

**THE HIMACHAL PRADESH MUNICIPAL (DISQUALIFICATION OF  
OFFICE BEARERS, ETC.) RULES, 2001.**  
**STATE ELECTION COMMISSION, HIMACHAL PRADESH**  
**NOTIFICATION**

Shimla-171002, the 17<sup>th</sup> July, 2001.

**No. SEC-5-17/94-II-1262-1328.-** In exercise of the powers vested in it under article 243-K and 243-ZA of the Constitution of India and section 281 of the Himachal Pradesh Municipal Act, 1994 and all other powers enabling it in this behalf, the State Election Commission of Himachal Pradesh hereby makes the following Rules:-

**1. Short title, extent, application and commencement.-** (1) These Rules may be called the Himachal Pradesh Municipal (Disqualification of office bearers, etc.) Rules, 2001.

(2) These rules shall extend to whole of Himachal Pradesh and apply to elections held to all Municipalities in the State.

(3) These rules shall come into force on the date of their publication in the Rajpatra, Himachal Pradesh.

**2. Definitions.-** (1) The “competent authority” shall mean the Director, Urban Local Bodies Department of the Government of Himachal Pradesh and shall be denoted hereby by the word "Director".

(2) The words and expressions used but not defined herein shall bear the same meanings as are assigned to them in the Himachal Pradesh Municipal Act, 1994.

**3. Report to the Director.-** (1) On receipt of the statement of accounts from the contesting candidates, the Sub-Divisional Officer (Civil) concerned shall, within thirty days from the last date of submission of accounts, submit a complete report to the Director specifically pinpointing the names and addresses of those candidates, who have failed to lodge the account of election expenses incurred.

**4. Procedure for disqualification on incurring expenditure beyond limit and for failure to lodge an account of expenses.-** (1) If the competent authority is of opinion that a person:-

(a) has incurred expenditure in excess of the limits prescribed under section 17-A, or

(b) has failed to lodge the account of election expenses within the time and in the manner required under section 17-B of the Act. It will complete the necessary inquiry after giving to the defaulter a reasonable opportunity of being heard within a period of 60 days from the service of notice by him on such defaulter.

(2) That the competent authority shall pass an order based on such

inquiry and the order will be published in the Rajpatra and copies of the same will be sent to the state Election Commission, Deputy Commissioner, Sub-Divisional Officers (Civil) and Executive Officers/Secretary of the Municipal Committee concerned.

(3) That a register of disqualified persons will be maintained by all the Deputy Commissioners/ S.D.O. (C)/ Tehsildars/ Executive Officers/ Secretaries of the Municipal Committee concerned and the names of the persons whose disqualification has ceased on account of lapse of the prescribed time or otherwise will be deleted from the register.

(4) That a list of such disqualified persons will be provided to the concerned AROs before the date of nomination papers. This list shall be publicly displayed for the purpose of general information of the public at the time of an election to be held in the future.

**5. Period for Disqualification.-** Period for disqualification shall be five years from the date of such order, unless different period has been specified in a particular category of cases in the Act above mentioned.

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(R.H.P. Extra., dated 17.7.2001, p. 1527-1528).

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(Issued and published in Hindi in R.H.P. Extra., dated 7.7.2001, P. 1291-1293)

**THE HIMACHAL PRADESH MUNICIPAL CHAIRPERSONS  
ELECTION (VOTING PROCEDURE) RULES, 2001.**

**ARRANGEMENT OF RULES**

Rules:

1. Short title, extent, application and commencement.
2. Definitions.
3. Voting in person.
4. Admission into the election premises.
5. Recording of Votes of blind or infirm voters

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**THE HIMACHAL PRADESH MUNICIPAL CHAIRPERSONS  
ELECTION (VOTING PROCEDURE) RULES, 2001.**

**STATE ELECTION COMMISSION HIMACHAL PRADESH  
NOTIFICATION**

Shimla-2, the 28<sup>th</sup> June, 2001.

