

DETAILS OF THE AFORESAID POINTS: -

1. Establishment of State Election Commission: - The State Election Commissions have been established in every state as per the provisions of Article 243 K of the Constitution of India. In the State of Maharashtra the Commission has been established on 23rd April 1993. Shri. D. N. Choudhari was appointed as the first State Election Commissioner on 23rd April 1993 and Shri. Y. L. Rajwade (I.A.S. Retired Principle Secretary) is the present State Election Commissioner.

2. Role of the State Election Commission :- Powers of the preparation of electoral rolls for and the conduct of all elections to the Panchayats and Municipalities are vested in the State Election Commission by virtue of the provisions of Article 243 K and 243 ZA of the Constitution of India. The Panchayats consist of the Zilla parishads, Panchayat Samities, Village Panchayats and the Municipalities consist of the Municipal Corporations, Municipal Councils and Nagar Panchayats.

Elections of all the bodies are to be held on the basis of their relevant laws. The different laws and the names of local bodies are listed below :-

1. Brihan-Mumbai Municipal Corporation - The Mumbai Municipal Corporation Act, 1888
2. Nagpur Municipal Corporation - The City of Nagpur Corporation Act, 1948
3. Remaining 17 Municipal Corporations - The Bombay Provincial Municipal Corporations Act, 1949

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| 4. | Municipal Councils and Nagar Panchayats | - The Maharashtra Municipal Councils Nagar Panchayats and Industrial Townships Act, 1961 |
| 5. | Zilla Parishads and Panchayat Samitis | - The Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961 |
| 6. | Village Panchayats | - The Maharashtra Village Panchayats Act, 1958 |

3. **73rd and 74th Amendment to the Constitution of India :-** The relevent provisions of the 73rd and 74th Amendment to the Constitution are as given below:-

THE PANCHAYATS

243. Definitions. --- In this Part, unless the context otherwise requires, ---

- (a) "district" means a district in a State;
- (b) "Gram Sabha" means a body consisting of persons registered in the electoral rolls relating to a village comprised within the area of Panchayat at the village level;
- (c) "intermediate level" means a level between the village and district levels specified by the Governor of a State by public notification to be the intermediate level for the purposes of this Part;
- (d) "Panchayat" means an institution (by whatever name called) of self-government constituted under Article 243B, for the rural areas;
- (e) "Panchayat area" means the territorial area of a Panchayat;
- (f) "population" means the population as ascertained at the last preceding census of which the relevant figures have been published;

(g) “village” means a village specified by the Governor by public notification to be a village for the purposes of this Part and includes a group of villages so specified.

243B. Constitution of Panchayats.—(1) There shall be constituted in every State, Panchayats at the village, intermediate and district levels in accordance with the provisions of this Part.

(2) Notwithstanding anything in Clause (1), Panchayats at the intermediate level may not be constituted in a State having a population not exceeding twenty lakhs.

243C. Composition of Panchayats.—(1) Subject to the provisions of this Part, the Legislature of a State may, by law, make provisions with respect to the composition of Panchayats;

Provided that the ratio between the population of the territorial area of a Panchayat at any level and the number of seats in such Panchayat to be filled election shall, so far as practicable, be the same throughout the State.

(2) All the seats in Panchayat shall be filled by persons chosen by direct election from territorial constituencies in the Panchayat area and, for this purpose, each Panchayat area shall be divided into territorial constituencies in such manner that the ratio between the population of each constituency and the number of seats allotted to it shall, so far as practicable, be the same throughout the Panchayat area.

(3) The Legislature of a State may, by law, provide for the representation –

(a) of the Chairpersons of the Panchayats at the village level, in the Panchayats at the intermediate level or, in the case of a State not having Panchayats at the intermediate level, in the Panchayats at the district level;

(b) of the Chairpersons of the Panchayats at the intermediate level, in the Panchayats at the district level;

(c) of the members of the House of the People and the members of the Legislative Assembly of the State representing constituencies which comprise wholly or partly a Panchayat area at a level other than the village level, in such Panchayat;

(d) of the members of the Council of States and the members of the Legislative Council of the State, where they are registered as electors within –

(i) a Panchayat area at the intermediate level, in Panchayat at the intermediate level;

(ii) a Panchayat area at the district level, in Panchayat at the district level.

(4) The Chairperson of a Panchayat and other members of a Panchayat at the district level not chosen by direct election from territorial constituencies in the Panchayat area shall have the right to vote in the meetings of the Panchayats.

(5) The Chairperson of—

(a) a Panchayat at the village level shall be elected in such manner as the Legislature of a State may, by law, provide; and

(b) a Panchayat at the intermediate level or district level shall be elected by, and from amongst, the elected members thereof.

243D. Reservation of seats.—(1) Seats shall be reserved for, --

(a) the Scheduled Castes; and

(b) the Scheduled Tribes,

in every Panchayat and the number of seats so reserved shall bear, as nearly as may be, the same proportion to the total number of seats to be filled by direct election in that Panchayat as the population of the Scheduled Castes in that Panchayat area or of the Scheduled Tribes in that Panchayat area bears to the total population of that area and such seats may be allotted by rotation to different constituencies in a Panchayat.

(2) Not less than one-third of the total number of seats reserved under clause (1) shall be reserved for women belonging to the Scheduled Castes or, as the case may be, the Scheduled Tribes.

(3) Not less than one-third (including the number of seats reserved for women belonging to the Scheduled Castes and the Scheduled Tribes) of the total number of seats to be filled by direct election in every Panchayat shall be reserved for women and such seats may be allotted by rotation to different constituencies in a Panchayat.

(4) The offices of the Chairpersons in the Panchayats at the village or any other level shall be reserved for the Scheduled Castes, the Scheduled Tribes and women in such manner as the Legislature of a State may, by law, provide:

Provided that the number of offices of Chairpersons reserved for the Scheduled Castes and the Scheduled Tribes in the Panchayats at each level in any State shall bear, as nearly as may be, the same proportion to the total number of such offices in the Panchayats at each level as the population of the Scheduled Castes in the State or of the Scheduled Tribes in the State bears to the total population of the State.

Provided further that not less than one-third of the total number of offices of Chairpersons in the Panchayats at each level shall be reserved for women;

Provided also that the number of offices reserved under this clause shall be allotted by rotation to different Panchayats at each level.

(5) The reservation of seats under Clauses (1) and (2) and the reservation of offices of Chairpersons (other than the reservation for women) under Clause (4) shall cease to have effect on the expiration of the period specified in Article 334.

(6) Nothing in this Part shall prevent the Legislature of a State from making any provision for reservation of seats in any Panchayat or offices of Chairpersons in the Panchayats at any level in favour of backward class of citizens.

243E. Duration of Panchayats, etc. ----(1) Every Panchayat, unless sooner dissolved under any law for the time being in force, shall continue for five years from the date appointed for its first meeting and no longer.

(2) No amendment of any law for the time being in force shall have the effect of causing dissolution of a Panchayat at any level, which is functioning

immediately before such amendment, till the expiration of its duration specified in Clause (1).

- (3) An election to constitute a Panchayat shall be completed ---
 (a) before the expiry of its duration specified in clause (1);
 (b) before the expiration of a period of six months from the date of its dissolution:

Provided that where the remainder of the period for which the dissolved Panchayat would have continued is less than six months, it shall not be necessary to hold any election under this clause for constituting the Panchayat.

- (4) A Panchayat constituted upon the dissolution of a Panchayat before the expiration of its duration shall continue only for the remainder of the period for which the dissolved Panchayat would have continued under Clause (1) had it not been so dissolved.

243F. Disqualifications for membership.---(1) A person shall be disqualified for being chosen as, and for being, a member of a Panchayat—

- (a) if he is so disqualified by or under any law for the time being in force for the purposes of elections to the Legislature of the State concerned:

Provided that no person shall be disqualified on the ground that he is less than twenty-five years of age, if he has attained the age of twenty-one years;

- (b) if he is so disqualified by or under any law made by the Legislature of the State.

- (2) If any question arises as to whether a member of a Panchayat has become subject to any of the disqualifications mentioned in Clause (1), the question shall be referred for the decision of such authority and in such manner as the Legislature of a State may, by law, provide.

243K. Elections to the Panchayats.—(1) The superintendence, direction and control of the preparation of electoral rolls for, and the conduct of, all elections to the Panchayats shall be vested in a State Election Commission consisting of a State Election Commissioner to be appointed by the Governor.

- (2) Subject to the provisions of any law made by the Legislature of a State, the conditions of service and tenure of office of the State Election Commissioner shall be such as the Governor may by rule determine:

Provided that the State Election Commissioner shall not be removed from his office except in like manner and on the like grounds as a Judge of a High Court and the conditions of service of the State Election Commissioner shall not be varied to his disadvantage after his appointment.

- (3) The Governor of a State shall, when so requested by the State Election Commission, make available to the State Election Commission such staff as may be necessary for the discharge of the functions conferred on the State Election Commission by Clause (1).

(4) Subject to the provisions of this Constitution, the Legislature of a State may, by law, make provision with respect to all matters relating to, or in connection with, elections to the Panchayats.

243M. Part not to apply to certain areas. – (1) Nothing in this Part shall apply to the Scheduled Areas referred to in Clause (1), and the tribal areas referred to in Clause (2), of Article 244.

(2) Nothing in this Part shall apply to ---

- (a) the States of Nagaland, Meghalaya and Mizoram;
- (b) the Hill Area in the State of Manipur for which District Councils exist under any law for the time being in force.

(3) Nothing in this Part –

- (a) relating to Panchayats at the district level shall apply to the Hill areas of the District of Darjeeling in the State of West Bengal for which Darjeeling Gorkha Hill Council exists under any law for the time being in force;
- (b) shall be construed to affect the functions and powers of the Darjeeling Gorkha Hill Council constituted under such law.

(4) Notwithstanding anything in this Constitution,--

- (a) the Legislature of a State referred to in Sub-clause (a) of Clause (2) may, by law, extend this Part to the State, except the areas, if any, referred to in Clause (1), if the Legislative Assembly of that State passes a resolution to that effect by a majority of the total membership of that House and by a majority of not less than two-thirds of the members of that House present and voting;
- (b) Parliament may, by law, extend the provisions of this Part to the Scheduled Areas and the tribal areas referred to in Clause (1) subject to such exceptions and modifications as may be specified in such law, and no such law shall be deemed to be an amendment of this Constitution for the purposes of Article 368.

243N. Continuance of existing laws and Panchayats.—Notwithstanding anything in this Part, any provision of any law relating to Panchayats in force in a State immediately before the commencement of the Constitution (Seventy-third Amendment) Act, 1992, which is inconsistent with the provisions of this Part, shall continue to be in force until amended or repealed by a competent Legislature or other competent authority or until the expiration of one year from such commencement, whichever is earlier:

Provided that all the Panchayats existing immediately before such commencement shall continue till the expiration of their duration, unless sooner dissolved by a resolution passed to that effect by the Legislative Assembly of that State or, in the case of a State having a Legislative Council, by each House of the Legislature of that State.

243O. Bar to interference by Courts in electoral matter. – Notwithstanding anything in this Constitution,--

- (a) the validity of any law relating to the delimitation of constituencies or the allotment of seats to such constituencies, made or purporting to be made under Article 243K, shall not be called in question in any Court;
- (b) no election to any Panchayat shall be called in question except by an election petition presented to such authority and in such manner as is provided for by or under any law made by the Legislature of a State.

THE MUNICIPALITIES

243P. Definitions.—In this Part, unless the context otherwise requires,—

- (a) “Committee” means a Committee constituted under Article 243S;
- (b) “district” means a district in a State;
- (c) “Metropolitan area” means an area having a population of ten lakhs or more, or Panchayats or other contiguous areas, specified by the Governor by public notification to be Metropolitan area for the purposes of this Part;
- (d) “Municipal area” means the territorial area of a Municipality as is notified by the Governor;
- (e) “Municipality” means a Panchayat constituted under Article 243Q;
- (f) “Panchayat” means a Panchayat constituted under Article 243B;
- (g) “population” means the population as ascertained at the last preceding census of which the relevant figures have been published.

243Q. Constitution of Municipalities.—(1) There shall be constituted in every State,---

- (a) a Nagar Panchayat (by whatever name called) for a transitional area, that is to say, an area in transition from a rural area to an urban area;
- (b) a Municipal Council for a smaller urban area; and
- (c) a Municipal Corporation for a larger urban area,

in accordance with the provisions of this Part:

Provided that a Municipality under this clause may not be constituted in such urban area or part thereof as the Governor may, having regard to the size of the area and the municipal services being provided or proposed to be provided by an industrial establishment in that area and such other factors as he may deem fit, by public notification, specify to be an industrial township.

(2) In this article, “a transitional area”, “a small urban area” or “a larger urban area” means such area as the Governor may, having regard to the population of the area, the density of the population therein, the revenue generated for local administration, the percentage of employment in non-agricultural activities, the economic importance or such other factors as he may deem fit, specify by public notification for the purposes of this Part.

243R. Composition of Municipalities.—(1) Save as provided in Clause (2), all the seats in a Municipality shall be filled by persons chosen by direct election from the territorial constituencies in the Municipal area and for this purpose each Municipal area shall be divided into territorial constituencies to be known as wards.

- (2) The Legislature of a State may, by law, provide –
- (a) for the representation in a Municipality of –
 - (i) persons having special knowledge or experience in Municipal administration;
 - (ii) the members of the House of the People and the members of the Legislative Assembly of the State representing constituencies which comprise wholly or partly the Municipal area;
 - (iii) the members of the Council of States and the members of the Legislative Council of the State registered as electors within the Municipal area;
 - (iv) the Chairpersons of the Committees constituted under Clause (5) of Article 243S:

Provided that the persons referred to in paragraph (i) shall not have the right to vote in the meetings of the Municipality;

- (b) the manner of election of the Chairperson of a Municipality.

243T. Reservation of seats.—(1) Seats shall be reserved for the Scheduled Castes and the Scheduled Tribes in every Municipality and the number of seats so reserved shall bear, as nearly as may be, the same proportion to the total number of seats to be filled by direct election in that Municipality as the population of the Scheduled Castes in the Municipal area or of the Scheduled Tribes in the Municipal area bears to the total population of that area and such seats may be allotted by rotation to different constituencies in a Municipality.

(2) Not less than one-third of the total number of seats reserved under Clause (1) shall be reserved for women belonging to the Scheduled Castes or as the case may be, the Scheduled Tribes.

(3) Not less than one-third (including the number of seats reserved for women belonging to the Scheduled Castes and the Scheduled Tribes) of the total number of seats to be filled by direct election in every Municipality shall be reserved for women and such seats may be allotted by rotation to different constituencies in a Municipality.

(4) The offices of Chairpersons in the Municipalities shall be reserved for the Scheduled Castes, the Scheduled Tribes and women in such manners as the Legislature of a State may, by law, provide.

(5) The reservation of seats under Clauses (1) and (2) and the reservation of offices of Chairpersons (other than the reservation for women) under Clause (4) shall cease to have effect on the expiration of the period specified in Article 334.

(7) Nothing in this Part shall prevent the Legislature of a State from making any provision for reservation of seats in any Municipality or offices of Chairpersons in the Municipalities in favour of backward class of citizens.

243U. Duration of Municipalities, etc.— (1) Every Municipality, unless sooner dissolved under any law for the time being in force, shall continue for five years from the date appointed for its first meeting and no longer:

Provided that a Municipality shall be given a reasonable opportunity of being heard before its dissolution.

(2) No amendment of any law for the time being in force shall have the effect of causing dissolution of a Municipality at any level, which is functioning

immediately before such amendment, till the expiration of its duration specified in Clause (1).

- (3) An election to Constitute a Municipality shall be completed,—
 (a) before the expiry of its duration specified in Clause (1);
 (b) before the expiration of a period of six months from the date of its dissolution:

Provided that where the remainder of the period for which the dissolved Municipality would have continued is less than six months, it shall not be necessary to hold any election under this clause for constituting the Municipality for such period.

(4) A Municipality constituted upon the dissolution of a Municipality before the expiration of its duration shall continue only for the remainder of the period for which the dissolved Municipality would have continued under Clause (1) had it not been so dissolved.

