

Most Immediate

F.No C 30013/45/2016-Ad.IVA
Government of India
Ministry of Finance
Department of Revenue
Central Board of Excise and Customs

6th Floor, HUDCO Vishala Bldg,
Bhikaji Cama Place, New Delhi,
Dated, the 20th July, 2016

To

All the Chief Commissioners/Directors General under CBEC

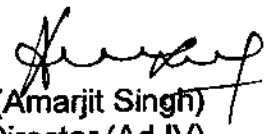
Subject: Declaration of Assets and Liabilities by public servants under section 44 of the Lokpal and Lokayuktas Act, 2013 – filing of Returns by public servants on or before 31st July, 2016 – regarding.

Sir/Madam,

I am directed to enclose herewith a copy of D.O. letter No. 407/12/2014-AVD-IV(B)-Vol.III dated 05.07.2016 received from Secretary, Department of Personnel & Training on the subject mentioned above for information and necessary action.

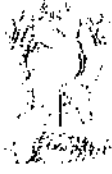
Encl: As above

Yours faithfully,


(Amarjit Singh)
Director (Ad.IV)
Tel. No. 011- 26162694

Copy to: Webmaster, O/o the Directorate General of System, New Delhi with request to kindly upload the letter on CBEC's website.

श्री. विश्वनाथ
C. VISWANATH
सचिव
SECRETARY



भारत सरकार
कार्मिक और प्रशिक्षण विभाग
कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय
नॉर्थ ब्लॉक, नई दिल्ली-110001
GOVERNMENT OF INDIA
DEPARTMENT OF PERSONNEL & TRAINING
MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES
AND PENSIONS
NORTH BLOCK NEW DELHI-110001

D.O.No. 407/12/2014-AVD-IV(B)-Vol. III

25 (Copy)
Be circulate to
all concerned and subordinates
offices of B.O.E.
Dear Secretary,

New
13/7/2016

Dated the 5th July, 2016.

As you may be aware, every public servant is required to make a declaration of his assets and liabilities under the provisions of section 44 of the Lokpal and Lokayuktas Act, 2013. These declarations are required to be made in respect of the years 2014, 2015 and 2016. The declaration for the year 2014 is to reflect the information of assets and liabilities as on 1st August, 2014 and the declarations for the subsequent years i.e. for 2015 and 2016, should reflect the position as on 31st March of the respective years. The revised forms, in which the said information is required to be furnished are enclosed herewith for ready reference. The last date for filing of such information with the competent authority has been prescribed as 31st July, 2016.

2. In this connection, attention is also invited to the provisions of section 45, which provides that if any public servant wilfully or for reasons which are not justifiable fails to declare his assets or gives misleading information and is found to be in possession of assets not disclosed or in respect of which misleading information has been furnished, then such assets shall be presumed to be assets acquired by corrupt means.

3. In terms of the provisions of sections 2(1)(c)(iv), 2(1)(c)(v) and the notifications Nn. 2154(E) and 2155(E) dated 20th June, 2016 issued (copies enclosed) under provisions of section 2(c)(vii) of the Lokpal and Lokayuktas Act, 2013, the Minister-in-charge of each Ministry/Department is the authority competent before whom such declarations are required to be filed by the following categories of public servants;

- An officer serving the Ministry or Department concerned;
- Chairperson or Members of any body or Board or Corporation or Authority or Company or Society or autonomous body (by whatever name called) established or



218449/2016/coord
14-07-2016

Please Visit Our Website : <http://persmin.gov.in>

टेली/ Tel.: 23094848 टेलीफैक्स/Telefax: 23094500 E-mail ID: secy_mop@nic.in

APPENDIX-I

[Rule 3(1)]

Return of Assets and Liabilities on First Appointment or as on the 31st March, 20.....*
(Under Sec 44 of the Lokpal and Lokayuktas Act, 2013.)

1. Name of the Public servant in full.....
(in block letters)
- 2.(a) Present public position held
(Designation, name and address
of organisation)
- (b) Service to which belongs
(if applicable)

Declaration:

I hereby declare that the return enclosed namely, Forms I to IV are complete, true and correct to the best of my knowledge and belief, in respect of information due to be furnished by me under the provisions of section 44 of the Lokpal and Lokayuktas Act, 2013.

Date.....

Signature.....

* In case of first appointment please indicate date of appointment.

Note 1. This return shall contain particulars of all assets and liabilities of the public servant either in his/her own name or in the name of any other person. The return should include details in respect of assets/ liabilities of spouse and dependent children as provided in Section 44 (2) of the Lokpal and Lokayuktas Act, 2013.

(Section 44(2):A public servant shall, within a period of thirty days from the date on which he makes and subscribes an oath or affirmation to enter upon his office, furnish to the competent authority the information relating to—

- (a) the assets of which he, his spouse and his dependent children are, jointly or severally, owners or beneficiaries;
- (b) his liabilities and that of his spouse and his dependent children.)

Note 2. If a public servant is a member of Hindu Undivided Family with co-parcenary rights in the properties of the family either as a 'Karta' or as a member, he should indicate in the return in Form No. III the value of his share in such property and where it is not possible to indicate the exact value of such share, its approximate value. Suitable explanatory notes may be added wherever necessary.

