



**PARLIAMENT OF INDIA**  
**RAJYA SABHA**

DEPARTMENT-RELATED PARLIAMENTARY STANDING COMMITTEE  
ON PERSONNEL, PUBLIC GRIEVANCES, LAW AND JUSTICE

**NINETY-SEVENTH REPORT**  
**ON**

**Draft Public Servants (Declaration of Assets and  
Liabilities and Minimum Value of Assets for  
Condonation or Exemption) Rules, 2017**

*(Presented to the Rajya Sabha on 19<sup>th</sup> July, 2018)*

*(Laid on the Table of Lok Sabha on 19<sup>th</sup> July, 2018)*



**Rajya Sabha Secretariat, New Delhi**  
**July, 2018/ Ashadha 1940 (Saka)**



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\* To be appended at printing stage.

**DEPARTMENT RELATED PARLIAMENTARY STANDING COMMITTEE  
ON PERSONNEL, PUBLIC GRIEVANCES, LAW AND JUSTICE**

*(Re-constituted on 1<sup>st</sup> September, 2016)*

1. Shri Anand Sharma — *Chairman*

**RAJYA SABHA**

2. Ms. Anu Aga  
3. Shri Prabhat Jha  
4. Shrimati Rajani Patil  
5. Shri D. Raja  
6. Shri Ram Chandra Prasad Singh  
7. Shri Tiruchi Siva  
8. Shri K.T.S. Tulsi  
9. \*Vacant  
10. \*Vacant

**LOK SABHA**

11. Shri Tariq Anwar  
12. Shri Idris Ali  
13. Shri Sharad Bansode  
14. Shri A.H. Khan Choudhary  
15. Adv. Joice George  
16. Choudhary Mehboob Ali Kaiser  
17. Shri Santosh Kumar  
18. Shri Bhagwant Mann  
19. Shri B.V. Nayak  
20. Shri Vincent H. Pala  
21. Shri Vittalbhai Hansrajbhai Radadiya  
22. Shri V. Panneer Selvam  
23. Dr. A. Sampath  
24. Shri M. Udhayakumar  
25. Shri Varaprasad Rao Velagapalli  
26. Dr. Anshul Verma  
27. @Shrimati Meenakashi Lekhi  
28. @Shri Pralhad V. Joshi  
29. @Dr. Satya Pal Singh  
30. Vacant  
31. Vacant

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\* Consequent upon the retirement of Shri Dilipbhai Pandya, MP, Rajya Sabha and Shri Sukhendu Sekhar Roy, MP Rajya Sabha on 18<sup>th</sup> August, 2017.

@ Nominated w.e.f. 29<sup>th</sup> November, 2016.

**DEPARTMENT RELATED PARLIAMENTARY STANDING COMMITTEE  
ON PERSONNEL, PUBLIC GRIEVANCES, LAW AND JUSTICE**

*(Re-constituted on 1<sup>st</sup> September, 2017)*

1. ^Shri Bhupender Yadav — *Chairman*

**RAJYA SABHA**

2. Shri Swapan Dasgupta  
3. Shri Prabhat Jha  
4. Shri Majeed Memon  
5. Shri D. Raja  
6. Dr. K. Keshava Rao  
7. Shri Sukhendu Sekhar Ray  
8. \*Shri Vivek K. Tankha  
9. #Dr. Subramanian Swamy  
10. \$Vacant

**LOK SABHA**

11. Shri Tariq Anwar  
12. Dr. Sanjeev Balyan  
13. Shri Kalyan Banerjee  
14. Shri Sharadkumar Maruti Bansode  
15. Shri A.H. Khan Choudhury  
16. Adv. Joice George  
17. Shri Radadiya Vithalbhai Hansrajbhai  
18. Shri Pralhad Joshi  
19. Shri Mehboob Ali Kaiser  
20. Adv. M. Udhaya Kumar  
21. Shrimati Meenakashi Lekhi  
22. Shri Bhagwant Mann  
23. Shri B.V. Naik  
24. Shri Vincent H. Pala  
25. Shri Rajiv Pratap Rudy  
26. Dr. A. Sampath  
27. Shri Ram Prasad Sarmah  
28. Shri V. Panner Selvam  
29. Adv. Anshul Verma  
30. @Vacant  
31. %Vacant

**SECRETARIAT**

Dr. P.P.K. Ramacharyulu, Secretary  
Shri K.P. Singh, Joint Secretary  
Shri Ashok K. Sahoo, Additional Director  
Smt. Chanderekha Sharma, Under Secretary

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^ Re-appointed as the Chairman w.e.f. 2<sup>nd</sup> June, 2018.