243V. Disqualifications for membership.—(1) A person shall be disqualified for being chosen as, and for being, a member of a Municipality—

- (a) if he is so disqualified by or under any law for the time being in force for the purposes of elections to the Legislature of the State concerned:

Provided that no person shall be disqualified on the ground that he is less than twenty-five years of age; if he has attained the age of twenty-one years;

- (b) if he is so disqualified by or under any law made by the Legislature of the State.

(2) If any question arises as to whether a member of a Municipality has become subject to any of the disqualifications mentioned in Clause (1), the question shall be referred for the decision of such authority and in such manner as the Legislature of a State may, by law, provide.

243ZA. Elections of the Municipalities.—(1) The superintendence, direction and control of the preparation of electoral rolls for, and the conduct of, all elections to the Municipalities shall be vested in the State Election Commission referred to in Article 243K.

(2) Subject to the provisions of the Constitution, the Legislature of a State may, by law, make provision with respect to all matters relating to, or in connection with, elections to the Municipalities.

243ZC. Part not to apply to certain areas.—(1) Nothing in this Part shall apply to the Scheduled Areas referred to in Clause (1), and the tribal areas referred to in Clause (2), of Article 244.

(2) Nothing in this Part shall be construed to affect the functions and powers of the Darjeeling Gorkha Council constituted under any law for the time being in force for the hill areas of the district of Darjeeling in the State of West Bengal.

(3) Notwithstanding anything in this Constitution, Parliament may, by law, extend the provisions of this Part to the Scheduled Areas and the tribal areas referred to in Clause (1) subject to such exceptions and modifications as may be

specified in such law, and no such law shall be deemed to be an amendment of this Constitution for the purposes of Article 368.

243ZF. Continuance of existing laws and Municipalities.—Notwithstanding in this Part, any provision of any law relating to Municipalities in force in a State immediately before the commencement of the Constitution (Seventy-fourth Amendment) Act, 1992, which is inconsistent with the provisions of this Part, shall continue to be in force until amended or repealed by a competent Legislature or other competent authority or until the expiration of one year from such commencement, whichever is earlier:

Provided that all the Municipalities existing immediately before such commencement shall continue till the expiration of their duration, unless sooner dissolved by a resolution passed to that effect by the Legislative Assembly of that State or, in the case of a State having a Legislative Council, by each House of the Legislature of that State.

243ZG. Bar to interference by Courts in electoral matters.—Notwithstanding anything in this Constitution,—

- (a) the validity of any law relating to the delimitation of constituencies or the allotment of seats to such constituencies, made or purporting to be made Article 243ZA shall not be called in question in any Court;
- (b) no election to any Municipality shall be called in question except by an election petition presented to such authority and in such manner as is provided for by or under any law made by the Legislature of a State.

4. Three stages of election process :- I. Delimitation II. Preparation of Electoral Roll III. Actual conduct of elections.

(I) Delimitation :- Delimitation is the first stage in the election process. The general guidelines of which are as detailed below :-

General guidelines for Delimitation (ward formation) :-

1. Before starting the delimitation it is important that the number of seats should be fixed and reservation for the scheduled caste, scheduled tribes, backward class of citizens and women should be determined by the concerned authority.

2. The delimitation is to be done starting from boundaries of census blocks located at northwest corner. Keeping the geographical contiguity the delimitation is to be done clockwise.
3. Even though delimitation is to be done from northwest corner, the Municipal Commissioners or the Collectors, as the case may be, are empowered to start from any other direction if the geographical situation demands otherwise. However, further delimitation should be done clockwise and keeping the geographical contiguity.
4. Each election ward should be geographically identifiable. While forming the wards the boundaries of railway lines, roads, small gullies, rivers, nalas, compound walls, survey numbers, city survey numbers may be considered.
5. The area of a local body is divided into number of wards on the basis of population. The wards are formulated so that the population of every ward is equal keeping 10 percent less or 10 percent more population because of adjustment of the boundaries.
6. As per the provisions of the relevant act or the election rules, the wards should be formulated so as to elect single member or multi-members.
7. When the draft delimitation is ready the seats/wards to be reserved for the candidates belonging to the scheduled caste or the scheduled tribe may be determined as per the provisions of the relevant election rules.

Reservations

7.1 There shall be seats reserved for persons belonging to the Scheduled Castes, Scheduled Tribes, Backward Class of Citizens and Women. The seats to be reserved for persons belonging to the Scheduled Castes and Scheduled Tribes in the elections to the local self governing bodies shall bear, as nearly as may be, the same

proportion to the total number of seats to be filled in by direct election as the population of the Scheduled Castes, as the case may be the Scheduled Tribes in the area of the

concerned local body bears to the total population of that area and such seats shall be allotted by rotation to different electoral wards in the local body. The formula for the seats to be reserved for Scheduled Castes and Scheduled Tribes is as given below:-

Seats to be reserved for S.C.= $\frac{\text{S.C.Population} \times \text{Total No. of seats}}{\text{Total Population}}$

Seats to be reserved for S.T.= $\frac{\text{S.T.Population} \times \text{Total No. of seats}}{\text{Total Population}}$

7.2 The number of seats to be reserved for persons belonging to the category of Backward Class of Citizens shall be 27% of the total seats to be filled in by election in a given local body and such a seats shall be allotted by rotation to different electoral wards in the local body.

7.3 Not less than one third (including the number of seats reserved for women belonging to the S.C., S.T. and B.C.C.) of the total number of seats to be filled in by direct election in a local body shall be reserved for women and such a seat shall be allotted by rotation to different electoral wards in the local body.

8. When the draft delimitation proposal is ready, it should be forwarded for the approval of the State Election Commission or to the authority decided by the State Election Commission.

9. The seats/wards to be reserved (earmarked) for the backward class of citizens and women (including women belonging to the scheduled caste, scheduled tribes or the backward class of citizens) are to be determined by drawing lots on the dates given by the State Election Commission.

(II) Preparation of electoral rolls :- State Election Commissioner is empowered under the relevant Acts governing the elections to the local bodies that the Assembly roll existing on the date notified by the State Election Commissioner are divided into the wards and the rolls for the local body are prepared and authenticated on the date fixed by the State Election Commissioner. While dividing the assembly rolls, no additions or deletions can be done and the rolls updated unto the date fixed are to be divided ward wise based on the addresses of the voters mentioned in the electoral rolls.

(III) Actual Conduct of election: - The process of actual conduct of election includes several stages. The stages for any general election are more or less on the following lines. (For any bye-election the stages from stage no. 4 to stage no 14 are relevant.)

| S T A G E S | Explanation in Brief |
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| 1. Publication of notification of delimitation by the Municipal Commissioner or the Collector, as the case may be, in the Official Gazette and in the local newspapers. | The draft proposal of delimitation is to be published for inviting suggestions and objections from the residents of the area. |
| 2.The date till which suggestions /objections could be given. | The date is mentioned in the proposal till which the suggestions or objections could be submitted to the concerned authority. |
| 3.Final publication of notification of delimitation by the Municipal Commissioner, in the Official Gazette. | Considering the suggestions/objections received within time limit the draft is finalised and published for information of the residents. |

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| 4.The date by which voters' list to be authenticated by the authorised officer | The Assembly Electoral Rolls existing on the date notified by the State Election Commissioner are divided into ward and same are authenticated by the authorised officer. |
| 5.Issuing of notice stating that printed copy of the ward roll is available for information of the public | After the authentication of the electoral rolls a notice is given in the local newspapers that the electoral rolls are ready for public inspection in the office of the concerned local body. |
| 6.(a) Publication of Notice of programme of election by the Municipal Commissioner, or the Collector as the case may be, in the Official Gazette and in the local newspapers. | Taking into consideration the provision in the relevant election rules the Municipal Commissioner or the Collector publishes in the official gazette or in local newspapers the election programme, as the case may be. |
| (b)Issuing of nomination forms. | The date is declared from which the nomination forms shall be available. |
| 7.Receiving of nomination forms and last date of receiving nominations. | For receiving the nomination forms a period as mentioned in the relevant election rules is mentioned in the election programme declared by the State Election Commission. |
| 8. Scrutiny of nomination papers and publication of List of validly nominated candidates. | The scrutiny of nominations is held on the day as declared in the election programme. |
| 9.Last date of withdrawal. | The date till which the withdrawal of nominations are accepted by the returning officers |
| 10.Allotment of symbols | The date on which symbols are allotted to the contesting candidates. |
| 11.Publication of the list of contesting candidates, in the Official Gazette and in the local newspapers. | The date on which the list of contesting candidates is published |
| 12. Date of Poll, if necessary. | The date on which poll shall held, if there are more than one contesting candidates. |

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| 13. Counting and declaration of results. | The date on which the counting of votes shall be completed and the results to be declared. |
| 14. Publication of results in the Official Gazette. | The date on or before which the results are published in the official gazette. |

5. Policy adopted by the State Election Commission with regard to the allotment of symbols to the contesting candidates :- State Election Commissioner has issued an Order regarding the allotment of symbols in the elections to the Municipal Corporations, Municipal Councils, Nagar Panchayats, Zilla Parishads and Panchayat Samitis which is reproduced below. Elections to the Village Panchayats are not contested on the party basis, hence only free symbols are allotted to the contesting candidates.

**I) Election Symbols (Reservation and Allotment) Order, 2000.
As amended from time to time upto 31/10/2002.**

**STATE ELECTION COMMISSION, MAHARASHTRA.
New Administrative Building, Opp. Mantralaya,
Madam Cama Road, Mumbai - 400 032.
Dated the 2nd December, 2000.**

THE ELECTION SYMBOLS (RESERVATION AND ALLOTMENT) ORDER, 2000.

An Order to provide for specification, reservation, choice and allotment of symbols at elections to the Zilla Parishads, Panchayat Samitis, Municipal Corporations, Municipal Councils and Nagar Panchayats for the recognition of the political parties in relation thereto and for matters connected therewith.

No. SEC/GEN/2000/CR-60/D-10.- WHEREAS, the superintendence, direction and control of all elections to the

Panchayats and Municipalities in the State are vested in the State Election Commission, Maharashtra by the Constitution of India;

AND WHEREAS, it is necessary and expedient to provide in the interest of purity of elections to the Panchayats and Municipalities in the State and in the interest of conduct of such elections in a free and efficient manner, for the specification, reservation, choice and allotment of symbols for the recognition of the political parties in relation thereto and for matters connected therewith;

AND WHEREAS, the State Election Commission, Maharashtra by its Order No. SEC/1199/CR-79/D-10, dated the 3rd November, 1999 as amended from time to time, has made certain supplementary and incidental provisions with regard to conduct of elections including allotment of symbols for the elections to the Zilla Parishads, Panchayat Samitis, Municipal Corporations, Municipal Councils and Nagar Panchayats in the State;

AND WHEREAS, the State Election Commission has decided to adopt the policy that has been adopted by the Election Commission of India in its recognition of political parties and allotment of symbols;

NOW, THEREFORE, in exercise of the powers conferred by Article 243-K and 243-ZA of the Constitution of India, read with section 9A of the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1962 (Mah. V of 1962) and sub-rule (1) of rule 16 of the Maharashtra Zilla Parishads (Electoral Divisions and Conduct of Elections) Rules, 1962 and sub-rule (1) of rule 17 of the Maharashtra Panchayat Samitis (Electoral Colleges and Conduct of Elections)

Rules, 1962, sub-section (4) of section 18A of the Mumbai Municipal Corporation Act (Bom. III of 1888), sub-section (4) of section 14 of the Bombay Provincial Municipal Corporations Act, 1949 (Bom. LIX of 1949), sub-section (4) of section 9B of the City of Nagpur Corporation Act, 1948 (C.P. and Berar II of 1950) and sub-section (4) of section 10A of the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965 read with sub-rule (1) of rule 16 of the Maharashtra Municipal Councils and Nagar Panchayats Election Rules, 1966 and of all other powers enabling it in this behalf and in supersession of its all previous Orders regarding the reservation and allotment of symbols in the elections to the Zilla Parishads, Panchayat Samitis, Municipal Corporations, Municipal Councils and Nagar Panchayats in the State, the State Election Commission, Maharashtra, hereby makes the following Order:-

1. *Short title, extent, application and commencement.*-(1) This Order may be called the Election Symbols (Reservation and Allotment) Order, 2000.

(2) It extends to whole of the State of Maharashtra and applies in relation to elections in Zilla Parishads, Panchayat Samitis, Municipal Corporations, Municipal Councils and Nagar Panchayats.

(3) It shall come into force on the date of its publication in the Official Gazette.

2. *Definitions and Interpretation.*- In this Order, unless the context, otherwise requires.-

(a) "clause" means a clause of the paragraph or sub-paragraph in which the word occurs;

(b) "Commission" means the State Election Commission, Maharashtra

constituted under the Article 243-K of the Constitution of India;

(c) "constituency" means an electoral division of the Zilla Parishad, electoral college of the Panchayat Samiti, ward of the Municipal Corporation, the Municipal Council or the Nagar Panchayat, as the case may be;

(d) "contested election" means election or bye-election in an electoral division of the Zilla Parishad, electoral college of the Panchayat Samiti, ward of the Municipal Corporation, the Municipal Council or the Nagar Panchayat where poll is taken;

(e) "election" means an election or bye-election to which this Order applies;

(f) "general election" means any general election held after the commencement of this Order for the purpose of constituting Zilla Parishad, Panchayat Samiti, Municipal Corporation, Municipal Council or Nagar Panchayat in the State;

(g) "paragraph" means a paragraph of this Order;

(h) "political party" means an association or body of the individual citizens of India registered with the Election Commission of India as a political party under section 29A of the Representation of the People Act, 1951;

(i) "aghadi" or "front" means a group of persons who have formed themselves into party for the purpose of setting up candidates for election to a local authority;

(j) "sub-paragraph" means a sub-paragraph of the paragraph in which the word occurs; and

(k) words and expressions used but not defined in this Order but defined in the relevant Acts governing the elections to the Panchayats and Municipalities or the rules made thereunder shall have the

meanings respectively assigned to them in the relevant Acts and Rules;

3. *Allotment of symbols.*- In every contested election, a symbol shall be allotted to contesting candidate in accordance with the provisions of this Order and different symbols shall be allotted to different contesting candidates at an election in the same constituency.

4. *Classification of symbols.*- (1) For the purpose of this Order, symbols shall be either reserved or free.

(2) Save as otherwise provided in this Order, a reserved symbol is a symbol which is reserved for a recognised political party for exclusive allotment to contesting candidates set up by that party.

(3) A free symbol is a symbol other than reserved symbol.

5. *Classification of political parties.*- (1) For the purpose of this Order and for such other purposes as the Commission may specify as and when necessity therefore arises, political parties are either recognised political parties or unrecognised political parties;

(2) A political party shall be treated as a recognised political party in a State, if and only if that party is a recognised political party declared by the Election Commission of India from time to time.

(3) A political party shall be treated as an unrecognised political party if and only if it is registered with the Election Commission of India under section 29A of the Representation of the People Act, 1951.

6. *Two categories of recognised parties.*- If a political party is recognised by the Election Commission of India as a "National Party" or a "State Party", for the Maharashtra State such party shall have and enjoy the same status given by the Election Commission of India with regard to the allotment of symbols in the elections to the Zilla Parishads, Panchayat Samitis, Municipal Corporations, Municipal Councils and Nagar Panchayats.

7. *Choice of symbols by candidates of National and State parties and allotment thereof.*- (1) A candidate set up by a National party at any election in any constituency in the elections to the Zilla Parishads, Panchayat Samitis, Municipal Corporations, Municipal Councils and Nagar Panchayats as the case may be in the State shall choose, and shall be allotted, the symbols reserved for that party and no other symbol.

(2) A candidate set up by a State party at an election in any constituency in the elections to the Zilla Parishads, Panchayat Samitis, Municipal Corporations, Municipal Councils and Nagar Panchayats, as the case may be in the State shall choose, and shall be allotted the symbol reserved for that party in State and no other symbol.

(3) A reserved symbol shall not be chosen by, or allotted to, any candidate in any constituency other than a candidate set up by a National party for whom such symbol, has been reserved or a candidate set up by a State party for whom such symbol has been reserved in the State even if no candidate has been set up by such National or State party in that Constituency.