**No. SEC-13-62/99-962-1022.-** In exercise of the powers vested in it under article 243-ZA of the Constitution of India, section 9 of the Himachal Pradesh Municipal Corporation Act, 1994 and section 281 of the Himachal

Pradesh Municipal Act, 1994, the State Election Commission hereby makes the following rules, namely:-

**1. Short title, extent, application and commencement.**- (1) These rules shall be called the Himachal Pradesh Municipal Chairpersons Election (Voting Procedure) Rules, 2001.

(2) These rules shall extend to the whole of Himachal Pradesh and apply to elections held to all Municipalities in the State.

(3) These rules shall come into force on the date of their publication in the Rajpatra, Himachal Pradesh.

**2. Definitions.**- (1) Unless a contrary intension appears from the context,-

- (a) 'Chairperson' and 'Vice-Chairperson' of a Municipal Corporation shall mean the Mayor and Deputy Mayor thereof respectively and the 'Chairperson' and 'Vice-Chairperson' in relation to a Municipal Council or Nagar Panchayat shall mean the President and Vice-President respectively of such Municipality;
- (b) 'election' shall mean election of a Chairperson or Vice-Chairperson of a Municipality;
- (c) 'member' shall mean a Councillor of a Municipal Corporation or a member of a Municipal Council or Nagar Panchayat, as the case may be, who has a right to vote at an election of a Chairperson or Vice-Chairperson, as the case may be;
- (d) 'municipality' shall mean a Municipal Corporation, a Municipal Council or a Nagar Panchayat, as the case may be.
- (e) 'Presiding Officer' shall mean an officer competent under rule 6 of the Himachal Pradesh Municipal (Reservation and Election to the office of the President and Vice-President) Rules, 1995 or, as the case may be, rule 5 of the Himachal Pradesh Municipal Corporation (Reservation and Elections to the Office of Mayor and the Deputy Mayor) Rules, 1996 to conduct such election.

(2) The words and expressions used but not defined herein shall bear the same meaning as has been assigned to them in the Himachal Pradesh Municipal Act, 1994, or, as the case may be, the Himachal Pradesh Municipal Corporation Act, 1994.

**3. Voting in person.**- At every election, where a poll is taken, votes shall be cast in person and not by proxy.

**4. Admission into the election premises.**- During the course of election to the office of Chairperson or Vice-Chairperson, no person other than the following shall be admitted into the room in which election is being held:-

- (a) the Presiding Officer ;
- (b) any official appointed to assist the Presiding Officer;

- (c) any other public servant on duty in connection with the election;
- (d) a member or companion accompanying a blind or infirm member who cannot move without help (one for each member); and
- (e) State Election Commissioner or such other person as may be authorised by the State Election Commission.

**5. Recording of Votes of blind or infirm voters.**- (1) If the Presiding Officer is satisfied that owing to blindness or other physical infirmity, a member is unable to recognise the name or symbols on the ballot paper or to make a mark thereon without assistance, the Presiding Officer shall permit such member to take with him a companion of his choice to the voting compartment for recording the vote on the ballot paper on his behalf in accordance with his wishes, and, if necessary, for folding the ballot paper so as to conceal the vote and insert it into the ballot box.

(2) No one other than a person, whose name appears in the operative electoral roll of the municipality in which election is being held, shall be allowed to Act as companion.

(3) No person shall be permitted to act as a companion of more than one member on the same day.

(4) Before any person is permitted to as the companion of a member, the person shall be required to declare in Form-CE-1 that he shall keep secret the vote recorded by him on behalf of the member and that he has not already acted as the companion of any other member on the same day and that his name appears in the electoral roll of the municipality concerned.

(5) The Presiding Officer shall preserve all such forms for a period of six months or till the decision of an election petition if any, challenging such election, whichever is later.