\* Nominated w.e.f. 30<sup>th</sup> November, 2017 *vice* Shri Anand Sharma who resigned w.e.f. 10<sup>th</sup> November, 2017.

# Nominated w.e.f. 7<sup>th</sup> March, 2018 *vice* change of nomination of Shri Tiruchi Siva w.e.f. 21<sup>st</sup> February, 2018.

\$ Consequent upon the retirement of Shrimati Rajani Patil, MP, Rajya Sabha on 2<sup>nd</sup> April, 2018.

@ Vacancy caused due to change in the nomination of Shri Santosh Kumar w.e.f. 3<sup>rd</sup> November, 2017.

% Consequent upon the resignation of Shri Varaprasad Rao Velagapalli, MP, Lok Sabha w.e.f. 20<sup>th</sup> June, 2018.

## INTRODUCTION

I, Chairman of the Department-related Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice, having been authorized by the Committee on its behalf, do hereby present the Ninety-seventh Report of the Committee on the Draft Public Servants (Declaration of Assets and Liabilities and Minimum Value of Assets for Condonation or Exemption) Rules, 2017.

2. Pursuant to the assurance given by the Minister of State (MoS), Personnel, Public Grievances and Pension during the debate on the Lokpal and Lokayuktas (Amendment) Bill, 2016 to the Rajya Sabha on 28<sup>th</sup> July, 2016, the draft Public Servants (Declaration of Assets and Liabilities and Minimum Value of Assets for Condonation or Exemption) Rules, 2017, prescribing forms and manner for declaration of Assets and Liabilities as per the amended provisions of Section 44 of the Lokpal and Lokayuktas Act, 2013 were referred by the Department of Personnel and Training (DoPT) to this Committee for its consideration/views, before the rules are formally notified in the Gazette of India.

3. The Committee heard the presentation of the Secretary, DoPT on various aspects of the draft Rules in its meeting held on 11<sup>th</sup> July, 2017. The Committee after its reconstitution again heard views of the DoPT, Department of Legal Affairs and Legislative Department in its meetings held on 30<sup>th</sup> October, 2017, 6<sup>th</sup> December, 2017 and 11<sup>th</sup> January, 2018. Finally, the Committee again heard the Secretary, DoPT on the revised draft Public Servants (Declaration of Assets and Liabilities and Minimum Value of Assets) Rules, 2018 on 27<sup>th</sup> June, 2018.

4. While considering the draft Rules, the Committee took note of the following documents/information placed before it:-

- (i) Background note on the draft Rules submitted by the DoPT, Ministry of Personnel, Public Grievances & Pensions;
- (ii) Seventy-seventh Report of the Department-related Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice on the Lokpal and Lokayuktas and Other Related Law (Amendment) Bill, 2014;
- (iii) The Public Servants (Furnishing of Information and Annual Return of Assets and Liabilities and the Limits for Exemption of Assets in Filing Returns) Rules, 2014;
- (iv) The Lokpal and Lokayuktas (Amendment) Act, 2016; and
- (v) Advice of the Department of Legal Affairs on certain issues.

5. The Committee considered and adopted the Report in its meeting held on 6<sup>th</sup> July, 2018.

6. For the facility of reference and convenience, the observations and recommendations of the Committee have been printed in bold letters in the body of the Report.

**New Delhi**  
6<sup>th</sup> July, 2018

**BHUPENDER YADAV**  
*Chairman,*  
*Department-related Parliamentary Standing*  
*Committee on Personnel, Public Grievances,*  
*Law and Justice*

# REPORT

## **Draft Lokpal Rules, 2017**

1. Before formally notifying the Rules, the draft Public Servants (Declaration of Assets and Liabilities and Minimum Value of Assets for Condonation or Exemption) Rules, 2017 (hereinafter referred to as ‘draft Lokpal Rules, 2017’) (**Annexure – I**) were referred to the Department-related Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice (hereinafter referred to as ‘Committee’) by the Department of Personnel & Training (DoPT) for its consideration/views on 29<sup>th</sup> May, 2017. The rules were forwarded to the Committee pursuant to the assurance given by the Minister of State (MoS), Personnel, Public Grievances and Pension during the debate on the Lokpal and Lokayuktas (Amendment) Bill, 2016 in Rajya Sabha on the 28<sup>th</sup> July, 2016.

