

By Fax/E-mail/Speed Post
No. 112/18/ADM/DE/PROP/MISC
Government of India
Ministry of Defence (DGDE)
Raksha Sampada Bhawan
Delhi Cantt.-110010

Dated 31 December, 2014.

To

The Principal Director,
Defence Estates,
Central/Eastern/Northern/South-Western/Southern/Western Command,
Lucknow/Kolkata/Jammu/Jaipur/Pune/Chandigarh

Subject: **Declaration of Assets and Liabilities by the public servants under section 44 of the Lokpal and Lokayuktas Act, 2013 –extension of last date for filing of revised returns by public servants who have filed property returns under the existing service rules-regarding**

Reference this Directorate General letter No. 124/18/ADM/DE/Misc, dated 17.10.2014 and letter of even number dated 20.08.2014.

2. As you are aware that every public servant is now required to file annual returns of assets and liabilities as per section 44 of the Lokpal and Lokayuktas Act, 2013. Attention is however drawn specifically to sub-sections (1) (2) (3) (4) & (5) of the said section, which read as under:-

Section 44:

- (1) *Every public servant shall make a declaration of his assets and liabilities in the manner as provided by or under this Act.*
- (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.*
- (3) *A public servant holding his office as such, at the time of the commencement of this Act, shall furnish information relating to such assets and liabilities, as referred to in sub-section (2), to the competent authority within thirty days of the coming into force of this Act.*
- (4) *Every public servant shall file with the competent authority, on or before the 31st July of every year, an annual return of such assets and liabilities, as referred to in sub-section (2), as on the 31st March of that year.*
- (5) *The information under sub-section (2) or sub-section(3) and annual return under sub-section (4) shall be furnished to the competent authority in such form and in such manner as may be prescribed.*

3. In exercise of powers conferred by relevant sections of the Lokpal and Lokayuktas Act, 2013, the Central Government has notified Public Servant (Furnishing of Information and Annual Return of Assets and Liabilities and the Limit for Exemption of Assets in filing Return) Rules, 2014 which *inter alia* specify the Forms (I, II, III & IV) for declaration of assets and liabilities under sub-sections (1) and (5) of section 44 of the Lokpal and Lokayuktas Act, 2013.

4. The Central Government, vide its notification dated 26.12.2014, has now extended the date of filing of returns (as on 1st August, 2014) upto **30th April, 2015** and substituted the Forms for filing of returns of movable property and debts and liabilities (i.e. Forms II & IV). The other two Forms (i.e. I & III) as specified at Appendix-II of Public Servant (Furnishing of Information and Annual Return of Assets and Liabilities and the Limit for Exemption of Assets in filing Return) Rules, 2014 have remained unchanged. A copy each of all four Forms alongwith prescribed format for filing returns is also enclosed herewith.

5. **It is important to note that the extension of date for filing of returns is specific to the first year of implementation of the said Act. The subsequent filing of returns will be governed by sub-section (2) and (4) of section 44 of the Act.**

6. It is requested that all concerned officers and officials under your jurisdiction may please be intimated about the above stated developments, and directed to ensure strict adherence to the timeline for filing of returns in the prescribed formats.

7. All relevant notifications on the Lokpal and Lokayuktas Act, 2013, Rules made thereunder, and Orders issued under section 62 of the ibid Act are available @ http://persmin.gov.in/Lokpal_Homepage_New.asp

(Vivek Kumar)
Asstt. Director General (Adm)
for Director General Defence Estates

Copy to :-

1. Director, NIDEM, Delhi Cantt.
2. All officers of Dte General, DE
3. PPS to DGDE
4. All Sections in Dte. General, DE
5. DMS / Website / AU&RC
6. Float / Guard File

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.*)

APPENDIX-II
[Rule 3(1)]

FORM No. I

Details of Public Servant, his/ her spouse and dependent children

SL. No.		Name	Public Position held, if any	Whether return being filed by him/her, separately
1	Self			
2	Spouse			
3	Dependent-1			
4	Dependent-2			
5.*	Dependent-3			

* Add more rows, if necessary.

Date.....

Signature.....

3. In the principal rules, in Appendix II, —
 (a) for Form No. II, the following Form shall be substituted, namely:—

“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.)

Name of public servant/spouse/dependent child: _____

S.No	Description	Remarks, if any
(i) *	Cash and bank balance:	
(ii)**	Insurance (premia paid) :	
	Fixed /Recurring Deposit(s) :	
	Shares/Bonds :	
	Mutual Fund(s) :	
	Pension Scheme/Provident Fund	
	Other investments, if any :	
(iii)	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: (indicate 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. III

Statement of immovable property on first appointment or as on the 31st March, 20....
(e.g. Lands, House, Shops, Other Buildings, etc.)

[Held by Public Servant, his/her spouse and dependent children]

Sl. No.	Description of property (Land/ House/ Flat/ Shop/ Industrial etc.)	Precise location (Name of District, Division Taluk and Village in which the property is situated and also its distinctive number, etc.)	Area of land (in case of land and buildings)	Nature of land in case of landed property	Extent of interest	If not in name of public servant, state in whose name held and his/her relationship, if any to the public servant	Date of acquisition	How acquired (whether by purchase, mortgage, lease, inheritance, gift or otherwise) and name with details of person/persons from whom acquired (address and connection of the Government servant, if any, with the person/persons concerned) (Please see Note 1 below) and cost of acquisition.	Present value of the property (If exact value not known, approx value may be indicated)	Total annual income from the property	Remarks
1	2	3	4	5	6	7	8	9	10	11	12

Date.....

Signature.....

Note (1): For purpose of Column 9, the term "lease" would mean a lease of immovable property from year to year or for any term exceeding one year or reserving a yearly rent. Where, however, the lease of immovable property is obtained from a person having official dealings with the Government servant, such a lease should be shown in this Column irrespective of the term of the lease, whether it is short term or long term, and the periodicity of the payment of rent.

(a) for Form No. IV, the following Form shall be substituted, namely:—

“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. 1.00 lakh in other cases need not be included.

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

[F. No. 407/12/2014-AVD-IV(B)]

JISHNU BARUA, Jt. Secy.

Note.—The principal rules were published in the Gazette of India, Extraordinary, vide notification number G.S.R. 501(E), dated the 14th July, 2014 and amended vide notification No. G.S.R. 638(E) published in the Gazette of India, Extraordinary, dated 8th September, 2014.

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