8. *Concession to candidates set up by State party in any other State.*- If a candidate set up by a party which is a recognised State Party in any other State at an election in any constituency in the elections to the Zilla Parishads, Panchayat Samitis, Municipal Corporations, Municipal Councils or Nagar Panchayats, as the case may be in the State intends to choose or chooses symbol reserved for it in the State or States in which it is a State party, then such a candidate shall be allotted that symbol to the exclusion of any other candidate, and no other symbol, on fulfillment of each of the following condition:-

- (a) that an application is made to the Commission by the party for exclusive allotment of that symbol to the candidate set up by it immediately after the announcement of elections;
- (b) if the block for the symbol is not already available, that there is sufficient time for preparing the block;
- (c) that sufficient time is available to the Commission for sending intimation to the Municipal Commissioner or the Collector as the case may be;
- (d) that in the opinion of the Commission, there is no reasonable ground for refusing the application for such allotment.

8A. *Concession to candidates set up by an unrecognised political party which was earlier recognised as a National or State Party.*- If a political party, which is unrecognised at present but was a recognised National Party or State Party in Maharashtra State not earlier than six years from the date of notification of election, sets up a candidate at an election in a constituency in any Zilla Parishad, Panchayat Samiti, Municipal Corporation, Municipal Council or Nagar Panchayat as the case may be, then such candidate may, to

the exclusion of all other candidates in the constituency, be allotted the symbol reserved earlier for that party when it was a recognised National Party or State Party in Maharashtra State, notwithstanding that such a symbol is not specified in the list of free symbols, on the fulfillment of each of the following conditions, namely:-

- (a) that an application is made to the Commission by the Party for exclusive allotment of that symbol to the candidate set up by it, before the first day of nominations to the election;
- (b) that the said candidate has made a declaration in his nomination paper that he has been set up by that party at an election and that the party has also fulfilled the requirements of clauses (a),(b),(c),(d) and (e) of paragraph 11 of the principal Order;
- (c) that in the opinion of the Commission, there is no reasonable ground for refusing the application for such allotment.

Provided that nothing contained in this paragraph shall apply to a candidate set up by the said party at an election in any constituency where the same symbol is already reserved for some other National Party or State Party in the State."

9. *Restrictions on the choice and allotment of symbols allotted under paragraph 8.*- Notwithstanding anything contained in any of the foregoing provisions if a symbol has been exclusively allotted under paragraph 8 to the candidate set up by a political party at an election to the Zilla Parishad, Panchayat Samiti, Municipal

Corporation, Municipal Council or Nagar Panchayat, as the case may be, that symbol shall not be allotted to any candidate in these elections unless such candidate is a candidate set up by that political party.

10. *Choice of symbols by other candidates and allotment thereof.*- (1) Any candidate at an election in a constituency in the elections to the Zilla Parishads, Panchayat Samitis, Municipal Corporations, Municipal Councils or Nagar Panchayats as the case may be, in a State other than -

- (a) a candidate set up by a National party; or
- (b) a candidate set up by a State party in the State; or
- (c) a candidate referred to in paragraph 8.

shall choose and shall be allotted in accordance with the provisions hereafter set out in this paragraph, one of the symbols specified as free symbols by notification under paragraph 12.

(2) Where any free symbol has been chosen by only one candidate at such election, the returning officer shall allot that symbol to that candidate and to no one else.

(3) Where the same free symbol has been chosen by several candidates at such election, then --

(a) if of those several candidates only one is a candidate set up by an unrecognised but registered political party, and all the rest are either set up by Aghadi or Front or are independent candidates, the Returning Officer shall allot that free symbol to the candidate set up by the unrecognised political party and to no one else, and if of those several candidates two or more are set up by different unrecognised political parties and the rest are either set up by Aghadi or Front or are independent candidates, the returning officer shall decide by lot to

which of the two or more candidates set up by the different unrecognised political parties that free symbol shall be allotted and allot that free symbol to the candidate on whom the lot falls and to no one else:

(b) if of those several candidates only one is a candidate set up by an Aghadi or Front, and all the rest are independent candidates, the Returning Officer shall allot that free symbol to the candidates set up by the aghadi or front and to no one else, and if of those several candidates two or more are set up by different aghadis or fronts and rest are independent candidates, the returning officer shall decide by lot to which of the two or more candidates set up by the different aghadis or fronts that free symbol shall be allotted and allot that free symbol to the candidate on whom the lot falls and to no one else :

(c) if of those several candidates being all independent candidates, the returning officer shall decide by lot to which of those independent candidates that free symbol shall be allotted and allot that free symbol to the candidate on whom the lot falls and to no one else;

11. *When a candidate shall be deemed to be set up by a political party.*- For the purpose of this Order, a candidate shall be deemed to be set up by a political party, aghadi or front if, and only if, -

(a) the candidate has made declaration to that effect in his nomination paper;

(b) A notice in writing to that effect, not later than 3.00 p.m. on the last day of making nominations, been delivered to the Returning Officer of the constituency and the concerned Collector or Municipal Commissioner, as the case may be for elections to the Municipal

Corporations and Municipal Councils. For elections to the Zilla Parishads and Panchayat Samitis, a notice to that effect shall be delivered to the Returning Officer not later than 3.00 p.m. on the last day of withdrawal of candidature as provided under the Maharashtra Zilla Parishads (Electoral Divisions and Conduct of Elections) Rules, 1962 and the Maharashtra Panchayat Samitis (Electoral Colleges and Conduct of Elections) Rules, 1962.

(c) the said notice is signed by the President, the Secretary or any other office bearer of the party, aghadi or front and the President, Secretary or such other office bearer is authorised by the party, aghadi or front to send such notice; and

(d) the name and specimen signature of such authorised person are communicated to the Returning Officer of the constituency and to the concerned Collector or Municipal Commissioner, as the case may be (not less than, 3.00 p.m. on the last date of withdrawal of nomination);

(e) (i) a notice in writing shall have to be sent as prescribed under rule 15A of the Maharashtra Zilla Parishads (Electoral Divisions and Conduct of elections) rules, 1962 for the purpose of Zilla Parishad elections;

(ii) a notice in writing shall have to be sent as prescribed under rule 15A of the Maharashtra Panchayat Samiti (Electoral Colleges and Conduct of elections) rules, 1962 for the purpose of Panchayat Samiti elections;

(iii) a notice in writing shall have to be sent to the Collector or the Municipal Commissioner for the purpose of elections to the

Municipal Corporations, Municipal Councils and Nagar Panchayats as the case may be in Annexure-I and Annexure-II shall be as specified in the Schedule.

12. *Notification containing list of symbols.*- The Commission shall by one or more notification in the Official Gazette publish specifying-

- (a) the National parties and the symbols respectively reserved for them;
- (b) the State parties and the symbols respectively reserved for them in the State of Maharashtra;
- (c) list of free symbols;

13. *Powers of Commission to issue instructions.*-- The Commission, may issue instructions and directions -

- (a) for the clarification of any of the provision of this Order
- (b) for the removal of any difficulty which may arise in relation to the implementation of any such provisions; and
- (c) in relation to any matter with respect to the reservation and allotment of symbols to the recognised political parties, for which this Order makes no provision or makes insufficient provision, and provision is in the opinion of the Commission necessary for the smooth and orderly conduct of elections.

SCHEDULE ANNEXURE-I

Communication with regard to Authorised Persons to intimate Names of
Candidates set up by the Political Party/Aghadi/Front

To,

1. The Municipal Commissioner, Municipal Corporation.....
2. The Collector, District
3. The Returning Officer, Municipal Corporation.....
for the Ward (Constituency).....

Municipal Council.....

Subject:- Election to Municipal Corporation/Municipal Council/
Nagar Panchayat.....District.....
 Allotment of Symbols-Authorisation of persons to intimate
 Names of Candidates.

Sir,

I, hereby communicate that the following persons/(s) has/have been authorised by the party, which is a National Party/State Party/Registered unrecognised Political Party/Aghadi/Front to intimate the names of the candidates proposed to be set-by the party at the election cited above.

| Name of Person Authorised to send Notice | Name of Office held in the Party/Aghadi/Front | Wards (Constituencies) of the Municipal Corporation/ Municipal Council/Nagar Panchayat/President of Municipal Council in respect of which he has been authorised |
|--|---|--|
| (1) | (2) | (3) |

2. The specimen signature of the above mentioned person(s) so authorised are given below :-

- (1) Specimen signature of Shri.....
 - (i).....(ii).....
 - (iii).....
- (2) Speciment signature of Shri
 - (i).....(ii).....
 - (iii).....
- (3) Specimen signature of Shri
 - (i).....(ii).....
 - (iii).....

Yours faithfully,

Place:

Date:

President/Secretary,
 Name of the Party/Aghadi/Front,
 (Seal of the Party/Aghadi/Front).

.....X.....

ANNEXURE-II

Notice as to names of candidates set-up by the Political Party/Aghadi/Front

To

- 1. The Municipal Commissioner,Municipal Corporation.....
- 2. The Collector, District
- 3. The Returning Officer, Municipal Corporation.....
 for the Ward (Constituency).....

Municipal Council.....

Subject :- Election to Municipal Corporation/Municipal Council/Nagar
Panchayat.....District.....
 Setting up of Candidates

Sir,

I, hereby give notice that the following persons have been set-by.....
 Party/Aghadi/Front as its candidates at the ensuing General Election/Bye-election for the
 post of Councillor from the Ward No.of

Municipal Corporation/Municipal Council/Nagar Panchayat/President of
 the _____ Municipal Council, District..... .

| No.and/or Name of the Ward President Of the Municipal Council | Name of the Approved Candidate | Father's/ Husband's name of the Approved Candidate | Postal Address the Approved Candidate | Name of the substitut candi- date(who)will step-in, in the event of the approved Candidate's nomination being rejected on scrutiny or his withdrawing from the contest | Father's Husband's name of substi- tutee candidate | Postal address substi- tutee candi- date |
|---|--------------------------------------|---|---|---|---|---|
| (1) | (2) | (3) | (4) | (5) | (6) | (7) |
| | | | | | | |

Yours faithfully,

Place:
Date:

(Name and signature of the
authorised persons of the
Party/Aghadi/Front)

N.B. --This must be delivered to the Returning Officer by 3.00p.m. on the last date for
making nominations.

(Seal of the Party/Aghadi/Front)

.....X.....

On the basis of the instructions given in the aforesaid Orders, allotment of symbols is to be completed in the elections to the local bodies except Village Panchayats.

II) The list of symbols reserved for National Parties, State Parties and for the Parties which are recognised State Parties in the States other than Maharashtra, symbols reserved for the parties which were recognised National / State Parties during the last 6 years and the list of free symbols is given below :-

I- Symbols reserved for National and State Parties and Free symbols

Table-I

Symbols reserved for National Parties

| Serial No. (1) | Name of Party (2) | Symbol Reserved (3) |
|-------------------|------------------------------------|-------------------------|
| 1. | Bahujan Samaj Party | Elephant |
| 2. | Bharatiya Janata Party | Lotus |
| 3. | Communist Party of India | Ears of Corn and Sickle |
| 4. | Communist Party of India (Marxist) | Hammer, Sickle and Star |
| 5. | Indian National Congress | Hand |
| 6. | Nationalist Congress Party | Clock |

Table II

Symbols reserved for State Political Parties

| Serial No. (1) | Name of Party (2) | Symbol Reserved (3) |
|-------------------|----------------------|------------------------|
| 1. | Shivsena | Bow and Arrow |

Table III**Free Symbols**

| | | |
|-------------------|---------------------|--------------------|
| 1. Aeroplane | 2. Almirah | 3. Axe |
| 4. Balloom | 5. Banana | 6. Bangles |
| 7. Basket | 8. Bat | 9. Batsman |
| 10. Battery Torch | 11. Bead Necklace | 12. Black Board |
| 14. Bread | 15. Brick | 16. Bridge |
| 17. Brief Case | 18. Brinjal | 19. Brush |
| 20. Bungalow | 21. Cake | 22. Camera |
| 23. Candles | 24. Car | 25. Carrom Board |
| 26. Carrot | 27. Ceiling Fan | 28. Chair |
| 29. Coat | 30. Coconut | 31. Comb |
| 32. Cot | 33. Cup and Saucer | 34. Dao |
| 35. Diesel Pump | 36. Dolli | 37. Electric Poll |
| 38. Envelope | 39. Fork | 40. Frock |
| 41. Frying Pan | 42. Gas Cylinder | 43. Gas Stove |
| 44. Glass Tumbler | 45. Hanger | 46. Harmonium |
| 47. Hat | 48. Ice Cream | 49. Ink Pot & Pen |
| 50. Iron | 51. Jug | 52. Kettle |
| 53. Kite | 54. Lady Purse | 55. Letter Box |
| 56. Lock and Key | 57. Maize | 58. Nagara |
| 59. Neck Tie | 60. Pressure Cooker | 61. Railway Engine |
| 62. Ring | 63. Road Roller | 64. Saw |
| 65. Scissors | 66. Sewing Machine | 67. Shuttle |
| 68. Slate | 69. Spoon | 70. Stool |
| 71. Table | 72. Table Lamp | 73. Television |
| 74. Tent | 75. Toffee | 76. Violin |
| 77. Walking Stick | 78. Whistle | 79. Wool |

II- List of political parties which are recognised State Parties in the States other than Maharashtra desiring to set up candidates in the

elections to the local authorities in Maharashtra State:-**Table-I**

| Serial No. (1) | Name of Party (2) | Symbol Reserved (3) |
|-------------------|---|---------------------------------------|
| 1. | Muslim League Kerala State Committee | Ladder |
| 2. | Samata Prty | Flamming Torch |
| 3. | Samajwadi Party | Bicycle |
| 4. | Janata Dal (Secular) | A woman carrying paddy on her head |
| 5. | Rashtriya Janata Dal | Hurricane Lamp |
| 6. | Janata Dal (United) | Arrow |

List of political parties which were recognised as National/State Parties but presently lost the status of National/State Party, claiming concession under the Election Symbols (Reservation and Allotment) Order, 2001 of the State Election Commission, Maharashtra.

| Serial No. (1) | Name of Party (2) | Symbol Reserved (3) |
|-------------------|---------------------------|------------------------|
| 1. | Republican Party of India | Rising Sun |
| 2. | Janata Party | Haldhar within Wheel |

.....

6. State Election Commission's Order regarding disqualification of candidates for having more than two children..... affidavit to be submitted along with the nomination paper, is reproduced below :-

राज्य निवडणूक आयोग, महाराष्ट्र

निवडणूक तातडीचे

क्रमांक-एसईसी/जीईएन/२००१/प्र.क्र.२९/का-१०,
नवीन प्रशासकीय भवन, मंत्रालयासमोर,
मादाम कामा रोड, मुंबई:- ४०० ०३२.
दिनांक- १२ जुलै, २००१.

प्रति,

आयुक्त,

महानगरपालिका (सर्व)

जिल्हाधिकारी (सर्व)(मुंबई शहर व मुंबई उपनगर वगळून)

मुख्य कार्यकारी अधिकारी, जिल्हा परिषद (सर्व)

विषय:- स्थानिक स्वराज्य संस्थांची निवडणूक लढविण्यासाठी

दोनपेक्षा अधिक अपत्ये असलेल्या व्यक्तींना अनर्ह ठरविण्याबाबत

महोदय,

महानगरपालिका, नगर परिषदा, नगर पंचायती, जिल्हा परिषदा, पंचायत समित्या व ग्रामपंचायती यांच्या निवडणुका लढविण्यासाठी आवश्यक असलेल्या पात्रतेसंदर्भात शासनाने महाराष्ट्र महानगरपालिका आणि नगर परिषदा, नगर पंचायती आणि औद्योगिक नगरी (दुसरी सुधारणा) अधिनियम, १९९५ तसेच मुंबई ग्रामपंचायत आणि महाराष्ट्र जिल्हा परिषदा व पंचायत समित्या (सुधारणा) अधिनियम, १९९५ पारित केले असून, या दोन्ही अधिनियमांना मा. राज्यपालांची संमती प्राप्त झालेली आहे. सदर दोन्ही अधिनियमांद्वारे (१) मुंबई महानगरपालिका अधिनियम, १८८८, (२) मुंबई प्रांतिक महानगरपालिका अधिनियम, १९४९, (३) नागपूर शहर महानगरपालिका अधिनियम, १९४८, (४) महाराष्ट्र नगर परिषदा, नगर पंचायती व औद्योगिक नगरी अधिनियम, १९६५, (५) मुंबई ग्रामपंचायत अधिनियम, १९५८, (६) महाराष्ट्र जिल्हा परिषदा व पंचायत समित्या अधिनियम, १९६१ यामधील अनर्हतेशी संबंधित कलमांमध्ये सुधारणा केल्या आहेत.