2. These rules prescribing forms and manner for declaration of Assets and Liabilities were a sequel to the amendments effected to Sections 44 and 59 in the year 2016 to the Lokpal and Lokayuktas Act, 2013. The amendments were necessitated due to litigations on the issue and concern expressed by various categories of public servants and in line with recommendations of this Committee contained in its Seventy-Seventh Report on the Lokpal and Lokayuktas and other Related Laws (Amendment) Bill, 2014.

3. The Government derives the power to formulate these rules from the provisions of Section 59(2)(k) and (l) read with provisions of Sections 44 and 45 of the Act, i.e. to prescribe the form and manner of declaration of assets and liabilities and minimum value for which the competent authority may exempt a public servant from furnishing information under proviso to Section 45 of the Act.

4. The draft Lokpal Rules, 2017 superseded the Public Servants (Furnishing of Information and Annual Return of Assets and Liabilities and the Limits for Exemption of Assets in Filing Returns) Rules, 2014 (hereinafter referred to as Lokpal Rules, 2014) framed under the pre-amended Section 44 of the Lokpal and Lokayuktas Act, 2013.

5. Following are the salient aspects of the draft Lokpal Rules, 2017 –

- (a) The terms “assets” and “liabilities” were defined in these rules.
- (b) The returns filed by public servants during years 2014, 2015 and 2016 under Rules of 2014, were deemed to be returns filed under the Lokpal Act and public servants who have not made any such declarations under the aforesaid Rules were required to make

declarations for the years 2014, 2015 and 2016 under these Rules. The draft Rules were proposed to come into effect retrospectively i.e. with effect from 16<sup>th</sup> January, 2014.

- (c) The Rules vested additional powers to the Competent Authority to seek further information on the property acquired.
- (d) Rules make provision for inclusion of a 'Prescribed Authority' before whom declarations were to be made. As per rules Prescribed Authority would be:
  - (i) The Chairman of Rajya Sabha for Members of Rajya Sabha and the Speaker for Members of Lok Sabha.
  - (ii) For Government officials and those belonging to Central Public Sector Enterprises, the prescribed authority would be the authority as prescribed under the regulating conduct rules.
  - (iii) For others (not falling in the above categories), the competent authorities (in Ministries/Departments) may designate Nodal Officers of appropriate level as prescribed authorities for receiving such information.
- (e) Compared to the Lokpal Rules, 2014, in these rules, number of prescribed forms was reduced from four to three. Minimum value of assets to be condoned and exempted by the Competent Authority from furnishing of information was also prescribed under these rules.

### **Deliberations of the Committee**

6. During the course of deliberations on the draft Lokpal Rules, 2017, the Committee heard the Secretaries of DoPT, Department of Legal Affairs and Legislative Department. The Committee examined the draft Rules and went through the set of Forms proposed in the draft Rules. The Committee noted that the Lokpal and Lokayuktas Act, 2013 does not define the terms 'Assets' and 'Liabilities' nor does Section 59 or any other provisions of the Lokpal and Lokayuktas Act, 2013, empower the Central Government to define the terms - 'Assets' and 'Liabilities' under the draft Rules. On a further perusal of the definition of the terms 'Assets' and 'Liabilities' given in the draft Rules, it was pointed out that the said definitions are essentially in the nature of inclusion/exclusion clause whereby certain types of Assets/Liabilities are said to be included or excluded. The DoPT was then asked to clarify as to whether defining 'Assets' and 'Liabilities' in the manner done in the draft Rules, would be legally sustainable in the absence of any mandate apparently given by the Parent Act to do so. The Secretary, DoPT assured the Committee that he would revert back after getting clarification from the Department of Legal Affairs.