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**FORM-CE-1**

**DECLARATION BY COMPANION**

Election to Chairperson/Vice-Chairperson of Municipal Corporation/  
Municipal Council/ Nagar Panchayat.....

I,.....son/daughter/wife  
of.....aged..... resident of..... hereby  
declare that :

(a) My name appears in the electoral roll of ward No. and  
name..... at Sr. No..... of Municipal Corporation/Municipal  
Council/Nagar Panchayat.....

(b) I have not acted as a companion of any other member today,  
the.....

(c) I will not disclose to anyone, the person in whose favour the vote has been recorded by me on behalf of Shri.....

Date.....

Place.....

\*\* Signature of Companion.

\* Full address to be given.

\*\*Name of member to be given.

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(R.H.P. Extra dated, 7.7. 2001, p.1294-1296)

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**THE LEASING OUT OF STALLS/SHOPS CONSTRUCTED BY THE  
MUNICIPALITIES IN HIMACHAL PRADESH, RULES, 2001**

**ARRANGEMENT OF RULES**

Rules:

1. Short title and commencement.
2. Definitions.
3. Leasing out of Stalls/Shops.
4. Lease amount.
5. Terms of lease
6. Mode of auction.
7. Earnest Money/Security.
8. Conduct of auction.
9. Payment of lease money.
10. Sub-letting or transfer prohibited.
11. Payment of rate/cesses and taxes.
12. Reservation/priority.
13. Termination of lease.
14. Proper upkeep of stalls/shops.
15. Alteration/addition prohibited.
16. Settlement of disputes.
17. Determination of lease.
18. Repeal and savings.

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**THE LEASING OUT OF STALLS/SHOPS CONSTRUCTED BY THE  
MUNICIPALITIES IN HIMACHAL PRADESH RULES, 2001**

(Issued and published in Hindi in R.H.P., dated 5.1.2002, P 1816-1817)

**URBAN DEVELOPMENT DEPARTMENT**  
**NOTIFICATION**

Shimla-2, the 21<sup>st</sup> December, 2001.

**No. LSG-F(6)-1/85-IV.-** In exercise of the powers conferred by clause (g) of sub-section (1) of section 279 of the Himachal Pradesh Municipal Act, 1994 (Act No. 13 of 1994), the Governor, Himachal Pradesh is pleased to make the following rules for the purpose of leasing out of Stalls/Shops constructed by the Municipalities in Himachal Pradesh, the same having been previously published for inviting objections and suggestions from the persons likely to be affected by the draft rules, in the Rajpatra, Himachal Pradesh vide this Department Notification of even No., dated 24.7.1999 after considering the objections and suggestions received during the stipulated period, namely:-

**1. Short title and commencement.-** (1) These rules may be called the Leasing out of Stalls/Shops constructed by the Municipalities in Himachal Pradesh Rules, 2001.

(2) They shall come into force with immediate effect.

**2. Definitions.-** In these rules, unless the context otherwise requires,-

- (a) "Act" means the Himachal Pradesh Municipal Act, 1994 (Act No. 13 of 1994);
- (b) "Municipality" means a Municipal Council or Nagar Panchayat established under the Himachal Pradesh Municipal Act, 1994; and
- (c) "Stall/Shop" means stall or shop constructed by the Municipality.

**3. Leasing out of Stalls/Shops.-** The Stall/Shops constructed by the Municipalities shall be leased out by them on the conditions laid down in these rules.

**4. Lease amount.-** The lease money of the Stalls/Shops shall be determined by the Municipality on the basis of competitive bids. The minimum lease amount shall be worked out by the Municipalities on the market value of the land and cost of construction of Stall/Shop and other relevant factor such as location of Stall/Shop etc. The Stall/Shop shall be leased to highest bidder of each category. In case the amount of open auction bid is found less than the reserve price, then in that case, the Stall/Shop shall be put to fresh auction in order to fetch minimum reserve price so determined by the Municipalities.