२. उपरोक्त नमूद सुधारणेद्वारे स्थानिक स्वराज्य संस्थेची निवडणूक लढविण्यासाठी ज्या अपात्रता संबंधित अधिनियमाद्वारे यापूर्वी विहित करण्यात आल्या आहेत, त्यामध्ये आणखी एक अपात्रता समाविष्ट करण्यात आली असून, दोनपेक्षा अधिक मुले असलेल्या व्यक्ती यापुढे उपरोक्त नमूद स्थानिक स्वराज्य

संस्थांच्या निवडणुका लढविण्यासाठी अपात्र ठरविण्यात येणार आहेत. यासंदर्भात आणखी खालीलप्रमाणे स्पष्ट करण्यात येत आहे :-

(१) अधिनियमाच्या प्रारंभाच्या दिनांकास म्हणजेच दिनांक-१३ सप्टेंबर, २००२ रोजी हयात असलेल्या अपत्यांची संख्या दोनपेक्षा अधिक असली तरीदेखील अशा व्यक्ती निवडणूक लढविण्यासाठी अपात्र ठरणार नाहीत. तथापि, सदर तारखेनंतर मुलांच्या संख्येत भर पडून एकूण अपत्यांची संख्या दोनपेक्षा अधिक झाल्यास अशा व्यक्ती निवडणूक लढविण्यासाठी अपात्र ठरतील. परंतु-

अधिनियमाच्या प्रारंभाच्या दिनांकापासून एक वर्षाया कालावधीत म्हणजेच दिनांक-१३ सप्टेंबर, २००० ते दिनांक- १२ सप्टेंबर, २००१ या एक वर्षाच्या कालावधीत एकाच प्रसुतीमध्ये जन्माला आलेले एक अपत्य किंवा एकापेक्षा अधिक अपत्ये या अधिनियमानुसार अपात्रतेच्या प्रयोजनासाठी विचारात घेतली जाणार नाहीत.

(२) दिनांक- १२ सप्टेंबर, २००१ नंतर झालेल्या मुलामुळे एकूण हयात अपत्यांची संख्या दोनपेक्षा अधिक झाल्यास अथवा आधीच दोनपेक्षा अधिक असलेल्या अपत्यांच्या संख्येत दिनांक- १२/९/२००१ नंतर भर पडल्यास अशा व्यक्ती वरील नमूद स्थानिक स्वराज्य संस्थांच्या निवडणुका लढविण्यास अपात्र ठरतील.

(३) ज्यावेळी एखादया जोडप्याला अधिनियमाच्या प्रारंभाच्या दिनांकास म्हणजेच दिनांक- १३ सप्टेंबर, २००० रोजी किंवा त्या दिनांकानंतर फक्त एकच मूल असेल आणि त्यानंतरच्या एकाच प्रसुतीमध्ये कितीही मुलांचा जन्म झाला तर ते एकच मूल असल्याचे समजण्यात येईल.

(४) "मूल" यामध्ये दत्तक असलेले मूल किंवा मुले यांचा समावेश होत नाही.

३. प्रस्तुत सुधारणेमुळे स्थानिक स्वराज्य संस्थांच्या निवडणुका लढविण्यासाठी एखादी व्यक्ती अपात्र ठरते किंवा कसे, याविषयी निवडणूक निर्णय अधिकारी यांना निर्णय घेणे सुलभ व्हावे, या हेतुने राज्य निवडणूक आयोगाने एक शपथपत्र विहित केले असून, त्याचा नमुना साबत जोडला आहे. कोणत्याही व्यक्तीस महानगरपालिका/नगर परिषद/ नगर पंचायत/जिल्हा परिषद अथवा पंचायत समिती यापैकी कोणतीही निवडणूक लढवावयाची असेल त्यावेळी सादर करावयाच्या नामनिर्देशनपत्रासोबत सोबत जोडलेले शपथपत्र (Duly sworn in) रूपये २०/- च्या स्टॅम्प पेपरवर सादर करणे बंधनकारक राहिल. असे शपथपत्र प्रथमवर्ग दंडाधिकारी, ओथ कमिशनर, नोटरी पब्लिक किंवा शपथपत्र देण्यासाठी सक्षम

असलेले प्राधिकारी अथवा शासकीय अधिकारी (यामध्ये उपविभागीय अधिकारी, वर्ग-१ तसेच तहसिलदार, वर्ग-१ यांचा समावेश होतो.) यांच्यापुढे करावे लागेल. ग्रामपंचायतीची निवडणूक लढविण्यासाठी मात्र शपथपत्र करण्याची आवश्यकता नसून सोबत जोडलेल्या नमुन्यातील घोषणापत्र भरून घेणे बंधनकारक राहिल.

४. राज्य निवडणूक आयोगाने यापूर्वी राजकारणाचे गुन्हेगारीकरणाच्या संदर्भात विहित केलेले शपथपत्र व त्यासोबतचे प्रपत्र याव्यतिरिक्त वरील नमूद शपथपत्र/घोषणापत्र वेगळ्याने सादर करावयाचे आहे, याची कृपया नोंद घ्यावी व त्यानुसार निवडणुकीच्यावेळी संबंधित उमेदवारांवा याची कल्पना देण्यात यावी. निवडणुकीच्यावेळी उमेदवारांना दयावयाच्या माहिती पत्रामध्ये विषयाधीन अधिनियमाद्वारे करण्यात आलेल्या तरतुदींचीदेखील माहिती समाविष्ट करण्यात यावी.

राज्य निवडणूक आयुक्त यांच्या आदेशानुसार,

आपला,
सही/-
(बी. जी. वीर)
सचिव,
राज्य निवडणूक आयोग

शपथपत्र

मी, श्री/श्रीमती (स्वतःचे नांव)
श्री..... (वडीलांचे/पतीचे नांव) यांचा/यांची
मुलगा/मुलगी/पत्नी, वयवर्षे, राहणार- (पत्ता)
खालीलप्रमाणे प्रतिज्ञेवर सांगतो/सांगते आणि घोषित करतो/करते की,

१. मी *महानगरपालिका/नगर परिषद/नगर पंचायत/जिल्हा परिषद/पंचायत समिती च्या निवडणुकीसाठी नामनिर्देशनपत्र भरीत आहे.

२. माझ्या आज रोजी हयात असलेल्या अपत्यांची संख्या इतकी आहे. त्यापैकी दिनांक-१३ सप्टेंबर, २००० नंतर जन्मलेल्या माझ्या अपत्यांची संख्या इतकी आहे. (असल्यास, त्यांच्या जन्मतारखा नमूद कराव्यात.)

३. दिनांक- १२ सप्टेंबर, २००१ नंतर माझ्या एकूण हयात मुलांच्या संख्येत भर पडून ती दोनपेक्षा जास्त झाल्यास मी उपरोक्त स्थानिक स्वराज्य संस्थेचा सदस्य म्हणून राहण्यास अपात्र ठरेन याची मला जाणीव आहे.

अभिसाक्षी

स्थळ :

दिनांक :

माझ्यापुढे तपासले,
(तपासणी प्राधिका-याची स्वाक्षरी व शिक्का)

*लागू नसेल ते खोडावे.

घोषणापत्र

मी, श्री/श्रीमती (स्वतःचे नांव)

श्री..... (वडीलांचे/पतीचे नांव) यांचा/यांची

मुलगा/मुलगी/पत्नी, वय- वर्षे, राहणार- (पत्ता)

खालीलप्रमाणे प्रतिज्ञेवर सांगतो/सांगते आणि घोषित करतो/करते की,

१. मी ग्रामपंचायतीच्या निवडणुकीसाठी नामनिर्देशनपत्र भरीत आहे.

२. माझ्या आज रोजी हयात असलेल्या अपत्यांची संख्या इतकी आहे. त्यापैकी दिनांक- १३ सप्टेंबर, २००० नंतर जन्मलेल्या माझ्या अपत्यांची संख्या इतकी आहे. (असल्यास, त्यांच्या जन्मतारखा नमूद कराव्यात.)

३. दिनांक-१२ सप्टेंबर, २००१ नंतर माझ्या एकूण हयात मुलांच्या संख्येत भर पडून ती दोनपेक्षा जास्त झाल्यास मी उपरोक्त स्थानिक स्वराज्य संस्थेचा सदस्य म्हणून राहण्यास अपात्र ठरेन, याची मला जाणीव आहे.

अभिसाक्षी

स्थळ :

दिनांक :

माझ्यापुढे तपासले,
(तपासणी प्राधिका-याची स्वाक्षरी व शिक्का)

*लागू नसेल ते खोडावे.

7. State Election Commission's Order regarding criminalisation of politics, criminal background of the candidates, assets and liabilities and educational qualifications of the candidates ... affidavit to be submitted is reproduced below:-

राज्य निवडणूक आयोग, महाराष्ट्र

क्रमांक-एसईसी/जीईएन/२००२/प्र.क्र.३९/का-१०,

नवीन प्रशासकीय भवन, मंत्रालयासमोर,

मादाम कामा रोड, मुंबई:- ४०० ०३२.

दिनांक- ३ जुलै, २००२.

प्रति,

विभागीय आयुक्त (सर्व)

आयुक्त, महानगरपालिका (सर्व)

जिल्हाधिकारी (सर्व)(मुंबई शहर व मुंबई उपनगर वगळून)

मुख्याधिकारी, नगर परिषद (सर्व)

विषय:- स्थानिक स्वराज्य संस्थांच्या निवडणुकांमधील उमेदवारांनी सादर करावयाचे शपथपत्र

महोदय,

मा. सर्वोच्च न्यायालयाने सिव्हिल अपील नं. ७१७८/२००१ मध्ये असे आदेश दिले आहेत की, मतदारांना निवडणुकीमध्ये योग्य उमेदवार निवडता यावेत यासाठी उमेदवारांबाबतची सर्व माहिती मतदारांना माहित होणे आवश्यक आहे व त्यासाठी उमेदवारांची गुन्हेगारी पार्श्वभूमी असल्यास त्याबाबतची माहिती, उमेदवाराची त्याच्या पती/पत्नीची तसेच उमेदवारांवर अवलंबून असलेल्या अन्य व्यक्तीची मालमत्ता व देणी इत्यादी तसेच शैक्षणिक पात्रता व अन्य सर्व माहिती मतदारांसमोर यावी, या दृष्टीने तरतुदी करण्यात याव्यात. मा. सर्वोच्च न्यायालयाच्या सदर आदेशाची अंमलबजावणी करण्याच्या दृष्टीने भारत निवडणूक आयोगाने तसे आदेश दिनांक-२८/६/२००२ रोजी निर्गमित केले आहेत व त्यायोगे एक शपथपत्र विहित केले असून, लोकसभा तसेच विधानसभा निवडणूक लढविणा-या उमेदवारांनी आपल्या नामनिर्देशनपत्रासोबत सदरचे शपथपत्र सादर करण्याच्या सूचना दिलेल्या आहेत.

२. भारत निवडणूक आयोगाला भारतीय संविधानाच्या अनुच्छेद-३२४ अन्वये लोकसभा व विधानसभा निवडणुकीच्या संदर्भात जे अधिकार प्राप्त झाले आहेत, तसेच अधिकार राज्य निवडणूक आयोगास भारतीय संविधानाच्या अनुच्छेद-२४३के व अनुच्छेद-२४३झेड्यू अन्वये प्राप्त झालेले आहेत. सर्वोच्च न्यायालयाच्या आदेशानुसार लोकसभा तसेच विधानसभा निवडणुकीमधील मतदारांना उमेदवारांची सर्व पार्श्वभूमी माहित होणे आवश्यक आहे, त्याच धर्तीवर स्थानिक स्वराज्य संस्थांच्या निवडणुकांमध्ये देखील

मतदारांना आपले प्रतिनिधी निवडणे सुलभ व्हावे, यासाठी उमेदवारांबाबतची सर्व माहिती मतदारांना होणे आवश्यक आहे यास्तव मा. राज्य निवडणूक आयुक्त यांनी दिनांक- ३ जुलै, २००२ रोजी आदेश पारित केले असून, सदर आदेशाची प्रत सोबत जोडून पाठविण्यात येत आहे.

३. सोबत जोडलेल्या आदेशामधील तरतुदीनुसार महानगरपालिका, नगर परिषदा, नगर पंचायती, जिल्हा परिषदा व पंचायत समित्या यांच्या निवडणुका अथवा पोटनिवडणुका यामध्ये उमेदवारांनी आपल्या नामनिर्देशनपत्रासोबत उपरोक्त नमूद आदेशासोबत जोडलेल्या अनेकश्चर-१ मध्ये विहित केलेले शपथपत्र जोडणे बंधनकारक आहे. ग्रामपंचायतीच्या निवडणुकीसाठी मात्र शपथपत्र करण्यासाठी येणा-या अडचणी ध्यानी घेता उमेदवारांनी आपल्या नामनिर्देशनपत्रासोबत उपरोक्त आदेशासोबत जोडलेल्या अनेकश्चर-२ या नमुन्यातील घोषणापत्र सादर करणे पुरेसे आहे.

४. वरील नमूद शपथपत्र प्रथमवर्ग दंडाधिकारी, नोटरी पब्लिक, ओथ कमिशनर अथवा शपथपत्र देण्यासाठी सक्षम असलेले अधिकारी, (त्यामध्ये उप विभागीय अधिकारी (वर्ग-१) तसेच तहसिलदार (वर्ग-१) यांचा समावेश होतो) यांच्यापुढे करण्यात यावे.

५. उपरोक्त नमूद आदेशाद्वारे विहित करण्यात येत असलेले शपथपत्र अथवा घोषणापत्र यामध्ये यापूर्वी राज्य निवडणूक आयोगाकडील आदेश क्रमांक-एसईसी-१०९७/सीआर्-१७३/९७/पीआर्, दिनांक- २१ ऑक्टोबर, १९९७ तसेच आदेश क्रमांक-एसईसी/जीईएन/२००१/सीआर्-४२/डी-१०, दिनांक- ७ डिसेंबर, २००१ अन्वये विहित केलेले अनुक्रमे राजकारणाच्या गुन्हेगारीकरणाबाबतचे शपथपत्र व ऐच्छिक माहितीचे प्रपत्र यामधील माहितीचा समावेश होत असल्यामळे दिनांक- २१ ऑक्टोबर, १९९७ तसेच दिनांक- ७ डिसेंबर, २००१ च्या आदेशान्वये विहित केलेले शपथपत्र अथवा ऐच्छिक माहिती पत्र यापुढे उमेदवारांनी स्थानिक स्वराज्य संस्थांच्या निवडणुकीमध्ये नामनिर्देशनपत्रासोबत सादर करण्याची आवश्यकता राहणार नाही.

राज्य निवडणूक आयुक्तांच्या आदेशानुसार,

आपला,

सही/-

(डी. डी. वळवी)

उपायुक्त,

राज्य निवडणूक आयोग

STATE ELECTION COMMISSION, MAHARASHTRA.

**New Administrative Building, Opp. Mantralaya,
Madam Cama Road, Mumbai - 400 032.**

Dated 3rd July, 2002.