7. The Committee then felt it necessary to seek the opinion of the Department of Legal Affairs and accordingly directed the Department to send its views. The Department of Legal Affairs after examining the issue raised by the Committee advised that terms ‘Assets’ and ‘Liabilities’ are neither defined in Section 44 of the Lokpal and Lokayuktas Act, 2013, which deals with the assets and liabilities nor in Section 2 of the Act, which defines the terms used in the Act. As per the amended Act, 2016, prescription for rule framing is limited to the extent of forms and manner of the declaration of ‘Assets’ and ‘Liabilities’. Value and volume of ‘Assets’ and ‘Liabilities’ are not defined in the Act under the substituted Section 44. A bare perusal of the provisions of Sections 44 and 59 of the Act, indicates that the framing of rules is not prescribed for the purpose of definition of the ‘Assets’ and ‘Liabilities’. In view of aforesaid, Department of Legal Affairs has opined that the proposed definition of the terms ‘Assets’ and ‘Liabilities’ in the draft Rules may not withstand judicial scrutiny on the ground of excessive delegation.

8. Following issues also emerged during the course of its deliberations on the draft Lokpal Rules, 2017:

- a) whether a separate formulation of rules defining comprehensively the terms “assets” and “liabilities” will be required to overcome the deficiency in the draft rules or the parent Act needs to be amended;
- b) inclusion of an intermediate level of a “prescribed authority” before whom the declarations may be made;
- c) seeking information as regards assets of members of family of public servant notwithstanding they are having independent sources of income;
- d) what constitutes a family of the public servant;
- e) vesting power in Competent authority to call for further information from the public servant and whether vesting such powers which was not mandated in the parent Act, will also amount to excessive delegation;
- f) difficulty in achieving uniformity in form and manner of reporting as public servants defined in the Act encompass heterogeneous group;
- g) multiplicity of returns filed by public servants under different Acts/Rules;
- h) likely difficulties in reporting for the years 2014 to 2017 as the amended provision of Section 44 of the Lokpal and Lokayuktas Act, 2013 mandates that every public servant shall make a declaration of his assets and liabilities “on and from the date of commencement of the Act” i.e. with effect from 16-01-2014.

9. These issues were taken up with the DoPT in the meeting of the Committee held on 11<sup>th</sup> January, 2018 and the Committee specifically and expressly directed the DoPT, Department of Legal Affairs and Legislative Department to collectively address the issues mentioned in the preceding paras and to convey the common views of the Government.

10. The DoPT on 19<sup>th</sup> February, 2018 informed the Committee that the DoPT, Department of Legal Affairs and Legislative Department have arrived at a consensus view on the issues raised on the draft Lokpal Rules, 2017 by the Committee and have accordingly revised the draft Rules. A complete set of revised draft Rules i.e. Public Servants (Declaration of Assets and Liabilities and Minimum Value of Assets) Rules, 2018 (hereinafter referred to as draft Lokpal Rules, 2018) (**Annexure – II**) prepared by the DoPT in consultation with the Department of Legal Affairs and Legislative Department were forwarded to the Committee for examination.

### **Draft Lokpal Rules, 2018**

11. From the perusal it appears that the revised draft rules forwarded to the Committee have been simplified and comprise only three rules with a single common form for all categories of public servants. The form has been split into three parts with Part A requiring furnishing of personal information of the public servant; Part B requires furnishing of details of immovable and moveable assets (without specifying as to what items may constitute moveable assets); and Part C to reflect liabilities.

12. The revised rules have been modified in the following manner to overcome the lacunae that have crept in the previous version of the rules:—

- a) The definition clause *inter alia* defining the terms “assets”, “liabilities” and “prescribed authority” has been omitted;
- b) The provision whereby power was proposed to be vested in the Competent Authority to seek additional information has been excluded;
- c) A deeming provision has been added in the Rules that makes declaration of assets and liabilities under any other law for the time being in force, or has been in force from the time of coming into force deemed to be declaration under the Lokpal Rules;
- d) Attempt has been made to minimize duplication of filing of such declarations under multiple rules / provisions of law and harmonization with such rules / laws; and
- e) The onus to prescribe minimum value of declarable assets has now been vested with the Competent Authority.

13. The Committee at its meeting held on 27<sup>th</sup> June, 2018 considered the revised draft Lokpal Rules, 2018 and also heard the Secretary, DoPT in the matter.