Note 3:— "dependent children" means sons and daughters who have no separate means of earning and are wholly dependent on the public servant for their livelihood. (Explanation below Section 44(3) of Lokpal and Lokayuktas Act, 2013)

"FORM No. II

Statement of movable property on first appointment or as on the 31st March, 20...

(Use separate sheets for self, spouse and each dependent child.)

of public servant/spouse/dependent child: _____

| No | Description | Remarks, if any |
|-------|--|-----------------|
| * | Cash and bank balance: | |
| (i)** | Insurance (premium paid): | |
| | Fixed/Recurring Deposit(s): | |
| | Share/Bonds: | |
| | Mutual Fund(s): | |
| | Pension Scheme/Provident Fund | |
| | Other investments, if any: | |
| (ii) | Personal loans/advance given to any person or entity including firm, company, trust, etc. and other receivables from debtors and the amount (exceeding two months basic pay or Rupees one lakh, as the case may be): | |
| (iv) | Motor Vehicles (Details of Make, registration number, year of purchase and amount paid): | |
| (v) | Jewellery [Give details of approximate weight (plus or minus 10 gms. in respect of gold and precious stones; plus or minus 100 gms. in respect of silver).] Gold: Silver: Precious metals and precious stones: Composite items: (indicates approximate value)*** | |
| (vi) | Any other assets (Give details of movable assets not covered in (i) to (v) above) (a) Furniture (b) Fixtures (c) Antiques (d) Paintings (e) Electronic equipments (f) Others [Indicate the details of an asset, only if the total current value of any particular asset in any particular category (e.g. furniture, fixtures, electronic equipments, etc.) exceeds two months' basic pay or Rs. 1.00 lakh, as the case may be.] | |

Date

Signature.....

* Details of deposits in the foreign Bank(s) to be given separately.

** Investments above Rs. 2 lakhs to be reported individually. Investments below Rs.2 lakhs may be reported together.

*** Value indicated in the first return need not be revised in subsequent returns as long as no new composite item had been acquired or no existing items had been disposed of, during the relevant year.;

"FORM No. IV

Statement of Debts and Other Liabilities on first appointment or as on 31st March
20.....

| Sl. No. | Debtor (Self/ Spouse or dependent children) | Name and address of Creditor | Nature of debt/ liability and amount | Remarks |
|---------|---|------------------------------|--------------------------------------|---------|
| 1 | 2 | 3 | 4 | 5 |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

Date

Signature

Note 1: Individual items of loans not exceeding two months basic pay (where applicable) and Rs. lakh in other cases need not be included.

Note 2: The statement should include various loans and advances (exceeding the value in Note 1) from banks, companies, financial institutions, Central/State Government and from individuals."

- (iii) सक्षम प्राधिकारी, जिसके पास ऐसी वार्षिक विवरणी फाइल की जाती है, मंत्रालय या विभाग के आधार पर, जिसका उस वर्ष उक्त सोसाइटी या व्यक्तियों के संगम या न्यास को वित्तीय सहायता के रूप में अभिदाय अधिकतम है, वर्ष दर वर्ष भिन्न हो सकेगा ;
- (iv) "प्रत्येक अन्य सोसाइटी" अभिव्यक्ति से ऐसी सोसाइटी अभिप्रेत है, जो लोकपाल और लोकयुक्त अधिनियम, 2013 की धारा 14 की उपधारा (1) के खंड (च) के अधीन नहीं आती है।

[फा. सं. 407/02/2016-एवीटी-IV(लोकपाल)भाग-2]

जिभनु बरुआ, संयुक्त सचिव

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS

(Department of Personnel and Training)

NOTIFICATION

New Delhi, the 20th June, 2016

S.O.2154(E).— In exercise of the powers conferred under sub-clause (vii) of sub-section (1) of section 2 read with clause (g) of sub-section (1) of section 14 of the Lokpal and Lokayuktas Act, 2013 (1 of 2014) (hereafter in this notification referred to as the said Act), the Central Government hereby notifies that for any person referred to in clause (g) of sub-section (1) of section 14 of the said Act, the Minister-in-charge of the Ministry or Department of the Government of India providing financial assistance to any society, association of persons or trust, referred to in the aforesaid clause, shall be the competent authority:

Provided that if a society or association of persons or trust, referred to in the said clause (g) is financed by more than one Ministries or Departments of the Government, the Minister-in-charge of the Ministry or Department, whose contribution as financial assistance to the said society or association of persons or trust is highest in the year for which declaration or annual return is being filed, shall be the competent authority in respect of such society or association of persons or trust during that particular year.

2. For the purposes of this notification,—

- (i) the original declaration or annual return may be filed before the Ministry or Department making the highest contribution as financial assistance and a copy of the return may be sent to all other Ministries or Departments financing such society or association of persons or trust;
- (ii) the annual returns shall continue to be filed by the category of public servants referred to in paragraph (1), till such time the entire financial assistance allowed to such society or association of persons or trust stands fully utilised for the purposes for which it was allowed;
- (iii) the competent authority with which such annual return is to be filed may vary from year to year based on the Ministry or the Department whose contribution as financial assistance to the said society or association of persons or trust is highest in that year;
- (iv) the expression "every other society" means a society not covered under clause (f) of sub-section (1) of section 14 of the said Act.

[F.No.407/02/2016-AVD-IV(Lokpal)Pt.2]

JISHNU BARUA, Jt. Secy.