**5. Terms of lease.-** The Municipality shall lease out the Stall/Shops constructed by it for a period not exceeding 25 years in the first instance. The conditions for the lease shall be the following:-

- (a) After every five years the lease rent shall be enhanced by 10% of the amount being charged at the time of signing of lease;
- (b) The lease shall expire on the completion of 25 years and may be extended further in accordance with these rules subject to fresh

time limit;

- (c) In case of death of any lease holder before the expiry of lease period of 25 years or of the extended period as the case may be, the lease shall be transferred by the concerned Municipality to the legal heirs of the deceased or according to his will if any;
- (d) For the existing allottees who have been allotted Shops/Stalls under "The Leasing out of Stalls/Shops constructed by the Municipalities in Himachal Pradesh Rules, 1973", their premises may also be leased out to them for a period of 25 years without putting the same to public auction but subject to the following conditions:-
  - (i) that there should be no arrears of rent against the existing allottees; and
  - (ii) that the allottee should be willing to pay the lease money to be determined by the concerned Municipality.

**6. Mode of auction.-** The auction shall be made by the wide publicity through newspapers of the region.

**7. Earnest Money/Security.-** Every bidder (excepting those from reserved category) shall deposit an earnest money of Rs. 10,000/- (Rs. Ten thousand only) for the purpose of ensuring timely payment of water, electricity, sanitation, other development charges etc. as the upkeep and maintenance charges of such big commercial complex before he is allowed to participate in the auction. If the bid amount is not acceptable to any municipality for any reason, the earnest money will be refunded to him within 10 days by the concerned Municipality, otherwise it will be deposited as security in the municipality, till the expiry of the lease period.

**8. Conduct of auction.-** The auction shall be conducted by the Executive Officer or the Secretary of Municipality and the same will be confirmed by the Municipal Council or Nagar Panchayat through a proper resolution.

**9. Payment of lease money.-** The payment of lease money shall be made by the lessee within 30 days of the acceptance of the bid by the Municipality. In case any lease holder fails to pay the whole of the amount within 30 days of the bid, the lease shall be cancelled and security so deposited shall be forfeited.

**10. Sub-letting or transfer prohibited.-** The lessee shall not assign, sub let or transfer by lease or otherwise part with the stall/shop or any part thereof, without the prior permission in writing of the concerned Municipality.

**11. Payment of Rate/Cesses and Taxes.-** Every lessee shall be responsible for the payment of all rates, cesses and taxes levied by the local bodies from time to time in addition to the lease money.

**12. Reservation/priority.-** Every municipality shall earmark

stalls/shops to be given to the Scheduled Castes/Scheduled Tribes/Other Backward Classes/Ex-Servicemen/ Freedom Fighters or their wards and Women in the course of open bid for leasing out such shops/stalls. Only eligible persons from the above said reserved categories shall be allowed to take part in the following order:-

- |  |     |
|--|-----|
| (i) Scheduled Castes   | 5%  |
| (ii) Scheduled Tribes  | 2%  |
| (iii) Other Backward Classes   | 5%  |
| (iv) Ex-Servicemen/released emergency commissioned short-service commissioned Officer. | 5%  |
| (v) Freedom Fighter or their wards.  | 2%  |
| (vi) Unemployed/Educated youth   | 2%  |
| (vii) Handicapped persons  | 2%  |
| (viii) Women   | 2%. |
- (ix) In the case of allotment of shops/stalls to reserved categories one family will be entitled for the allotment of one shop/stall only in whole of the State of Himachal Pradesh.
- (x) Reservation criteria for the allotment of shops/stalls to the reserved categories shall apply only where the shops/stalls have been constructed by the Municipality out of Government grants/funds for such construction.

**13. Termination of lease.-** The lease is liable to be terminated by the Municipality on breach of any condition or term of lease. Before doing so 30 days show cause notice shall be issued to the lessee to cure the breach failing which lease shall stand terminated. In addition to the termination of lease, the Municipality shall also forfeit the lease money.