#### **Observations/Recommendations of the Committee**

14. The Committee broadly agrees with the provisions of the revised draft rules prepared by the DoPT in consultation with the Ministry of Law & Justice, as the suggestions of the Committee have been incorporated and the lacunae pointed out in the previous draft have been addressed. The Committee, however, is not in agreement with the second proviso to Rule 2(1) of the revised draft rules.

15. As per the revised draft, now a public servant has to make a declaration of his assets and liabilities within a period of six months from the date of becoming a public servant and for those who are already public servants have to file such declaration on or before 31<sup>st</sup> July, 2018. Further, a public servant has to subsequently file revised declarations whenever there is any change in the details of declaration made earlier, within a period of six months from the date of such change. Thus, the earlier provision for periodically submitting the declaration has been done away with. In Committee's opinion this may create practical difficulties in submission of declarations. Especially for those elected public servants who may have alternate source of earning, other than their salary. In such a situation they may have to furnish declarations several times. In view of this, the Committee recommends that the declarations should be filed periodically i.e. every year. This will allow a public servant to file a single return in a year which may include several transactions. This will make the process of submission of declarations easy, and will also save time and efforts of both, the public servant as well as of the Competent Authority. In case there is no change in the declared assets and liabilities of a public servant, he/she should not be required to file any return for that year and the earlier return filed would be reckoned.

16. Under the revised rules, the onus to determine the minimum value of assets and liabilities which will not be included in the declaration of assets and liabilities, has been vested on the Competent Authority. The Competent Authority has to determine this minimum value by having regard to the nature of public servants and the public office. In this regard the Committee wishes to add that the threshold value of assets below which the public servant need not to file return of such assets should be reasonable and should be revised on regular intervals.

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**[TO BE PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY, PART II,  
SECTION 3, SUB-SECTION (i)]**

GOVERNMENT OF INDIA  
MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS  
(DEPARTMENT OF PERSONNEL AND TRAINING)

**Notification**

New Delhi, the April, 2017.

G.S.R.\_\_\_\_\_(E).—In exercise of the powers conferred by sections 44 and 45 read with sub-section (1) and clause (k) and (l) of sub-section (2) of section 59 of the Lokpal and Lokayuktas Act, 2013 (1 of 2014), and in supersession of the Public Servants (Furnishing of Information and Annual Return of Assets and Liabilities and the Limits for Exemption of Assets in Filing Returns) Rules, 2014, except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following rules to provide for declaration of assets and liabilities by public servants and to provide for minimum value of the assets to condone or exempt from furnishing the information by a public servant, namely:-

**1. Short title and commencement.**— (1) These rules may be called the Public Servants (Declaration of Assets and Liabilities and Minimum Value of Assets for Condonation or Exemption) Rules, 2017.

(2) They shall be deemed to have come into force on the 16<sup>th</sup> January, 2014.

**2. Definitions.**— (1) In these rules, unless the context otherwise requires, -

- (a) “Act” means the Lokpal and Lokayuktas Act, 2013;
- (b) “assets” means and includes the assets acquired in any manner by the public servant from his known sources of income, either in his own name or in the name of any member of his family or in the name of any other person and it does not include the assets acquired by his spouse or any other family member by means of their independent source of income.
- (c) “declaration” means the declaration of assets and liabilities made by a public servant under section 44 of the Act;
- (d) “Form” means Form I, II and III of these rules;

(e) “liabilities” mean the liabilities incurred by the public servants either in his own name or in the name of any member of his family or in name of any person and it does not include the liabilities incurred by his spouse or any other family member incurred independently.

(f) “ prescribed authority ”means the authority for the purposes of ,-

(i) clauses (a), (b) and (c) of sub-section (1) of section 14 of the Act , -

(A) the Chairman of the Council, in the case of a member of the Council of States; and

(B) the Speaker of the House, in the case of a member of the House of the People;

(ii) clauses (d) and (e) of sub-section (1) of section 14 of the Act shall be the concerned authorities as specified under the All India Services Act, 1951(61 of 1951) and the rules and regulations made there under or the rules made under the provisions of article 148 or article 309 of the Constitution, as the case may be;

(iii) clause (f) of sub-section (1) of section 14 of the Act shall be the concerned authorities as prescribed under the relevant Acts and the rules and regulations respectively applicable to them;

(iv) clauses (g) and (h) of sub-section (1) of section 14 of the Act shall be the nodal officer designated by the competent authorities specified by notification issued or as may be issued by the Central Government under provisions of sub-clause (vii) of clause (c) of sub-section (1) of section 2 of the Act;

(g) “section” means the section of the Act.