ORDER

No. SEC/GEN/2002/CR-39/D-10.- Whereas, the superintendence, direction and control of all elections to the Panchayats and Municipalities in the State are vested in the State Election Commission by Article 243-K and 243-ZA of the Constitution of India;

2. And whereas, the Hon'ble High Court of Delhi, by its order dated 2nd November, 2000 in Writ Petition No. 7257 of 1999 (Association for Democratic Reforms v Union of India and Others) held that for making a right choice by electors in regard to the candidate at the election, it was essential that the past of the candidate should not be kept in the dark as it was not in the interest of the democracy and well-being of the country, and directed the Election Commission of India to secure to voters the following information pertaining to each of the candidates contesting elections to Parliament and to the State Legislatures and the parties they represent:-

- (1) Whether the candidate is accused of any offence(s) punishable with imprisonment? If so, the details thereof;
- (2) Assets possessed by a candidate, his or her spouse and dependent relations;

- (3) Facts giving insight to candidate's competence, capacity and suitability for acting as parliamentarian or legislator including details of his/her educational qualifications;
- (4) Information which the Election Commission considers necessary for judging the capacity and capability of the political party fielding the candidate for election to Parliament or the State Legislature.;

3. And whereas, the Union of India filed an appeal before the Hon'ble Supreme Court of India (Civil Appeal No. 7178 of 2001 - Union of India v Association for Democratic Reforms and Another) contending that the High Court ought to have directed the writ petitioners to approach the Parliament for appropriate amendments to the law instead of directing the Election Commission of India to implement the same;

4. And whereas, the Hon'ble Supreme Court of India has, by its order dated 2nd May, 2002, held as follows:-

"(1) The jurisdiction of the Election Commission is wide enough to include all powers necessary for smooth conduct of elections and the word 'elections' is used in a wide sense to include the entire process of election which consists of several stages and embraces many steps.

- (2) The limitation on plenary character of power is when the Parliament or State Legislature has made a valid law relating to or in connection with elections, the Commission is required to act in conformity with the said provisions. In case where law is silent, Art 324 is a reservoir of power to act for the avowed purpose of having free and fair election. Constitution has taken care of leaving scope for exercise of residuary power by the Commission in its own right as a creature of the Constitution in the infinite variety of situations that may emerge from time to time in a large democracy, as every contingency could not be foreseen or anticipated by the enacted laws or the rules. By issuing necessary directions Commission can fill the vacuum till there is legislation on the subject. In Kanhiya Lal Omar's case (AIR 1986 SC 111) the court construed the expressions 'superintendence, direction and control' in art 324(1) and held that a direction may mean an order issued to a particular individual or a precept which may have to follow and it may be a specific or a general order and such phrase should be construed liberally empowering the Election Commission to issue such orders.
- (3) The word 'elections' includes the entire process of election, which consists of several stages, and it embraces many steps, some of which have an important bearing on the process of choosing a candidate. Fair election contemplates disclosure by

the candidate of his past including the assets held by him so as to give a proper choice to the candidate (sic) (elector) according to his thinking and opinion. As stated earlier, in Common Cause case [(1986) 2 SCC 752], the court dealt with a contention that elections in the country are fought with the help of money power which is gathered from black sources and once elected to power, it becomes easy to collect tons of black money, which is used for retaining power and for re-election. If on affidavit a candidate is required to disclose the assets held by him at the time of election, voter can decide whether he could be re-elected even in case where he has collected tons of money.

- (4) To maintain the purity of elections and in particular to bring transparency in the process of election, the Commission can ask the candidates about the expenditure incurred by the political parties and this transparency in the process of election would include transparency of a candidate who seeks election or re-election. In a democracy, the electoral process has a strategic role. The little man of this country would have basic elementary right to know full particulars of a candidate who is to represent him in Parliament where laws to bind his liberty and property may be enacted.
- (5) The right to get information in democracy is recognised all throughout and it is natural right flowing from the concept of

democracy. At this stage, we would refer to art 19(1) and (2) of the International Covenant of Civil and Political Rights which is as under:-

- (1) Everyone shall have the right to hold opinions without interference.
- (2) Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.
- (6) Cumulative reading of plethora of decisions of this court as referred to, it is clear that if the field meant for legislature and executive is left unoccupied detrimental to the public interest, this court would have ample jurisdiction under art 32 read with arts 141 and 142 of the Constitution to issue necessary directions to the executive to subserve public interest.
- (7) Under our Constitution, art 19(1)(a) provides for freedom of speech and expression. Voters' speech or expression in case of election would include casting of votes that is to say, voter speaks out or expresses by casting vote. For this purpose, information about the candidate to be selected is must. Voter's (little man-citizen's) right to know antecedents including

criminal past of his candidate contesting election for MP or MLA is much more fundamental and basic for survival of democracy. The little man may think over before making his choice of electing law breakers as law makers."

5. And whereas, the Hon'ble Supreme Court, by its aforesaid order dated 2nd May, 2002, has directed as follows:-

"The Election Commission is directed to call for information on affidavit by issuing necessary order in exercise of its power under art 324 of the Constitution of India from each candidate seeking election to Parliament or a state legislature as a necessary part of his nomination paper, furnishing therein, information on the following aspects in relation to his/her candidature:-

- (1) Whether the candidate is convicted/acquitted/discharged of any criminal offence in the past - if any, whether he is punished with imprisonment or fine ?
- (2) Prior to six months of filing of nomination, whether the candidate is accused in any pending case, of any offence punishable with imprisonment for two years or more, and in which charge is framed or cognizance is taken by the court of law. If so, the details thereof.
- (3) The assets (immovable, movable, bank balances etc) of a candidate and of his/her spouse and that of dependants.

- (4) Liabilities, if any, particularly whether there are any over dues of any public financial institution or government dues.
- (5) The educational qualifications of the candidate."

6. And whereas, for implementation of the above-mentioned order of the Supreme Court dated 2nd May, 2002, the Election Commission of India has issued an Order no. 3/ER/2002/JS-II/Vol-III dated 28th June, 2002 for conduct of elections to Parliament and State Legislatures. Even though, the Supreme Court's order is regarding elections to the Parliament and State Legislatures, the same action is necessary in regard to election to the Panchayats and Municipalities in the State. It is also essential that electors of the local self governing institutions should have knowledge about the criminal background of a candidate, if any, assets possessed by a candidate, his or her spouse and dependent relations. So also, information about the facts giving insight to the candidate's competence, capacity and suitability for acting as a member of the local self-governing institution including his educational qualification etc.

7. And whereas, in absence of such provisions in the laws governing election to the Panchayats and Municipalities, the State Election Commission is duty bound to issue such instructions in the interest of purity of elections to the Panchayats and Municipalities till such amendments are made by the State Legislatures in the laws governing elections to the Panchayats and Municipalities and since Article 324 is identical to Articles 243-K and 243-ZA of the Constitution governing the elections to the Panchayats and Municipalities.

8. Now, therefore, in exercise of the powers conferred by Article 243-K and 243-ZA of the Constitution of India, read with sub-section (4) of section 9A of the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1962 (Mah. V of 1962), sub-section (4) of section 10A of the Bombay Village Panchayats Act, 1958 (Bom. III of 1959), sub-section (4) of section 18A of the Mumbai Municipal Corporation Act (Bom. III of 1888), sub-section (4) of section 14 of the Bombay Provincial Municipal Corporations Act, 1949 (Bom. LIX of 1949), sub-section (4) of section 9B of the City of Nagpur Corporation Act, 1948 (C.P.Berar II of 1950), sub-section (4) of section 10A of the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965 and of all other powers enabling it in this behalf, the State Election Commission, Maharashtra, hereby directs as follows:-

- (1) Every candidate at the time of filing his nomination paper for any election or bye-election for electing a Member or Members of any Panchayat or Municipality, shall furnish full and complete information in regard to all the five matters, in affidavit in the format annexed hereto as Annexure-I to this Order.

Provided that having regard to the difficulties in swearing an affidavit in a village, a contesting candidate at the election to a Village Panchayat under the Bombay Village Panchayats Act, 1959 shall, instead of filing an Affidavit, file before the Returning Officer a declaration in the format annexed hereto as Annexure-II to this Order.

- (2) The said affidavit by each candidate shall be duly sworn before a Magistrate of the First Class or a Notary Public or a Commissioner of Oaths appointed by the High Court of the State or before an officer

competent for swearing an affidavit, which includes Sub-Divisional Officer (Class I), and Tahasildar (Class I).

- (3) Non-furnishing of the affidavit or declaration as the case may be by any candidate shall be considered to be violation of this order and the nomination of the candidate concerned shall be liable to rejection by the returning officer at the time of scrutiny of nomination for such non-furnishing of the affidavit.
- (4) Furnishing of any wrong or incomplete information or suppression of any material information by any candidate in or from the said affidavit or declaration as the case may be, may also result in the rejection of his nomination paper where such wrong or incomplete information or suppression of material information is considered by the returning officer to be a defect of substantial character, apart from inviting penal consequences under the Indian Penal Code for furnishing wrong information to a public servant or suppression of material facts before him:

Provided that only such information shall be considered to be wrong or incomplete or amounting to suppression of material information as is capable of easy verification by the returning officer by reference to documentary proof adduced before him in the summary inquiry conducted by him at the time of scrutiny of nominations and the information so verified shall be taken into account by him for further consideration of the question whether the same is a defect of substantial character.

- (5) The information so furnished by each candidate in the aforesaid affidavit or declaration as the case may be, shall be disseminated by the respective returning officers by displaying a copy of the affidavit on the notice board of his office and also by making the copies thereof available to all other candidates on demand and to the representatives of the print and electronic media.
- (6) If any rival candidate furnishes information to the contrary, by means of a duly sworn affidavit, then such affidavit of the rival candidate shall also be disseminated along with the affidavit of the candidate concerned in the manner directed above.
9. It is hereby clarified that apart from the affidavit in Annexure-I or declaration in Annexure-II (in case of election to Village Panchayats)

hereto referred to in para 8(1) above, the candidate shall not be required to file any additional affidavit, which was earlier required to be filed in pursuance of the State Election Commission's Order No. SEC/1097/CR-173/97/PR dated 21st October, 1997, or optional information in an Annexure prescribed in pursuance of the State Election Commission's Order No. SEC/GEN/2001/CR-42/D-10, dated the 7th December, 2001, as the information furnished in the earlier affidavit or annexure will now form part of the information required to be furnished in the present affidavit in Annexure-I or the declaration

in Annexure-II, as the case may be.

Sd/-
(Y. L. Rajwade)
State Election Commissioner,
Maharashtra.

Annexure-I**Affidavit to be furnished by candidate alongwith nomination paper**

Before the Returning Officer

for election to Municipal Corporation/Municipal Council/Nagar Panchayat/Zilla Parishad/Panchayat Samiti, District.....

Ward No. / Seat No./Electoral Division No./Electoral College No.

Name, if any

I, son/daughter/wife of

aged years, resident of

candidate at the above election, do hereby solemnly affirm and state on oath as under:-

(Strike out whichever not applicable)

(1) I have, in the past, been convicted of a criminal offence in the following case(s) and the details are as under:-

- (i) Case No.
- (ii) Section of the Act and description of the offence for which convicted.
- (iii) Date(s) of conviction.
- (iv) Court(s) by which Convicted
- (v) Punishment imposed (indicate period of imprisonment awarded and / or quantum of fine imposed).
- (vi) Details of appeals/revision, etc. filed against above conviction(s).

(2) That I have in the past been discharged/acquitted in the following cases:-

- (i) Section of the Act and description of the offence with which charged.

- (ii) Case No.
 - (iii) Name of the Court by which acquitted / discharged.
 - (iv) Date of acquittal / discharge.
 - (v) Details of appeal(s) / application(s) for revision / review, if any, filed against above acquittal / discharge.
3. That I have, in the period ending six months prior to the date of filing the present nomination, been accused of the following offences, punishable with imprisonment with two years or more, and in which a charge has been framed or cognizance taken by the Court as indicated hereunder:-

Note : This excludes the cases mentioned in (1) and (2) above.

- (i) Section of the Act and description of the offence with which charged/cognizance taken:
 - (ii) The Court which has framed the charge / taken cognizance:
 - (iii) Case No.
 - (iv) Date of the order of the Court framing charge / taking cognizance.
 - (v) Details of appeal(s)/application(s) for revision, etc. if any, filed against above order framing charge / taking cognizance :
4. That I give herein below the details of the assets (immovable, movable, bank balance, etc.) of myself, my spouse and dependents *

* Dependents here means a person substantially dependents on the income of the candidate.

A. Details of movable assets: -

(Assets in joint name indicating the extend of joint ownership will also have to be given)

| Sr. No | Description | Self | Spouse(s) Name(s) | Dependent-1 Name : | Dependent-2 Name : | Dependent-3 etc. Name: |
|--------|---|------|-------------------|--------------------|--------------------|------------------------|
| (i) | Cash | | | | | |
| (ii) | Deposits in Banks, Financial Institutions | | | | | |

| | | | | | | |
|-------|--|--|--|--|--|--|
| | and Non-Banking Financial Companies | | | | | |
| (iii) | Bonds, Debentures and Shares in Companies | | | | | |
| (iv) | Other Financial instruments NSS, Postal Savings, LIC, Policies, etc. | | | | | |
| (v) | Motor Vehicles (details of make, etc.) | | | | | |
| (vi) | Jewellery (give details of weight and value) | | | | | |
| (vii) | Other assets, such as values of claims / interests | | | | | |

Note : Value of Bonds / Shares / Debentures as per the latest market value in Stock Exchange in respect of listed companies and as per books in the case of non listed companies should be given.

B. Details of Immovable assets:-

(Note : Properties in joint ownership indicating the extent of joint ownership will also have to be indicated)

| Sr. No | Description | Self | Spouse(s) Name(s) | Dependent-1 Name : | Dependent-2 Name : | Dependent-3 etc. Name: |
|--------|---|------|-------------------|--------------------|--------------------|------------------------|
| (i) | Agricultural Land - Location(s) - Survey No.(s) - Extent(Total measurement) - Current Market value | | | | | |
| (ii) | Non-Agricultural Land - Location(s) - Survey No.(s) - Extent (Total measurement) - current market value | | | | | |
| (iii) | Buildings (commercial and residential) - Location(s) | | | | | |

| | | | | | | |
|------|---|--|--|--|--|--|
| | - Survey No.(s) - Extent(Total measurement) Current Market value | | | | | |
| (iv) | Houses / Apartments, etc. - Location(s) - Survey No.(s) - Extent(Total measurement) Current Market value | | | | | |
| (v) | Others (such as interest in property) | | | | | |

(5) I give herein below the details of my liabilities / over dues to public financial institutions and government dues: -

(Note : Please give separate details for each item)

| Sr. No. | Description | Name and address of the Bank / Financial Institution(s) / Department(s) | Amount outstanding as on |
|---------|--|---|--------------------------|
| (a)(i) | Loans from Banks | | |
| (ii) | Loans from financial institutions | | |
| (iii) | Government dues (other than income tax and wealth tax) (No Due Certificate to be enclosed in case holding or having held any public office) | | |

Annexure-II

Declaration to be furnished by candidate along with nomination paper
Before the Returning Officer

for election to Village Panchayat, Taluka

District, Ward No. Name, if any

I, son/daughter/wife of

aged years, resident of

candidate at the above election, do hereby declare as under:-

(Strike out whichever not applicable)

(1) I have, in the past, been convicted of a criminal offence in the following case(s) and the details are as under:-

(vii) Case No.

(viii) Section of the Act and description of the offence for which convicted.

(ix) Date(s) of conviction.

(x) Court(s) by which Convicted

(xi) Punishment imposed (indicate period of imprisonment awarded and / or quantum of fine imposed).

(xii) Details of appeals/revision, etc. filed against above conviction(s).

(2) That I have in the past been discharged/acquitted in the following cases:-

(i) Section of the Act and description of the offence with which charged.

(ii) Case No.

(iii) Name of the Court by which acquitted / discharged.

(iv) Details of appeal(s) / application(s) for revision / review, if any, filed against above acquittal / discharge.

(3) That I have, in the period ending six months prior to the date of filing the present nomination, been accused of the following offences, punishable with imprisonment with two years or more, and in which a charge has been framed or cognizance taken by the Court as indicated hereunder:-

Note : This excludes the cases mentioned in (1) and (2) above.

- (i) Section of the Act and description of the offence with which charged/cognizance taken:
- (ii) The Court which has framed the charge / taken cognizance:
- (iii) Case No.
- (iv) Date of the order of the Court framing charge / taking cognizance.
- (v) Details of appeal(s)/application(s) for revision, etc. if any, filed against above order framing charge / taking cognizance :

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

* Dependents here means a person substantially dependents on the income of the candidate.

