GIVEN IN (1) TO (10) OF PART-A:

1.	Name of the Candidate.	Thiru/Tmt/Selvi				
2.	Full postal address.					
3.	Ward No. and Name of the Local Body and District.					
4.	Name of the political party which set up the candidate (otherwise write 'Independent')					
5.	(i) Total number of pending cases where charges have been framed by the Court for offences punishable with imprisonment for two years or more (under Section 37 (1) of the Tamil Nadu Panchayats Act, 1994)					
	(ii) Total number of pending cases where the court(s) have taken cognizance [other than the cases mentioned in item (i) above]					
6.	Total number of cases in which convicted and sentenced to imprisonment except for offences referred to in section 37(2) of the Tamil Nadu Panchayats Act, 1994 Removal/Disqualification period under the Tamil Nadu Panchayats Act, 1994.	From.....To (..... Years)				
7		PAN of	Year for which last income tax return filed.	Total income shown.		
	(a) Candidate					
	(b) Spouse					
	(c) Dependents					
8	Details of Assets and Liabilities in Rupees					
	Description	Self	Spouse	Dependent-1	Dependent-2	Dependent-3
A	Movable Assets (Total Value)					
B	Immovable Assets					
	I	Purchase price of self-acquired immovable property.				
	II	Development / construction cost of immovable property after purchase (if applicable)				

	III	Approximate Current market price of -					
		(a) self acquired assets (Total value)					
		(b) inherited assets (Total value)					
9.		Liabilities					
	(i)	Government dues (Total)					
	(ii)	Loans from Bank, Financial Institutions and others (Total)					
10		Liabilities that are under dispute					
	(i)	Government dues (Total)					
	(ii)	Loans from Bank, Financial Institutions and others (Total)					
11.		Highest educational qualifications: (Give details of highest School/University education mentioning the full form of the certificate/ diploma/ degree course, name of the School/College/ University and the year in which the course was completed.)					

VERIFICATION

I, the deponent, above named, do hereby verify and declare that the contents of this affidavit are true and correct to the best of my knowledge and belief and no part of it is false and nothing material has been concealed therefrom. I further declare that:-

(a) there is no case of conviction or pending case against me other than those mentioned in items 5 and 6 Part A and B above;

(b) I, my spouse, or my dependents do not have any asset or liability, other than those mentioned in items 7 and 8 of Part A and items 8, 9 and 10 of Part B above.

Verified at this the day of.

DEPONENT**Instructions:**

1. Affidavit should be filed along with the nomination paper.
2. The affidavit should be prepared in non-judicial stamp paper of Rs.20/- (Rupees twenty only).
3. In the case of election to the ward member of Panchayat Union and District Panchayat and the President of a Village Panchayat the affidavit should be sworn before an Oath Commissioner or Magistrate of the First Class or before a Notary Public.
4. In the case of election to the ward member of Village Panchayat a self declaration with the details found in the affidavit shall be filed before the Returning Officer.
5. All columns should be filled up and no column to be left blank. If there is no information to furnish in respect of any item, either "Nil" or "Not applicable", as the case may be, should be mentioned.
6. The Affidavit should be either typed or written legibly and neatly."

HANS RAJ VERMA,
Additional Chief Secretary to Government.