(2) The words and expressions used herein and not defined but defined in the Act, shall have the meanings respectively assigned to them in the Act.

**3. Manner of submission of declaration—** (1) Every public servant shall make a declaration of his assets and liabilities, before the prescribed authority as on the 31<sup>st</sup> day of March every year in the format as specified in the Forms I to III on or before 31<sup>st</sup> day of July of that year:

Provided that, the declarations of the public servants, in form or manner as made before the competent authority under the Public Servants (Furnishing of Information and Annual Return of Assets and Liabilities and the Limits for Exemption of Assets in Filing Returns), Rules, 2014 , during the years 2014, 2015 and 2016 shall be deemed to be declarations made under these rules:

Provided further that such public servants who have not made any such declarations, for any of the years 2014, 2015 or 2016, under the aforesaid rules shall be required to make declarations for the years 2014, 2015 and 2016 in the form and manner, as provided under these rules:

Provided also that such public servants who have made such declarations for the years 2014, 2015 and 2016 under the aforesaid rules may revise the declarations for the years 2014, 2015 and 2016 by filing fresh declarations for the said years in the form and manner as provided under these rules.

(2) Notwithstanding the provisions of sub-rule (1), there shall be no bar on the competent authority, by general or special order, to seek from any public servant or a class of public servants, to furnish within a period specified in the order, a full and complete statement of such movable or immovable property held or acquired by him or on his behalf by any member of his family as may be specified in the order and such statement shall include the details of the means by which, or the source from which, such property was acquired.

**4. Minimum value of assets to condone and exempt for exemption from furnishing of information.**—The competent authority may, for reasons to be recorded in writing, exempt a public servant from filing the information in respect of any asset, if the value of such asset does not exceed four months basic pay of the public servant or rupees five lakhs, whichever is higher.

Form-I

**Declaration of Assets and Liabilities as on 31<sup>st</sup> March, 20.....\***  
[as per sub-rule(1) of rule 3]

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 III 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.....

-----  
Note 1. This declaration shall contain particulars of all assets and liabilities of the public servant owned by him, or inherited or acquired by him or held by him on lease or mortgage, either his own name or in the name of any member of his family or in the name of any other person and it does not include the assets acquired by his spouse or any other family member by means of their independent source of income.

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.

FORM No. II

**Statement of movable property (Assets and Debts and other Liabilities) as on the 31<sup>st</sup> March, 20...**

[as per sub-rule(1) of rule 3]  
(Use separate sheet for self or any other person.)

Name of public servant/ any other person: \_\_\_\_\_

| Description   |  | Value<br>(in Rs.) / (in weight where so indicated) | Remarks, if any                              |
|---|--|--|--|
| <b>Assets</b>   |  |  |  |
| 1.*   | Cash and bank balance (in saving bank accounts)  |  |  |
| 2.**  | Fixed /Recurring Deposit(s)  |  |  |
| 3.**  | Shares/Bonds/ Mutual Fund(s)   |  |  |
| 4.**  | Pension Scheme ( <i>other than CGEGIS</i> )/ GPF/ other Provident Funds  |  |  |
| 5.**  | Antiques/ Paintings, etc.  |  |  |
| 6.**  | Personal loans/advances given to any person or entity  |  |  |
| 7.***   | Any other movable assets not covered in (1) to (6) above (including Furniture, Fixtures, Electronic equipment/ appliances, etc.) |  |  |
| 8.<br><i>[please provide either (a) and (b) OR (c)]</i> | a) Jewellery, including gold, silver (in gms.)   |  |  |
|   | b) Consolidated approximate current value of Precious metals, stones and composite items (in Rs.):                               |  |  |
|   | c) Total current value of Jewellery including gold, silver, precious metals & precious stones and composite items (in Rs.):      |  |  |
| 9.  | Motor Vehicle(s):<br>[Indicate the Make, year, Registration number and purchase value]   |  |  |
| <b>Debts and other Liabilities</b>                      |  |  |  |
| S. No.  | Name and address of Creditor   | Amount   | Nature of debt/ liability and remarks if any |
| 1.  |  |  |  |
| 2.  |  |  |  |
| 3. ...  |  |  |  |

Place of Posting :

Name :

Designation:

Organisation :

Signature.....