C. Details of movable assets :-

(Assets in joint name indicating the extend of joint ownership will also have to be given)

| Sr. No | Description | Self | Spouse(s) Name(s) | Dependent-1 Name : | Dependent-2 Name : | Dependent-3 etc. Name: |
|--------|---|------|-------------------|--------------------|--------------------|------------------------|
| (i) | Cash | | | | | |
| (ii) | Deposits in Banks, Financial Institutions and Non-Banking Financial Companies | | | | | |
| (iii) | Bonds, Debentures and Shares in Companies | | | | | |
| (iv) | Other Financial instruments NSS, Postal Savings, LIC, Policies, etc. | | | | | |
| (v) | Motor Vehicles (details of make, etc.) | | | | | |
| (vi) | Jewellery (give details of weight and value) | | | | | |
| (vii) | Other assets, such as values of claims / interests | | | | | |

Note : Value of Bonds / Shares / Debentures as per the latest market value in Stock Exchange in respect of listed companies and as per books in the case of non listed companies should be given.

B. Details of Immovable assets:-

(Note : Properties in joint ownership indicating the extent of joint ownership will also have to be indicated)

| Sr. No | Description | Self | Spouse(s) Name(s) | Dependent-1 Name : | Dependent-2 Name : | Dependent-3 etc. Name: |
|--------|---|------|-------------------|--------------------|--------------------|------------------------|
| (i) | Agricultural Land - Location(s) - Survey No.(s) - Extent(Total measurement) - Current Market value | | | | | |
| (ii) | Non-Agricultural Land - Location(s) - Survey No.(s) - Extent (Total measurement) - current market value | | | | | |
| (iii) | Buildings (commercial and residential) - Location(s) - Survey No.(s) - Extent(Total measurement) Current Market value | | | | | |
| (iv) | Houses / Apartments, etc. - Location(s) - Survey No.(s) - Extent(Total measurement) Current Market value | | | | | |
| (v) | Others (such as interest in property) | | | | | |

(5) I give herein below the details of my liabilities / over dues to public financial institutions and government dues :-

(Note : Please give separate details for each item)

| Sr. No. | Description | Name and address of the Bank / Financial Institution(s) / Department(s) | Amount outstanding as on |
|---------|---|---|--------------------------|
| (a)(i) | Loans from Banks | | |
| (ii) | Loans from financial institutions | | |
| (iii) | Government dues (other than income tax and wealth tax) (No Due Certificate to be enclosed in case holding or having held any public office) | | |
| (b)(i) | Income Tax including surcharge (Also indicate the assessment year up to which Income Tax Return filed. Give also Permanent Account Number (PAN)) | | |
| (ii) | Wealth Tax (Also indicate the assessment year upto which Wealth Tax return filed.) | | |
| (iii) | Sales Tax (Only in case of proprietary business) | | |
| (iv) | Property Tax | | |

(6) My educational qualifications are as under :-
(GIVE DETAILS OF SCHOOL AND UNIVERSITY EDUCATION)

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

DEPONENT

VERIFICATION

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

Verified at this the day of 200

Place :-

DEPONENT

Date :

Verified before me
(Signature of verifying authority with seal)

Translation of the form of the Affidavit and Declaration in Marathi

परिशिष्ट-१

निवडणूक निर्णय अधिका-यांपुढे नामनिर्देशनपत्रांसोबत उमेदवाराने
दयावयाचे शपथपत्र

.....महानगरपालिका/ नगर परिषद/नगर पंचायत/
जिल्हा परिषद/पंचायत समिती निवडणूक/पोटनिवडणूक, जिल्हा
.....
प्रभाग क्रमांक व जागा क्रमांक/निवडणूक गट क्रमांक/निवडणूक गण क्रमांक
..... नांव असल्यास

मी,श्री./श्रीमती.....
...., श्री यांचा मुलगा/ यांची मुलगी/पत्नी, वय-
वर्ष..... राहणार-, वरील
निवडणुकीचा/निवडणुकीची उमेदवार, खालीलप्रमाणे प्रतिज्ञेवर सांगतो/सांगते आणि
शपथेवर घोषित करतो/करते की, :-
(लागू नसलेले खोडावे.)

१. मला, न्यायालयाने पूर्वी खालील फौजदारी अपराध प्रकरणी दोषी
ठरविलेले आहे, याचा तपशील खालीलप्रमाणे :-

- (एक) दावा क्रमांक
- (दोन) दोषी ठरविण्यात आलेल्या फौजदारी अपराधाच्या कायदयाचे कलम व
दोषी ठरविण्यात आलेल्या गुन्ह्याचा तपशील:-
- (तीन) दोषसिध्दीचा दिनांक-
- (चार) ज्या न्यायालयाने दोषी ठरविले आहे, त्या न्यायालयाचे नांव :-
- (पांच) दिलेली शिक्षा (कारावासाचा कालावधी व /किंवा दंडाची रक्कम
नमूद करावी.)
- (सहा) वरील दोषसिध्दीच्या विरोधात केलेल्या अपील/पुनरिक्षण
इत्यादीबाबतचा तपशील :-

२. मला पूर्वी खालील दाव्यांमध्ये दोषमुक्त करण्यात आले आहे/निर्दोष ठरविण्यात आले आहे :-

- (एक) कायदयाचे कलम आणि आरोप ठेवण्यात आलेल्या गुन्ह्याचा तपशील-
- (दोन) दावा क्रमांक:-
- (तीन) ज्या न्यायालयाने दोषमुक्त केले/निर्दोष ठरविले त्या न्यायालयाचे नांव:-
- (चार) दोषमुक्ती/मुक्तीचा दिनांक -
- (पांच) वरील दोषमुक्ती/मुक्तीच्या बाबतीत पुनर्विलोकनाबाबत अपील(ले)/अर्ज, इत्यादी काही असल्यास त्याचा तपशील :-

३. विद्यमान नामनिर्देशन भरण्याच्या तारखेपूर्वी सहा महिन्यांचा कालावधी संपल्याच्या दिनांकापूर्वी मला दोन वर्षे किंवा त्यापेक्षा जास्त कारावासाची शिक्षा असलेल्या खालील अपराधांकरिता आरोपी ठरविण्यात आले होते व त्याकरिता खालील नमूद केलेल्या न्यायालयाद्वारे दोषारोप ठेवण्यात आले होते किंवा अपराधांची दखल घेण्यात आली होती :-

(टीप:- यांत (१) व (२) यामध्ये नमूद केलेल्या प्रकरणांचा अंतर्भाव आहे.)

- (एक) दोषारोप ठेवण्यात आलेल्या/अपराधांची दखल घेण्यात आलेल्या अपराधासंबंधी कायदयाचे कलम व अपराधाचा -तपशील:-
- (दोन) दोषारोप ठेवण्यात आलेल्या किंवा अपराधाची दखल घेतलेल्या न्यायालयाचे नांव :-
- (तीन) दावा क्रमांक :-
- (चार) दोषारोप ठेवलेल्या/दखल घेतलेल्या न्यायालयाच्या आदेशाचा दिनांक:-
- (पांच) वरील दोषारोप ठेवलेल्या/दखल घेतलेल्या आदेशाच्या विरोधात दोषसिध्दी पुनर्विलोकनाबाबत अपील(ले)/अर्ज, इत्यादी जर काही सादर केले असल्यास त्याचा तपशील :-

४. यासोबत मी माझी पत्नी/माझे पती व अवलंबित* यांच्या मालमत्तेचा (स्थावर, जंगम, बँकेतील जमा रक्कम इत्यादी) तपशील खाली देत आहे.

अ) जंगम मालमत्तेचा तपशील :-

(संयुक्त नांवावर असलेल्या मालमत्तेत संयुक्त मालकीचे प्रमाण नमूद करणे आवश्यक आहे.)

| अ.क्र. | वर्णन | स्वतः | पती/पत्नीचे नांव | अवलंबित-१ चे नांव | अवलंबित-२ चे नांव | अवलंबित-३ चे इत्यादी नांव |
|--------|---|-------|------------------|-------------------|-------------------|---------------------------|
| १. | २. | ३. | ४. | ५. | ६. | ७. |
| (एक) | रक्कम | | | | | |
| (दोन) | बँक वित्तीय संस्था व बँकेव्यतिरिक्त वित्तीय कंपन्यांमधील ठेवी | | | | | |
| (तीन) | कंपन्यांमधील बंधपत्रे, कर्जरोखे व भाग | | | | | |
| (चार) | इतर वित्तीय दस्तऐवज, राष्ट्रीय बचत प्रमाणपत्रे, पोस्टाच्या बचती, एल्आयसी पॉलिसी इत्यादी | | | | | |
| (पाच) | मोटर वाहने (बनावटीचा तपशील इत्यादी) | | | | | |
| (सहा) | जडजवाहीर (वजन व मूल्य यांचा तपशील द्यावा.) | | | | | |
| (सात) | दाव्यांचे/व्याजांचे मूल्य यासारखी इतर मालमत्ता | | | | | |

*अवलंबित म्हणजे उमेदवाराच्या मिळकतीवर सारतः अवलंबून असलेली व्यक्ती.

टीप:- बंधपत्रे/कर्जरोखे/भाग यांचे मूल्य सूचीतील कंपन्यांच्या बाबतीत शेअर बाजारामधील सध्याच्या बाजारभाव मूल्यानुसार व सूचीबाह्य कंपन्यांच्या बाबतीत पुस्तकी मूल्यानुसार देण्यात यावे.

ब) स्थावर मालमत्तेचा तपशील

(टीप: संयुक्त मालकीच्या संपत्तीमध्ये संयुक्त मालकीचे प्रमाण नमूद करणे आवश्यक आहे.)

| अ.क्र. | तपशील | स्वतः | पत्नी/पतीचे नांव(वे) | अवलंबित-१ नांव | अवलंबित-२ नांव | अवलंबित-३ नांव |
|--------|-------|-------|----------------------|----------------|----------------|----------------|
| | | | | | | |

| १. | २. | ३. | ४. | ५. | ६. | ७. |
|-------|---|----|----|----|----|----|
| (एक) | कृषि जमीन -स्थान (ने) -सर्वे नंबर -क्षेत्र(एकूण मोजमाप) -सध्याचे बाजारभावानुसार मूल्य | | | | | |
| (दोन) | कृषितर जमीन -स्थान (ने) -सर्वे नंबर -क्षेत्र (एकूण मोजमाप) -सध्याचे बाजारभावानुसार मूल्य | | | | | |
| (तीन) | घरे/सदनिका इ. -स्थान (ने) -सर्वे/द्वारे नंबर -क्षेत्रफळ (एकूण मोजमाप) -सध्याचे बाजारभावानुसार मूल्य | | | | | |
| (चार) | इतर (संपत्तीमधील हक्क यासारखे) | | | | | |

५. मी देय असलेल्या सार्वजनिक वित्तीय संस्था यांचेकडील व शासकीय/निमशासकीय संस्थांकडील दायित्वे /थकित रकमा यांचा तपशील देत आहे :-

(टीप:- प्रत्येक बाबीचा तपशील स्वतंत्रपणे दयावा.)

| अ.क्र. | तपशील | बँक/वित्तीय संस्था/शासकीय/निमशासकीय संस्था इत्यादी यांचे नांव व पत्ते | दिनांक- रोजी देय असलेली रक्कम |
|---------|---|---|---|
| १. | २. | ३. | ४. |
| (अ)(एक) | बँकांकडून कर्जे | | |
| (दोन) | वित्तीय संस्थांकडून कर्जे | | |
| (तीन) | शासकीय/निमशासकीय देणी (आयकर व संपत्ती कर | | |

| | | | |
|---------|---|--|--|
| | याव्यतिरिक्त) (सार्वजनिक संस्थेत एखादे पद धारण करत असल्यास अथवा केले असल्यास त्यांचेकडील रकमांच्या प्रकरणी ना देय प्रमाणपत्र सादर करावे.) | | |
| (ब)(एक) | अधिभारासह आयकर (जेंव्हापासून आयकर रिटर्न अर्ज भरला तेंव्हापासूनचे निर्धारण वर्ष नमूद करावे. तसेच पॅन क्रमांक दयावा.) | | |
| (दोन) | संपत्तीकर (जेंव्हापासून संपत्तीकर रिटर्न अर्ज भरला तेंव्हापासूनचे निर्धारण वर्ष नमूद करावे.) | | |
| (तीन) | विक्रीकर (फक्त संपत्ती व्यवसायाच्या प्रकरणी) | | |
| (चार) | संपत्ती कर | | |

६. माझी शैक्षणिक अर्हता खालीलप्रमाणे :-
 (शालेय व विश्वविद्यालयीन शिक्षणाचा तपशील द्यावा.)
 (शाळा/विद्यापीठाचे नांव व पाठयक्रम पूर्ण केलेले वर्षही नमूद करावे.)

अभिसाक्षी

पडताळणी

मी वर नमूद केलेला अभिसाक्षी, तपासणी करून घोषित करतो की, या शपथपत्रातील मजकूर माझ्या माहिती व समजुतीप्रमाणे सत्य व अचूक आहे. यातला कोणताही भाग खोटा नसून, त्यापासून कोणतीही महत्वाची वस्तुस्थिती लपविण्यात आलेली नाही.

..... येथे दिनांक-

माहे २००२ रोजी तपासले.

अभिसाक्षी

स्थळ :-

दिनांक :-

माझ्यापुढे तपासले.

(तपासणी प्राधिका-याची स्वाक्षरी व पदनाम शिक्का)

परिशिष्ट-२

निवडणूक निर्णय अधिका-यांपुढे नामनिर्देशनपत्रांसोबत उमेदवाराने
दयावयाचे घोषणापत्र

.....ग्रामपंचायतनिवडणूक/पोटनिवडणूक, तालुका-
.....जिल्हा
प्रभाग क्रमांक..... प्रभागाचे नांव, असल्यास

मी,श्री./श्रीमती.....
....., श्री यांचा मुलगा/ यांची मुलगी/पत्नी, वय-
वर्ष..... राहणार-, वरील
निवडणुकीचा/निवडणुकीची उमेदवार, खालीलप्रमाणे घोषित करतो/करते की, :-
(लागू नसलेले खोडावे.)

१. मला, न्यायालयाने पूर्वी खालील फौजदारी अपराध प्रकरणी दोषी ठरविलेले आहे, याचा तपशील खालीलप्रमाणे :-

- (एक) दावा क्रमांक
- (दोन) दोषी ठरविण्यात आलेल्या फौजदारी अपराधाच्या कायदयाचे कलम व दोषी ठरविण्यात आलेल्या गुन्ह्याचा तपशील:-
- (तीन) दोषसिध्दीचा दिनांक-

- (चार) ज्या न्यायालयाने दोषी ठरविले आहे, त्या न्यायालयाचे नांव :-
 (पांच) दिलेली शिक्षा (कारावासाचा कालावधी व /किंवा दंडाची रक्कम नमूद करावी.)
 (सहा) वरील दोषसिध्दीच्या विरोधात केलेल्या अपील/पुनरिक्षण इत्यादीबाबतचा तपशील :-

२. मला पूर्वी खालील दाव्यांमध्ये दोषमुक्त करण्यात आले आहे/निर्दोष ठरविण्यात आले आहे :-

- (एक) कायदयाचे कलम आणि आरोप ठेवण्यात आलेल्या गुन्ह्याचा तपशील-
 (दोन) दावा क्रमांक:-
 (तीन) ज्या न्यायालयाने दोषमुक्त केले/निर्दोष ठरविले त्या न्यायालयाचे नांव:-
 (चार) दोषमुक्ती/मुक्तीचा दिनांक -
 (पांच) वरील दोषमुक्ती/मुक्तीच्या बाबतीत पुनर्विलोकनाबाबत अपील(ले)/अर्ज, इत्यादी काही असल्यास त्याचा तपशील :-

३. विद्यमान नामनिर्देशन भरण्याच्या तारखेपूर्वी सहा महिन्यांचा कालावधी संपल्याच्या दिनांकापूर्वी मला दोन वर्षे किंवा त्यापेक्षा जास्त कारावासाची शिक्षा असलेल्या खालील अपराधांकरिता आरोपी ठरविण्यात आले होते व त्याकरिता खालील नमूद केलेल्या न्यायालयाद्वारे दोषारोप ठेवण्यात आले होते किंवा अपराधांची दखल घेण्यात आली होती :-

(टीप:- यांत (१) व (२) यामध्ये नमूद केलेल्या प्रकरणांचा अंतर्भाव आहे.)