**14. Proper upkeep of Stalls/Shops.-** The lessor shall keep the stalls/shops in proper state of repairs.

**15. Alteration/addition prohibited.-** The lessee shall not make any addition or alteration whatsoever in the stall or shop without prior permission of the Municipality and shall be responsible for any damage to the stall/shop.

**16. Settlement of disputes.-** In case of any dispute or any difference arising between the lessor and the lessee regarding ejection or in respect of any terms of lease or their interpretation, or any other matter incidental to the terms of lease, the Deputy Commissioner of the district concerned shall be the sole arbitrator, whose decision shall be final and binding on both the parties.

**17. Determination of lease -** The lessor shall have the right to terminate the lease before the expiry of the lease period only in case the land under the lease is required for a purpose of public utility. In that case, the lessee shall be entitled to such compensation as may be fixed in this behalf by the Deputy Commissioner of the district concerned and his decision in the matter shall be final.

**18. Repeal and savings.-** The Leasing out of Stalls/Shops constructed by the Municipalities in Himachal Pradesh Rules, 1973 are hereby repealed:

Provided that any order made or any action taken under the rules so repealed shall be deemed to have been made or taken under the corresponding provisions of these rules.

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(R.H.P. dated 5.1.2002, P. 1817-1818)

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**THE HIMACHAL PRADESH PANCHAYATS AND MUNICIPALITIES  
ELECTIONS (DISCLOSURE OF SPECIFIED INFORMATION BY  
THE CANDIDATES) REGULATIONS, 2004.**

**THE HIMACHAL PRADESH STATE ELECTION COMMISSION  
NOTIFICATION**

Shimla- 171002, the 17<sup>th</sup> February, 2004

**No. SEC-16-21/97-123.**-Whereas the voter's right to know the antecedents and some other information about the candidates for an election has been held by the Supreme Court of India to be a fundamental right;

Whereas it is considered that the disclosure of specified information by the candidates for election to a Gram Panchayat, Panchayat Samiti, Zila Parishad and Municipality shall contribute to the purity of the electoral process and shall be in the interest of smooth conduct of free and fair elections;

Whereas the availability of such information is of use to an elector to make a proper informed and well- considered choice about the manner in which he has to exercise his right of franchise;

Whereas the availability of such information would be of use to the Returning Officer by facilitating the scrutiny of nomination papers; and

Whereas the disclosure of information by a candidate about his antecedents in regard to criminal background, assets and liabilities, etc. is not provided for in the extant law;

Now, therefore, in exercise of the powers vesting in it under Article 243-K and 243-ZA of the Constitution of India, Section 9 of the Himachal Pradesh Municipal Corporation Act, 1994, Section 281 of the Himachal Pradesh Municipal Act, 1994 and Section 160 of the Himachal Pradesh Panchayati Raj Act, 1994 and all other powers enabling it in this behalf, the State Election Commission of Himachal Pradesh hereby makes the following regulations, namely, The Himachal Pradesh Panchayats and Municipalities Elections (Disclosure of Specified Information by the candidates) Regulations, 2004 :-

**1. Name, Extent and Commencement.**-(1) These regulations shall be called the Himachal Pradesh Panchayats and Municipalities Elections (Disclosure of Specified Information by the Candidates) Regulations, 2004.

(2) These regulations shall extend to the whole of the State.

(3) These regulations come into force on the first day of March, 2004 and shall apply to all elections to Panchayats and Municipalities the election programme in regard to which is framed on or after this date.