Date .....

**Notes :**

**1. Assets**

\* Consolidated deposits in the Bank(s) abroad to be given separately.

\*\* Indicate consolidated amount only if the value in any category (2) to (6) exceeds two months basic pay of the public servant or rupees one lakh, whichever is more.

\*\*\* Indicate the details of an asset, only if the current value of any particular asset exceeds two months basic pay or Rs. 1.00 lakh, whichever is higher, as the case may be.

**2. Debts and other Liabilities**

The statement should include various loans and advances taken from banks, financial institutions, companies, Central/State Governments or from any individual/entity. Consolidated items of loans not exceeding two months basic pay of the public servant or Rs. 1.00 lakh, whichever is more, need not be included.



**FORM NO. III**  
**Statement of immovable property as on 31<sup>st</sup> March, 20.....**  
**(e.g. Lands, House, Shops, Other Buildings, etc.)**  
**[as per sub-rule(1) of rule 3]**  
**[Held by Public Servant or any other person]**

| 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, if any, 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.

[ F.No.407/20/2016-AVD-IV(LP) ]

[JISHNU BARUA]

Joint Secretary to the Government of India

**[TO BE PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY, PART II,  
SECTION 3, SUB-SECTION (i) OF DATED THE -----, FEBRUARY, 2018]**

GOVERNMENT OF INDIA  
MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS  
(DEPARTMENT OF PERSONNEL AND TRAINING)

**Notification**

New Delhi, the February, 2018.

G.S.R. \_\_\_\_\_(E).— In exercise of the powers conferred by clauses (k) and (l) of sub-section (2) of section 59, read with section 44 and 45, of the Lokpal and Lokayuktas Act, 2013 (1 of 2014), and in supersession of the Public Servants (Furnishing of Information and Annual Return of Assets and Liabilities and the Limits for Exemption of Assets in Filing Returns) Rules, 2014, except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following rules to provide for declaration of assets and liabilities by public servants and to provide for minimum value of the assets for the purpose of furnishing the information by a public servant, namely:—

**1. Short title and commencement.**— (1) These rules may be called the Public Servants (Declaration of Assets and Liabilities and Minimum Value of Assets) Rules, 2018.

(2) These rules shall be deemed to have come into force on the 16<sup>th</sup> January, 2014.

**2. Declaration of assets and liabilities by public servants.**— (1) A person who becomes a public servant referred to in clauses (a) to (h) of sub-section (1) of section 14 of the Lokpal and Lokayuktas Act, 2013 (1 of 2014) shall, within a period of six months from the date of becoming such public servant, make a declaration of his assets and liabilities, held or incurred by him, whether in his own name or any other person's name, in the Form appended to these rules to the competent authority or such officer as may be authorised, in writing, by the competent authority in this regard:

Provided that a person who is or has been a public servant, on the commencement of these rules or on or before the date of publication of these rules in the Official Gazette, shall make a declaration of his assets and liabilities on or before the 31<sup>st</sup> day of July, 2018:

Provided further that a public servant shall, whenever there is any change in the details of declaration of his assets and liabilities made under this sub-rule, make a revised declaration of his assets and liabilities within a period of six months from the date of such change.

(2) Where a public servant, who is required to make a declaration of his assets and liabilities under any other law for the time being in force, or has been in force from the time of coming into force of these rules, makes a declaration of his assets and liabilities under such law, then, the declaration so made shall, notwithstanding anything in sub-rule (1), be deemed to be the declaration of his assets and liabilities for the purposes of these rules.

(3) The competent authority or the officer authorised by him under sub-rule (1) shall acknowledge in writing the receipt of the declaration of assets and liabilities made under these rules.

**3. Minimum value of assets and liabilities required to be declared.**— The competent authority may, having regard to the nature of public servants and the public office, determine the minimum value or values in respect of assets and liabilities which shall not be required to be included in the declaration of assets and liabilities under these rules.