- (एक) दोषारोप ठेवण्यात आलेल्या/अपराधांची दखल घेण्यात आलेल्या अपराधासंबंधी कायदयाचे कलम व अपराधाचा -तपशील:-
 (दोन) दोषारोप ठेवण्यात आलेल्या किंवा अपराधाची दखल घेतलेल्या न्यायालयाचे नांव :-
 (तीन) दावा क्रमांक :-
 (चार) दोषारोप ठेवलेल्या/दखल घेतलेल्या न्यायालयाच्या आदेशाचा दिनांक:-
 (पांच) वरील दोषारोप ठेवलेल्या/दखल घेतलेल्या आदेशाच्या विरोधात दोषसिध्दी पुनर्विलोकनाबाबत अपील(ले)/अर्ज, इत्यादी जर काही सादर केले असल्यास त्याचा तपशील :-

४. यासोबत मी माझी पत्नी/माझे पती व अवलंबित* यांच्या मालमत्तेचा (स्थावर, जंगम, बँकेतील जमा रक्कम इत्यादी) तपशील खाली देत आहे.

अ) जंगम मालमत्तेचा तपशील :-

(संयुक्त नांवावर असलेल्या मालमत्तेत संयुक्त मालकीचे प्रमाण नमूद करणे आवश्यक आहे.)

| अ.क्र. | वर्णन | स्वतः | पती/पत्नीचे नांव | अवलंबित-१ चे नांव | अवलंबित-२ चे नांव | अवलंबित-३ चे इत्यादी नांव |
|--------|---|-------|------------------|-------------------|-------------------|---------------------------|
| ८. | ९. | १०. | ११. | १२. | १३. | १४. |
| (एक) | रक्कम | | | | | |
| (दोन) | बँक वित्तीय संस्था व बँकेव्यतिरिक्त वित्तीय कंपन्यांमधील ठेवी | | | | | |
| (तीन) | कंपन्यांमधील बंधपत्रे, कर्जरोखे व भाग | | | | | |
| (चार) | इतर वित्तीय दस्तऐवज, राष्ट्रीय बचत प्रमाणपत्रे, पोस्टाच्या बचती, एल्आयसी पॉलिसी इत्यादी | | | | | |
| (पाच) | मोटर वाहने (बनावटीचा तपशील इत्यादी) | | | | | |
| (सहा) | जडजवाहीर (वजन व मूल्य यांचा तपशील द्यावा.) | | | | | |
| (सात) | दाव्यांचे/व्याजांचे मूल्य यासारखी इतर मालमत्ता | | | | | |

*अवलंबित म्हणजे उमेदवाराच्या मिळकतीवर सारतः अवलंबून असलेली व्यक्ती.

टीप:- बंधपत्रे/कर्जरोखे/भाग यांचे मूल्य सूचीतील कंपन्यांच्या बाबतीत शेअर बाजारामधील सध्याच्या बाजारभाव मूल्यानुसार व सूचीबाह्य कंपन्यांच्या बाबतीत पुस्तकी मूल्यानुसार देण्यात यावे.

ब) स्थावर मालमत्तेचा तपशील

(टीप: संयुक्त मालकीच्या संपत्तीमध्ये संयुक्त मालकीचे प्रमाण नमूद करणे आवश्यक आहे.)

| अ.क्र. | तपशील | स्वतः | पत्नी/पतीचे नांव(वे) | अवलंबत- १ नांव | अवलंबित- २ नांव | अवलंबित- १-३ नांव |
|--------|--|-------|----------------------|----------------|-----------------|-------------------|
| ८. | ९. | १०. | ११. | १२. | १३. | १४. |
| (एक) | कृषि जमीन -स्थान (ने) -सर्वे नंबर -क्षेत्र(एकूण मोजमाप) -सध्याचे बाजारभावानुसार मूल्य | | | | | |
| (दोन) | कृषितर जमीन -स्थान (ने) -सर्वे नंबर -क्षेत्र (एकूण मोजमाप) -सध्याचे बाजारभावानुसार मूल्य | | | | | |
| (तीन) | घरे/सदनिका इ. -स्थान (ने) -सर्वे/द्वारे नंबर -क्षेत्रफळ (एकूण मोजमाप) -सध्याचे बाजारभावानुसार मूल्य | | | | | |
| (चार) | इतर (संपत्तीमधील हक्क यासारखे) | | | | | |

५. मी देय असलेल्या सार्वजनिक वित्तीय संस्था यांचेकडील व शासकीय/निमशासकीय संस्थांकडील दायित्वे /थकित रकमा यांचा तपशील देत आहे :-

(टीप:- प्रत्येक बाबीचा तपशील स्वतंत्रपणे दयावा.)

| अ.क्र. | तपशील | बँक/वित्तीय संस्था/शासकीय/निमशासकीय संस्था इत्यादी यांचे नांव व पत्ते | दिनांक- रोजी देय असलेली रक्कम |
|--------|-------|---|--|
| ५. | ६. | ७. | ८. |

| | | | |
|---------|---|--|--|
| (अ)(एक) | बँकांकडून कर्जे | | |
| (दोन) | वित्तीय संस्थांकडून कर्जे | | |
| (तीन) | शासकीय/निमशासकीय देणी (आयकर व संपत्ती कर याव्यतिरिक्त) (सार्वजनिक संस्थेत एखादे पद धारण करत असल्यास अथवा केले असल्यास त्यांचेकडील रकमांच्या प्रकरणी ना देय प्रमाणपत्र सादर करावे.) | | |
| (ब)(एक) | अधिभारासह आयकर (जेंव्हापासून आयकर रिटर्न अर्ज भरला तेंव्हापासूनचे निर्धारण वर्ष नमूद करावे. तसेच पॅन क्रमांक दयावा.) | | |
| (दोन) | संपत्तीकर (जेंव्हापासून संपत्तीकर रिटर्न अर्ज भरला तेंव्हापासूनचे निर्धारण वर्ष नमूद करावे.) | | |
| (तीन) | विक्रीकर (फक्त संपत्ती व्यवसायाच्या प्रकरणी) | | |
| (चार) | संपत्ती कर | | |

६. माझी शैक्षणिक अर्हता खालीलप्रमाणे :-
(शालेय व विश्वविद्यालयीन शिक्षणाचा तपशील द्यावा.)
(शाळा/विद्यापीठाचे नांव व पाठयक्रम पूर्ण केलेले वर्षही नमूद करावे.)

अभिसाक्षी

पडताळणी

मी वर नमूद केलेला अभिसाक्षी, तपासणी करून घोषित करतो की,
या घोषणा पत्रातील मजकूर माझ्या माहिती व समजुतीप्रमाणे सत्य व अचूक आहे.

यातला कोणताही भाग खोटा नसून, त्यापासून कोणतीही महत्वाची वस्तुस्थिती
लपविण्यात आलेली नाही.

..... येथे दिनांक-

माहे २००२ रोजी तपासले.

स्थळ :-

दिनांक :-

अभिसाक्षी

माझ्यापुढे तपासले.

(तपासणी प्राधिका-याची स्वाक्षरी व पदनाम शिक्का)

9. Code of Conduct: -

The model code so revised in 1979 was subsequently amplified in certain respects in consultation with the political parties from time to time. The State Election Commission has adopted the same Code of Conduct and made applicable to elections to the Panchayats and Municipalities.

MODEL CODE OF CONDUCT FOR THE GUIDANCE OF POLITICAL PARTIES AND CANDIDATES

I. General Conduct:

- (1) No party or candidate shall indulge in any activity, which may aggravate existing differences or create mutual hatred or cause tension between different castes and communities, religious or linguistic.
- (2) Criticism of other political parties, when made shall be confined to their policies and programme, past record and work. Parties and candidates shall refrain from criticism of all aspects of private life, not connected with the public activities of the leaders or workers of other parties. Criticism of other parties or their workers based on unverified allegations or on distortion shall be avoided.
- (3) There shall be no appeal to caste or communal feeling for securing votes. Mosques, Churches, Temples or other places of worship shall not be used as forum for election propaganda.

- (4) All parties and candidates shall avoid scrupulously all activities which are “corrupt practices” and offences under the election law, such as the bribing of voters, intimidation of voters, personation of voters, canvassing within 100 meters of a polling station, holding public meetings during the period which is banned in the relevant acts/rules (of 48 hours) ending with the hours fixed for the close of the poll, and the transport and conveyance of voters to and from polling station.
- (5) The right of every individual for peaceful and undisturbed home life shall be respected, however, much the political parties or candidates may resent his political opinions or activities. Organising demonstrations or picketing before the houses of individuals by way of protesting against their opinion or activities shall not be resorted to under any circumstances.
- (6) No political party or candidate shall permit its or his followers to make use of any individual’s land, building, compound wall, etc., without his permission for erecting flag staffs, suspending banners, pasting notices, writing slogans, etc.
- (7) Political parties and candidates shall ensure that their supporters do not create obstructions in or break up meetings and processions organised by the other parties. Workers or sympathisers of one political party shall not create disturbances at public meetings organised by another political party by putting questions orally or in writing or by distributing leaflets of their own party. One party along places at which another party is holding meetings shall not take out processions. Workers of another party shall not remove posters issued by one party.

II. Meetings:

- (1) The party or candidate shall inform the local police authorities of the venue and time of any proposed meeting well in time so as to enable the police to make necessary arrangements for controlling traffic and maintaining peace and order.
- (2) A party or candidate shall ascertain in advance if there are any restrictive or prohibitory orders in force in the place proposed for the meeting. If such orders exist, they shall be followed strictly. If any exemption is required from such orders it shall be applied for and obtained well in time.

- (3) If permission of licence is to be obtained for the use of loud speakers or any other facility in connection with any proposed meeting, the party or candidate shall apply to the authority concerned well in advance and obtain such permission or licence.
- (4) Organisers of a meeting shall invariably seek the assistance of the police on duty for dealing with persons disturbing a meeting or otherwise attempting to create disorder. Organisers themselves shall not take against such persons.

III. Processions:

- (1) A party or candidate organising a procession shall decide before hand the time and place of the starting of the procession, the route to be followed and the time and place at which the procession will terminate. There shall ordinarily be no deviation from the programme.
- (2) The organisers shall give advance intimation to the local police authorities of the programme so as to enable the latter to make necessary arrangements.
- (3) The organisers shall ascertain if any restrictive orders are in force in the localities through which the procession has to pass, and shall comply with the restrictions unless exempted specially by competent authority. Any traffic regulations or restrictions shall also be carefully adhered to.
- (4) The organisers shall take steps in advance to arrange for passage of the procession so that there is no block or hindrance to traffic. If the procession is very long, it shall be organised in segments of suitable lengths, so that at convenient intervals, especially at points where the procession has to pass road junctions, the passage of holdup traffic could be allowed by stages thus avoiding heavy traffic congestion.
- (5) Processions shall be so regulated as to keep, as much to the right of the road as possible and the direction and advice of the police on duty shall be strictly complied with.
- (6) If two or more political parties or candidates propose to take processions over the same route or parts thereof at about the same time the organisers shall establish contact well in advance and decide upon the measures to be taken to see that the processions do not clash or cause hindrance to traffic. The assistance of the local police shall be availed of for arriving at a satisfactory arrangement. For this purpose, the parties shall contact the police at the earliest opportunity.

- (7) The political parties or candidates shall exercise control to the maximum extent possible in the matter of processionists carrying articles which may be put to misuse by undesirable elements, especially in moments of excitement.
- (8) Any political party or candidate shall not countenance the carrying of effigies purporting to represent members of other political parties or their leaders, burning such effigies in public and such other forms of demonstrations.

IV. Polling Day:

All political parties and candidates shall

- (i) Co-operate with the officers on election duty to ensure peaceful and orderly polling and complete freedom to the voters to exercise their franchise without being subjected to any annoyance or obstruction;
- (ii) supply to their authorised workers suitable badges or identity cards;
- (iii) agree that the identity slips supplied by them to voters shall be on plain (white) papers and shall not contain any symbol, name of the candidate or the name of the party;
- (iv) refrain from serving or distributing liquor on polling day and during the twenty-four hours preceding it;
- (v) not allow unnecessary crowds to be collected near the camps set up by the political parties and candidates near the polling booths so as to avoid confrontation and tension among workers and sympathisers of the parties and candidates;
- (vi) ensure the candidate's camps shall be simple. They shall not display any posters, flags, symbols or any other propaganda material. No eatables shall be served or crowds allowed at the camps; and
- (vii) co-operate with the authorities in complying with the restrictions to be imposed on the plying of vehicles on the polling day and obtain permits for them, which should be displayed prominently on those vehicles.

V. Polling Booth:

Excepting the voters, no one without a valid pass from the concerned authorities shall enter the polling booths.

VI. Party in Power.

The party in power whether at the center or in the State or States concerned, shall ensure that no cause is given for any complaint that it has used its official position for the purposes of its election campaign, and in particular.

(i)(a) The Ministers shall not combine their official visit with electioneering work and shall not also make use of official machinery or personnel during electioneering work;

(b) Government transport including official aircrafts, vehicles, machinery and personnel shall not be used for furtherance of the interest of the party in power;

(ii) Public places such as maidans, etc., for holding election meetings and use of helipads for air flights in connection with elections, shall not be monopolised by itself. Other parties and candidates shall be allowed the use of such places and facilities on the same terms and conditions on which they are used by the party in power;

(iii) Rest houses, dak bungalows or other Government accommodation shall not be monopolised by the party in power or its candidates and such accommodation shall be allowed to be used by other parties and candidates in a fair manner but no party or candidates shall use or be allowed to use such accommodation (including premises appertaining thereto) as a campaign office or for holding any public meeting for the purposes of election propaganda;

(iv) Issue of advertisement at the cost of public exchequer in the news papers and other media and the misuse of official mass media during the election period for partisan coverage of political news and publicity regarding achievements with a view to furthering the prospects of the party in power shall be scrupulously avoided;

(v) Ministers and other authorities shall not sanction grants payments out of discretionary funds from the time elections are announced by the Commission;

(vi) From the time the elections are announced by the Commission, Minister and other authorities shall not

(a) Announce any financial grants in any form or promises, thereof; or

(b) (except civil servants) lay foundation stones, etc. of projects or schemes of any kind; or

- (c) Make any promise of construction of roads, provision of drinking water facilities, or
 - (d) Make any ad-hoc appointments in Government, Public undertakings, etc. which may have the effect of influencing the votes in favour of the party in power.
- (vii) Ministers of Central or State Government shall not enter any polling station or place of counting except in their capacity as a candidate or voter or authorised agent.

DOS AND DON'TS FOR THE GUIDANCE OF THE CANDIDATES AND POLITICAL PARTIES TO BE OBSERVED UNTIL THE COMPLETION OF THE PROCESS OF ELECTION

'DOS'

- (1) Ongoing programmes may continue.
- (2) The clarification / approval of the State Election Commission / Municipal Commissioner / or Collector as the case may be should be obtained in case of doubt.
- (3) Relief and rehabilitation measures to the people in areas affected by floods, drought, pestilence, and other natural calamities, should commence and continue.
- (4) Grant of cash or medical facilities to terminally or critically ill persons can continue with appropriate approvals.
- (5) Public places like maidans must be available impartially to all parties / contesting candidates for holding election meetings. So also use of helipads must be available impartially to all parties / contesting candidates.
- (6) Rest houses, dak bungalows and other Government accommodation should be available to all political parties and contesting candidates on an equitable basis.
- (7) Criticism of other political parties and candidates should relate to their policies, programmes, past record and work.
- (8) The right of every individual for peaceful and undisturbed home life should be fully safeguarded.