**2. Definitions.-** In these regulations, unless a contrary intention appear from the context, the expression :-

- (a) “Act” means the Himachal Pradesh Panchayati Raj Act, 1994 or the Himachal Pradesh Municipal Act, 1994 or the Himachal Pradesh Corporation Act, 1994, as the case may be;
- (b) “Annexure” means the annexure to these Regulations;
- (c) “Authorised Officer” means the officer authorised to receive the nomination papers and includes the Returning Officer and the Assistant Returning Officer;
- (d) “Commission” means the State Election Commission of the State;
- (e) “Constituency” means the territorial constituency of Gram Sabha, Panchayat Samiti, or Zila Parishad, as the case may be, for the representation of which a member is to be elected and in relation to Pradhan or Up-Pradhan of a Gram Panchayat, “constituency” means the whole of a Gram Sabha area;
- (f) “ Election” means all elections including bye-elections to Panchayats and Municipalities;
- (g) “Magistrate” means a District Magistrate, an Additional District Magistrate, a Sub Divisional Magistrate, an Executive Magistrate or a Judicial Magistrate.
- (h) “Municipality” means a Nagar Panchayat or a Municipal Corporation, as the case may be;
- (i) “Nomination paper” means the nomination paper to be filed by a candidate seeking direct election to an officer in a Panchayat or a Municipality;
- (j) “Panchayat” means a Gram Panchayat or a Panchayat Samiti or a Zila Parishad, as the case may be;
- (k) “Part” means a part of the annexure;
- (l) “Returning Officer” means an officer appointed for the conduct of election and includes an Assistant Returning Officer;
- (m) “Special Information” means the information about the antecedents, etc.;
- (n) “State” means the State of Himachal Pradesh;
- (o) “Ward” means a ward of a Municipality for the representation of which a member is to be elected.

**3. Disclosure of Information by Candidates for election to a Gram Panchayat .-**Every candidate for election to the office of a Member or Up-Pradhan or Pradhan of a Gram Panchayat shall furnish along with his nomination paper the specified information indicated in Annexure to these Regulations pertaining to his conviction or acquittal or discharge in criminal cases, if any, in the past, the criminal cases pending against him for which the maximum punishment provided in the relevant law is imprisonment for two years or more and in which charge has been framed or cognizance has been taken by a court, his assets and liabilities and the particulars of his children on the lines given in the Annexure.

*Explanation* - Such a candidate shall not be bound to submit details about his educational qualifications, as envisaged in part-V of the Annexure.

**4. Disclosure of information by Candidates for Election to a Municipality, Panchayat Samiti and Zila Parishad.-** Every person seeking election to the office of a Member of a Panchayat Samiti or a Zila Parishad or a Municipality shall furnish or cause to furnish along with his nomination paper the specified information indicated in the Annexure to these Regulations pertaining to his conviction or acquittal or discharge in criminal cases, if any, in the past, the criminal cases pending against him for which the maximum punishment provided in the relevant law imprisonment, for two years or more and in which charge has been framed or cognizance has been taken by a court, his assets and liabilities and the particulars of his children and his educational qualifications on the line given in the Annexure.

**5. Annexure to be in the Form of Affidavit or Declaration.-**(1) A person seeking election to the office of Member or Up-Pardhan or Pradhan of a Gram Panchayat shall submit the specified information in the Annexure in the form of an affidavit in the manner described in clause(2) next following or a declaration to be made and signed by him in the presence of a Gazetted Officer of the Government of India or of the Government of the State or the official authorised to receive the nomination papers, who is hereby authorised to attest the same.

(2) A person seeking election to an office mentioned in Regulation 4 above shall submit the specified information in the Annexure in the form of an affidavit duly made and signed by him in the presence of a Magistrate or a Notary Public or an Oath Commissioner.

(3) The candidate and the attesting officer shall sign on each page of the Annexure.

**6. Securing of Form of Annexure.-**Every person wishing to obtain from the office of the Returning Officer or other authorised officer a set of the relevant nomination paper forms shall also obtain with it a copy of the form of the Annexure.

**7. Supply of Additional Copies of the Annexure.-**(1) Each candidate for election to an office in a panchayat or a municipality shall supply two

additional photocopies or attested copies of the Annexure along with his nomination papers in addition to the original copy.