### **FORM**

[See rule 2(1)]

#### **DECLARATION OF ASSETS AND LIABILITIES BY PUBLIC SERVANT**

**As on the ----- day of -----, ----- (year)**

**under section 44 of the Lokpal and Lokayuktas Act, 2013 (1 of 2014)**

#### **PART A – PERSONAL INFORMATION**

1. (a) Name and designation of the Public servant in full: .....  
(in block letters)
- (b) Name and address of office/organisation: .....
2. Date of Birth: .....
3. Place of Domicile: .....
4. (a) Date of assumption of post or office as Public Servant: .....
- (b) Period during which the aforesaid post or office was held: .....
- (c) Nature of public servant [Please see section 14(1) of the Act]: .....
5. Whether being a public servant has filed a declaration of his/ her assets and liabilities under any other law for the time being force. If yes, please give details thereof: .....
6. Name and address of the Competent Authority .....  
[Please see section 2(1)(c) of the Act]

## PART B – DETAILS OF ASSETS

### (i) Immovable Assets

[having the monetary value of or above as determined by the Competent Authority under rule 3]

| Sl. No. | Ownership Details   |  | Nature of property   |   | Property Details   |  | Acquisition Details |  |                                   |
|---------|---|--|--|---|--|--|---------------------|--|-----------------------------------|
|         | If not in name of public servant, state in whose name held and his/her relationship, if any to the public servant | Percentage of respective share of all owners | Description of property (Land/ House/ Flat/ Shop/ Industrial etc.) | Nature of land in case of landed property | 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) | Date of acquisition | How acquired (whether by purchase, mortgage, lease or otherwise) and name with details of person/persons from whom acquired (address and connection of the public servant, if any, with the person/persons concerned). | Acquisition value of the property |
| (1)     | (2)   | (3)  | (4)  | (5)                                       | (6)  | (7)  | (8)                 | (9)  | (10)                              |
| 1.      |   |  |  |   |  |  |                     |  |                                   |
| 2.      |   |  |  |   |  |  |                     |  |                                   |
| 3.      |   |  |  |   |  |  |                     |  |                                   |
| 4. ...  |   |  |  |   |  |  |                     |  |                                   |

**NOTE.**— 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 re serving a yearly rent.

**(ii) Movable Assets**

**[having the monetary value of or above as determined by the Competent Authority under rule 3]**

| S.No. | Nature of asset | Description of assets | Mode of acquisition | Value (in Rs.) and or share | Name and percentage of share of all owners in case the asset is held jointly or not in the own name of the public servant |
|-------|-----------------|-----------------------|---------------------|-----------------------------|---|
| (1)   | (2)             | (3)                   | (4)                 | (5)                         | (6)   |
| 1.    |                 |                       |                     |                             |   |
| 2.    |                 |                       |                     |                             |   |
| 3.    |                 |                       |                     |                             |   |
| 4.    |                 |                       |                     |                             |   |
| 5.    |                 |                       |                     |                             |   |
| 6.    |                 |                       |                     |                             |   |
| 7.    |                 |                       |                     |                             |   |
| 8.    |                 |                       |                     |                             |   |
| 9.    |                 |                       |                     |                             |   |

**NOTE 1.**— In case of assets in the joint name, if the value of the asset could not be assessed, indicate his or share in the asset.

**NOTE 2.**— The intangible assets may include any intellectual property rights, rights to use trademarks, goodwill, computer software, copyright and the like, which generate a monetary value.

## PART C: DETAILS OF LIABILITIES

[having the monetary value of or above as determined by the Competent Authority under rule 3]

| S. No. | Description and nature of liability | Amount (in rupees)        |  | Name and address of creditor |
|--------|-------------------------------------|---------------------------|--|------------------------------|
|        |                                     | Total amount of liability | Extent of which the liability remains to be discharged |                              |
| (1)    | (2)                                 | (3)                       | (4)  | (5)                          |
| 1.     |                                     |                           |  |                              |
| 2.     |                                     |                           |  |                              |
| 3. ... |                                     |                           |  |                              |

### UNDERTAKING

I, ..... hereby declare that the above information is correct and accurately reflected for the purpose of making declarations of my assets and liabilities, under the Lokpal and Lokayuktas Act, 2013.

Name and signature of the public servant.

Place:

Date:

\_\_\_\_\_

[F.No.407/20/2016-AVD-IV(LP)]

[K. Srinivas]  
Joint Secretary to the Government of India