- (9) The local police authorities should be fully informed of the venue and time of the proposed meetings well in time and all necessary permissions taken.
- (10) If there are any restrictive or prohibitory orders in force in the place of the proposed meeting, they shall be fully respected. Exemption, if necessary, must be applied for and obtained well in time.
- (11) Permission must be obtained for the use of loudspeakers or any other such facilities for the proposed meeting.
- (12) The assistance of the police should be obtained in dealing with persons disturbing meetings or otherwise creating disorder.
- (13) The time and place of the starting of any procession, the route to be followed and the time and place at which the procession will terminate should be settled in advance and advance permissions obtained from the police authorities.
- (14) The existence of any restrictive orders in force in the localities through which the procession has to pass should be ascertained and fully complied with. So also all traffic regulations and other restrictions.
- (15) The passage of the procession must be without hindrance to traffic.
- (16) Cooperation should be extended to all election officials at all times to ensure peaceful and orderly poll.
- (17) Badges or identity cards must be displayed by workers.
- (18) Identity slips issued to voters shall be on plain (white) paper and not contain any symbol, name of the candidate or name of the party.
- (19) Restrictions on plying of vehicles on poll day shall be fully obeyed.
- (20) Only persons with a specific valid authority letter from the State Election Commission can enter any polling booth at any time. No functionary however highly placed (e.g. Chief Minister, Minister, MP or MLA etc) is exempt from this.
- (21) Complaint or problem regarding the conduct of elections shall be brought to the notice of the observer appointed by the Commission /

Returning Officer / Zonal / Sector Magistrate / Election Commission of India.

(22) Directions / Orders / instructions of the State Election Commission, the Returning Officer shall be obeyed in all matters related to various aspects of election.

'DONT'S'

(1) Do not make use of official vehicles or personnel or machinery for electioneering work, Official 'vehicles' include (a) trucks, (b) lorries, (c) tempos, (d) jeeps, (e) cars, (f) auto-rickshaws, (g) buses, (h) aircrafts, (I) helicopters, (j) ships, (k) boats, (l) hovercrafts and all other vehicles belonging to the

- (1) Central Government,
- (2) State Government,
- (3) Public Undertakings of the Central and State Government,
- (4) Joint Sector Undertakings of Central Government and State Government,
- (5) Local Bodies,
- (6) Municipal Corporations,
- (7) Municipalities,
- (8) Marketing Boards, (by whatever name known)
- (9) Cooperative Societies,
- (10) Autonomous District Councils or
- (11) Any other body in which public funds, howsoever small a portion of the total, are invested and also
- (12) Those belonging to the Ministry of Defence and the Central Police Organisations under the Ministry of Home Affairs and State Government.

(2) Do not issue any advertisement at the cost of the public exchequer regarding achievements of the party / Government in power.

(3) Announcements of any financial grants, laying of foundation stones, making promise of construction of new roads etc., shall not be made.

(4) No adhoc appointments in Government / Public Undertakings shall be made.

(5) No Minister shall enter any polling station or the place of counting unless he is a candidate or an authorised agent or as a voter only for voting.

- (6) Official work should not at all be mixed with campaigning / electioneering.
- (7) No inducement, financial or otherwise, shall be offered to the voter.
- (8) Caste / Communal feelings of the electors shall not be appealed to.
- (9) No activity, which may aggravate existing differences or create mutual hatred or cause tension between different castes, communities or religious or linguistic groups shall be attempted.
- (10) No aspect of the private life, not connected with the public activities, of the leaders or workers of other parties shall be permitted to be criticised.
- (11) Other parties or their workers shall not be criticised based on unverified allegations or on distortions.
- (12) Temples, mosques, churches, gurudwaras or any place of worship shall not be used as places for election propaganda, including speeches, posters, music etc., on electioneering.
- (13) Activities which are corrupt practices or electoral offences such as bribery, exerting undue influence, intimidation of voters, personation, canvassing within 100 metres of a polling station, holding of public meetings during the period of 48 hours ending with the hour fixed for the close of the poll and conveyance of voters to and from polling stations are prohibited.
- (14) Demonstrations or picketing before the houses of individuals by way of protesting against their opinion or activities shall not be resorted to.
- (15) No one can make use of any individual's land, building, compound wall etc. without his permission for erecting flag staffs, putting up banners, pasting notices or writing slogans, etc. This includes private and public premises.
- (16) No disturbances shall be created in public meetings or processions organised by other political parties or candidates.
- (17) Processions along places at which another party is holding meetings shall not be undertaken.
- (18) Processionists shall not carry any articles, which are capable of being misused as missiles or weapons.

(19) Posters issued by other parties and candidates shall not be removed or defaced.

(20) Posters, flags, symbols or any other propaganda material shall not be displayed in the place being used on the day of poll for distribution of identity slips or near polling booths.

(21) Loudspeakers whether static or mounted on moving vehicles shall not be used either before 6 a.m. or after 10 a.m. and without the prior written permission of the authorities concerned.

(22) Loudspeakers shall also not be used at public meetings and processions without the prior written permission of the authorities concerned. Normally, such meetings / processions will not be allowed to continue beyond 10.00 p.m. in the night and will be further subject to the local laws, local perceptions of the security arrangements of the area and other relevant considerations like weather conditions, festival season, examination period, etc.

(23) No liquor should be distributed during elections.

* * *

NOTE

The above list of 'Dos' and 'Don'ts' is only illustrative and not exhaustive and is not intended to substitute any other detailed orders, directions / instructions on the above subjects, which must be strictly observed and followed.

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9. Statistical Information regarding - I) Municipal Corporations, ii) Municipal Councils, iii) Nagger Pantheist, IV) Zillah Parish ads, v) Pinhead Semites, VI) Village Pantheist.

(I) Municipal Corporations: -

| STATEMENT SHOWING YEARWISE COMPLETION OF TERM OF GRAM PANCHAYATS | | | | | | | |
|--|-------------------|-------------|-----------------------|------------|------------|-------------|------------|
| SR.NO. | DISTRICT | NO.OF G.P. | ELECTIONS HELD DURING | | | | |
| | | | 2002 | 2003 | 2004 | 2005 | 2006 |
| KONKAN DIVISION | | | | | | | |
| 1 | THANE | 924 | 124 | 11 | 4 | 168 | 617 |
| 2 | RAIGAD | 807 | 250 | 188 | 240 | 98 | 31 |
| 3 | RATNAGIRI | 836 | 204 | 1 | 63 | 477 | 91 |
| 4 | SINDHUDURG | 428 | 319 | -- | 5 | 73 | 31 |
| | TOTAL | 2995 | 897 | 200 | 312 | 816 | 770 |
| NASHIK DIVISION | | | | | | | |
| 1 | NASHIK | 1340 | 203 | 30 | 143 | 633 | 331 |
| 2 | DHULE | 651 | 109 | 55 | 147 | 257 | 83 |
| 3 | JALGAON | 1147 | 119 | 22 | 23 | 784 | 199 |
| 4 | AHMEDNAGAR | 1292 | 197 | 111 | 64 | 769 | 151 |
| 5 | NANDURBAR | 474 | 55 | -- | -- | -- | 419 |
| | TOTAL | 4904 | 683 | 218 | 377 | 2443 | 1183 |
| PUNE DIVISION | | | | | | | |
| 1 | PUNE | 1368 | 239 | | | 709 | 420 |
| 2 | SATARA | 1464 | 339 | 38 | 121 | 880 | 86 |
| 3 | SANGLI | 704 | 463 | 84 | 1 | 153 | 3 |
| 4 | SOLAPUR | 1027 | 182 | 38 | 35 | 666 | 106 |
| 5 | KOLHAPUR | 1029 | 472 | 76 | 23 | 409 | 49 |
| | TOTAL | 5592 | 1695 | 236 | 180 | 2817 | 664 |
| AURANGABAD DIVISION | | | | | | | |
| 1 | AURANGABAD | 832 | 238 | -- | -- | 592 | -- |
| 2 | JALNA | 779 | 129 | -- | -- | 482 | 168 |
| 3 | PARBHANI | 753 | 2 | -- | -- | 1054 | 14 |
| 4 | BEED | 1015 | 665 | -- | -- | 211 | 139 |
| 5 | NANDED | 1306 | | 2 | -- | 979 | 315 |
| 6 | OSMANABAD | 616 | 168 | -- | -- | 435 | 14 |
| 7 | LATUR | 781 | 358 | -- | -- | 415 | 8 |
| 8 | HINGOLI | 503 | -- | -- | -- | -- | -- |
| | TOTAL | 6585 | 1560 | 2 | 0 | 4168 | 658 |
| AMRAVATI DIVISION | | | | | | | |
| 1 | BULDHANA | 865 | 269 | -- | -- | 535 | 61 |
| 2 | AKOLA | 538 | 281 | -- | 44 | 409 | -- |
| 3 | AMRAVATI | 834 | 273 | -- | -- | 537 | 14 |
| 4 | YAVATMAL | 1204 | -- | -- | -- | 993 | 211 |
| 5 | WASHIM | 492 | 290 | -- | -- | -- | 20 |
| | TOTAL | 3933 | 1113 | 0 | 44 | 2474 | 306 |
| NAGPUR DIVISION | | | | | | | |
| 1 | WARDHA | 512 | 117 | 4 | 332 | 50 | 9 |
| 2 | NAGPUR | 773 | 225 | 354 | -- | 133 | 61 |
| 3 | BHANDARA | 537 | 380 | -- | -- | 344 | -- |
| 4 | CHANDRAPUR | 819 | 62 | -- | -- | 655 | 102 |
| 5 | GADCHIROLI | 467 | 74 | 19 | -- | 380 | -- |
| 6 | GONDIYA | 553 | 357 | -- | -- | -- | 196 |
| | TOTAL | 3661 | 1215 | 377 | 332 | 1562 | 368 |
| | GRAND TOTAL | 27670 | 7163 | 1033 | 1245 | 14280 | 3949 |

| POPULATION, TOTAL NO. OF SEATS & RESERVATION FOR THE ELECTIONS TO THE MUNICIPAL CORPORATIONS TO BE HELD IN FEBRUARY, 2002 | | | | | | | | | | | | | | | | | | | | | |
|---|-------------------------------|-------------------------------|-------------------------------|----------------|---------------|--|------------------------------|---|-----------|------------|---|-----------|------------|----------------------------------|--------------|------------|----------------------|----------------------|------------------|-----------------------|----------------|
| Sr. No. | Name of Municipal Corporation | Population as per 2001 Census | Population as per 1991 Census | | | Total No. of seats admissible as per 1991 census | | | | | | | | | | | Remai-ning (General) | Remai-ning (General) | Date of Election | Date of First meeting | Date of Expiry |
| | | | Total | S.C. | S.T. | No. of Seats (wards) | Total women (1/3rd of seats) | S.C.seats (Proportionate to population) | | | S.T.seats (Proportionate to population) | | | B.C.C.seats (27% of total seats) | | | women | Seats | | | |
| | | | | | | | | Total | Wom. | Rema-ining | Total | Wom. | Rema-ining | Total | Wom. | Rema-ining | | | | | |
| [1] | [2] | [3] | [4] | [5] | [6] | [7] | [8] | [9] | [10] | [11] | [12] | [13] | [14] | [15] | [16] | [17] | [18] | [19] | [20] | [21] | [22] |
| 1 | Sangli-Miraj-Kupwad | 436639 | 348103 | 47411 | 1035 | 68 | 22 | 9 | 3 | 6 | 0 | 0 | 0 | 18 | 6 | 12 | 13 | 28 | 7/26/1998 | 8/9/1998 | 8/8/2003 |
| 2 | Aurangabad | 872667 | 573272 | 109105 | 6373 | 83 | 27 | 16 | 5 | 11 | 1 | 0 | 1 | 22 | 7 | 15 | 15 | 29 | 4/9/2000 | 4/29/2000 | 4/28/2005 |
| 3 | Navi-Mumbai | 703947 | 318447 | 28652 | 8367 | 66 | 22 | 6 | 2 | 4 | 2 | 1 | 1 | 18 | 6 | 12 | 13 | 27 | 3/26/2000 | 5/9/2000 | 5/8/2005 |
| 4 | Kolhapur | 485183 | 406370 | 48492 | 674 | 72 | 24 | 9 | 3 | 6 | 0 | 0 | 0 | 19 | 6 | 13 | 15 | 29 | 10/15/2000 | 11/17/2000 | 11/16/2005 |
| 5 | Kalyan-Dombivli | 1193266 | 820562 | 55195 | 15543 | 96 | 32 | 6 | 2 | 4 | 2 | 1 | 1 | 26 | 9 | 17 | 20 | 41 | 9/17/2000 | 10/13/2000 | 10/12/2005 |
| 6 | Brihan Mumbai | 11914398 | 9926790 | 646927 | 103796 | 227 | 76 | 15 | 5 | 10 | 2 | 1 | 1 | 61 | 20 | 41 | 50 | 99 | 2/10/2002 | 3/10/2002 | 3/9/2007 |
| 7 | Nagpur | 2051320 | 1624752 | 315640 | 180885 | 136 | 46 | 26 | 9 | 17 | 15 | 5 | 10 | 37 | 12 | 25 | 20 | 38 | 2/10/2002 | 3/5/2002 | 3/4/2007 |
| 8 | Thane | 1261517 | 802524 | 48879 | 27,083 | 116 | 39 | 7 | 3 | 4 | 4 | 2 | 2 | 31 | 10 | 21 | 24 | 50 | 2/10/2002 | 3/10/2002 | 3/9/2007 |
| 9 | Pune | 2540069 | 1848077 | 259137 | 19,811 | 146 | 49 | 20 | 7 | 13 | 2 | 1 | 1 | 39 | 13 | 26 | 28 | 57 | 2/10/2002 | 3/5/2002 | 3/4/2007 |
| 10 | Pimpri-Chinchwad | 1006417 | 624759 | 98523 | 12,219 | 105 | 35 | 17 | 6 | 11 | 2 | 1 | 1 | 28 | 9 | 19 | 19 | 39 | 2/10/2002 | 3/13/2002 | 3/12/2007 |
| 11 | Solapur | 873037 | 710076 | 103197 | 13,173 | 98 | 33 | 14 | 5 | 9 | 2 | 1 | 1 | 26 | 9 | 17 | 18 | 38 | 2/10/2002 | 3/6/2002 | 3/5/2007 |
| 12 | Nashik | 1076967 | 656925 | 81229 | 46,390 | 108 | 36 | 13 | 5 | 8 | 8 | 3 | 5 | 29 | 10 | 19 | 18 | 40 | 2/10/2002 | 3/15/2002 | 3/14/2007 |
| 13 | Amravati | 549370 | 421576 | 61051 | 14,402 | 81 | 27 | 12 | 4 | 8 | 3 | 1 | 2 | 22 | 7 | 15 | 15 | 29 | 2/10/2002 | 3/9/2002 | 3/8/2007 |
| 14 | Ulhasnagar | 472943 | 369077 | 45812 | 3,274 | 76 | 26 | 9 | 3 | 6 | 1 | 0 | 1 | 21 | 7 | 14 | 16 | 29 | 2/10/2002 | 4/5/2002 | 4/4/2007 |
| 15 | Akola | 399978 | 328034 | 32831 | 9,365 | 71 | 24 | 7 | 3 | 4 | 2 | 1 | 1 | 19 | 6 | 13 | 14 | 29 | 2/10/2002 | 3/6/2002 | 3/5/2007 |
| 16 | Bhiwandi-Nizampur | 598703 | 379070 | 11243 | 4,317 | 84 | 28 | 2 | 1 | 1 | 1 | 0 | 1 | 23 | 8 | 15 | 19 | 39 | 5/12/2002 | 6/13/2002 | 6/12/2007 |
| 17 | Malegaon | 409190 | 342595 | 9843 | 5,209 | 72 | 24 | 2 | 1 | 1 | 1 | 0 | 1 | 19 | 6 | 13 | 17 | 33 | 5/12/2002 | 6/15/2002 | 6/14/2007 |
| 18 | Mira-Bhayandar | 520301 | 175605 | 3767 | 5,407 | 79 | 27 | 2 | 1 | 1 | 2 | 1 | 1 | 21 | 7 | 14 | 18 | 36 | 8/11/2002 | 8/28/2002 | 8/27/2007 |
| 19 | Nanded-Waghala | 430598 | 314310 | 42902 | 6611 | 73 | 25 | 10 | 4 | 6 | 2 | 1 | 1 | 20 | 7 | 13 | 13 | 20 | 10/6/2002 | 10/29/2002 | 10/28/2007 |
| | TOTAL | 27365912 | 20676614 | 2006934 | 477323 | 1784 | 597 | 193 | 68 | 124 | 48.9 | 19 | 31 | 480 | 159.4 | 321 | 352 | 710 | | | |