(2) Nothing in these Regulations shall be deemed to require a candidate, who has furnished the original annexure and two copies as required above to an authorised officer to furnish more sets of copies to the same authorized officer along with his nomination paper in case he files more than one nomination paper for election to the same office and the same constituency or ward.

**8.Publication of the Specified Information.-**The officer authorised to receive the nomination paper shall publish the information contained in the Annexure furnished by each candidate by displaying a photo-copy thereof outside the place where he is receiving the nomination papers and making another copy available on each working day from the date of receipt thereof to the date of withdrawal of nomination papers for inspection, by the general public including the members of Press ( including electronic media ) thereafter it will be kept open for such inspection in office of Returning Officer or Assistant Returning Officer up-to two days before the date fixed for poll.

Provided that it will be open for the State Election Commissioner to order the display of the specified information at a place in addition to or in substitution of places mentioned in this Regulation.

**9.Preservation of Specified Information.-** The original copy of the Annexure, which is duly attested, shall be annexed to the nomination paper and the nomination paper together with each Annexure shall be preserved in the office of the Returning officer for a period of six years from the declaration of the result unless ordered by a court or by an authority dealing with an election petition pertaining to the election involving that particular candidate or by the Commission to be preserved for a longer time.

**10. Supply of Certified Copies of the Annexure.-**Certified copies of the Annexure filed by a candidate may be supplied by the Returning Officer on payment against receipt of copying fee amounting to Rs. 10/- for each Annexure on an application made to him in writing by another candidate for the same office and from the same constituency or ward or from a member of Press (Including electronic media).

*Explanation.-*No fee will be charged for inspection of an annexure.

**11. Effect of Non-furnishing of Annexure.-** The failure or omission of a candidate to furnish the specified information in the manner laid down in these Regulations shall render the nomination paper of the candidate concerned liable to be rejected by the Returning Officer/ Assistant Returning Officer concerned.

**12. Saving of Powers of Returning Officer.-** Nothing contained in these Regulations shall have the effect of annulling diminishing or curtailing the powers of the Returning officer authorised to scrutinise and examine the validity of a nomination paper in regard to such scrutiny, examination or decision given by or under the relevant Act and the rules made thereunder.

**ANNEXURE-I**

**(Affidavit/ Declaration to be furnished by a Candidate along-with Nomination Paper before the Returning Officer)**

**For Election from.....Ward/Constituency of .....Municipality/  
Gram Panchayat/ Panchayat Simiti/Zila Parishad of .....Tehsil/  
Development Block of ..... District.....Himachal Pradesh.**

**Part- I**

.....(name), son/daughter/ wife of Shri.....resident of  
.....(village, Tehsil and district)do hereby solemnly affirm/state on oath and  
declare as under :-

**(1)** That I have, in the past, been convicted of criminal offence in the cases the detail of which are given below :-

- (a) Case No.;
- (b) Section of the Act and description of the offence for which convicted;
- (c) Date of conviction;
- (d) Court by which convicted;
- (e) Sentence imposed (indicating whether simple or rigorous imprisonment, the period of such imprisonment and/ or the amount of fine imposed).
- (f) Details of appeal/ revision/ review, if any, etc. filed against such conviction and indicating the result thereof.

**(2)** That I have, in the past, been acquitted/discharged in the cases the details of which are given below:-

- (a) Case No.
- (b) Section of the Act and brief description of the offence in which discharged or acquitted;
- (c) Name of the Court by which discharged/ acquitted;
- (d) Date of discharge/ acquittal ;
- (e) Details of appeal/ revision/review, if any, filed against such discharged/ acquittal indicating the result thereof.

**(3)** That he following Case(s) in which the maximum imprisonment laid down by law is two years or more, is/are pending against me in which cognizance has been taken by a court:-

- (a) Case number:
- (b) Section of the Act and description of the offence of which cognizance taken:
- (c) The Court which has taken cognizance;
- (d) Date of order of the Court taking cognizance:
- (e) Details of appeal(s)/ application(s) for revision/ review/writ petition, if any, filed against the aforementioned order of the court taking cognizance.

*\* A court shall be deemed to have taken cognizance of a case when it frames charges or, where the framing of a charge by a court is not necessary, where the court in prima facie finding, decided to issue process to the accused with a view to proceeding with the trial.*

## Part-II

### (a) Details of moveable assets:

(4) That I give herein below the details of the assets (movable, bank balance, etc.) of myself, my spouse and dependants\*:

**(The assets held jointly with someone, indicating the extent of joint ownership will also have to be given)**

Sl. No.	Relationship	Cash	Deposit In banks, Financial institutions and non-banking Financial companies, Post offices, LIC, etc.	Shares, bonds and debentures in companies	Motor Vehicles (Details of make, etc.	Jewellery give details of approximate weight and value)
	2	3	4	5	6	7
I	Self					
I	Spouce(s)					
II	Name(s)					
II	*Dependant-1 (Name with relationship)					
III	Dependant-2 (Name with					
V						

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 relationship)
 

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 V Dependant-3  
 (name with  
 relationship)
 

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**\*The word “Dependant “in Part-II means a son or daughter substantially dependant on the candidate financially.**

**\*\* More columns may be added in case of more than three dependant.**

**(b)Details of Immovable Assets**

**Note.- Properties in joint ownership indicating the extent of joint ownership will also have to be indicated.**

Sr.No.	Relationship	*Land (other than that under or or attached with a building such as sehan lawns, etc.) Mohal/Village/Town with Name of Tehsil and District With area of the land		
1	2	3	4	5
I	Self			
II	Spouse(s) Name(s)			
III	Dependant-1 (Name with relationship)			
IV	Dependant-2 (Name with relationship)			
V	Dependant-3 (Name with relationship)			

\*Land includes agricultural as well as non-agricultural land.

\*\* Building includes a house, a flat, an office, a commercial building, etc.

**Part-III**

**5. I give herein below the details of my liabilities to public financial**

institutions and dues to the Government.-

**(Note-Please give separate details for each item)**

Sl. No.	Description	Name and address of Bank/ Institution(s)/department(s)
1	2	3
I	Loan from Banks	
II	Loans from financial institutions	
III	Government dues (including income tax, wealth tax, sales tax etc.	
IV	Tax due to a Municipality or Panchayat	

**Part-IV**

(Two-child-Norm)

6. That the name, sex and date of birth of each of my children are given below:-

Sl. No.	Name	Son or Daughter	Date of Birth
1.			
2.			
3.			
4.			
5.			
etc.			

**Part-V**

7. My educational qualifications from Matriculation onwards are as under:-

**(Give details of school and University Education from Matriculation onwards)**

**(Name of School/ University and year in which the course was completed should also be given).**

**Deponent/ Declarant**

**Verification**

I, the deponent/ declarant above-named, do hereby verify and declare that the contents of this affidavit/ declaration are true and correct to the best of

my knowledge and belief, that no part of it is false and nothing material has been concealed therefrom.

Verified at.....this the.....date of.....200.....

\*Deponent/ Declarant. -----

**Date**

**\*\* Attesting Officer.**

\* This has to be an affidavit sworn and signed by the deponent before a Magistrate, an Oath Commissioner or a Notary Public in case of a candidate for an office in a Municipality or Zila Parishad or a Panchayat Samiti, whereas in case of a candidate for an office of that a Gram Panchayat this has to be in the form of an affidavit authorised to receive the nomination papers or a Gazetted Officer of the Government of India or of the Government of the State. In each case, the deponent/declarant should append his signature on every page.

\*\* The attesting Officer should put his signatures and seal/stamp here in token of attestation of the signature of the deponent/declarant and also sign every page in the margin.

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(R.H.P. Extra., dated,25-2-2004, p. 3445-3455).

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