

ANNEXURE - B

FORMAT OF AFFIDAVIT OF ASSETS AND INCOME

[The affidavit has to be executed by all Directors (other than independent/non-executive/nominee directors) in case of a company; all the partners in case of a partnership firm; proprietor in case of proprietorship firm and Managing Trustee in case of a trust.]

I/we _____, son of / wife of /daughter of _____, aged about ____ years, resident of _____, am/are the Proprietor/Directors/Partners/Managing Trustee of the _____ and I/we do hereby solemnly affirm and declare as under:

S. No.	Description	Particulars
1.	<u>Whether you have means to satisfy the award/decree/order? If yes, please give the proposed schedule of payment:</u>	
2.	Details of registration and incorporation	
3.	Current registered office and the registered offices in the last ten years	
4.	Shareholding of the Firm/Company, its fair market value and inter-se relationship of shareholders	
5.	Particulars of shareholding of the Partners/Directors/Promoters and their family members	
6.	Particulars of the Partners/Directors/Promoters and other key managerial staff (including but not limited to their name, age, designation, length of employment, past employment details of past ten years, complete residence address, their shareholding in the Company, its subsidiaries, its joint ventures and other associated entities)	

7.	Name and addresses of the Partners/Directors/Promoters on the date of the incorporation	
8.	Name and addresses of the Partners/Directors/Promoters on the date of the beginning of the cause of action	
9.	Name and addresses of the Partners/Directors/Promoters on the date of the decree/ award was passed	
10.	Name and addresses of the Partners/Directors/Promoters on date of the affidavit	
11.	Name and addresses of the nominee and official directors	
12.	Net worth of the Firm/Company	
13.	Number of employees	
14.	Location of the statutory records and books of account of the Firm/Company	
15.	Location of the business assets of the Firm/Company	
16.	Particulars of all related parties including subsidiary companies, sister concerns, agencies, distributors etc.	
17.	Particulars of the transactions with the related parties whether in the form of expenses, loans or otherwise from the date of the beginning of cause of action upto the date of the affidavit	
18.	Has any of the Directors/Partners/Proprietor/ Trustee has taken loan/overdrawn/ credit? If so, give particulars.	
19.	Has the Company/Firm transferred any assets to any Director/partner? If so, give particulars.	
20.	Particulars of the benefits received by any Director/ Partner from the Company/Firm other than by way of salary	

DECLARATION OF ASSETS

S.No.	Assets	List of Assets			Present Estimated Market Value
		On the date of the cause of action	On the date of the award/decree	Present	
21.	<p><u>Immovable properties</u></p> <p>Particulars of the immovable properties including joint properties, built up properties, lease hold properties, land /agricultural land and investment in real estate such as booking of plots, flats, etc.</p> <p><u>Possession</u> Whether the possession of the above properties is with the deponent? If no, give status of the possession.</p> <p><u>Title documents</u> Whether the title documents of the above properties are with the deponent? If no, give status of the possession of the title documents.</p> <p><u>Litigation</u> Whether any litigation is pending in respect of the above properties. If so, give particulars.</p>				
22.	<p><u>Movable Assets</u></p> <p>(i) Motor Vehicles (List of cars, motorcycles, scooters etc. along with their brand and registration number)</p> <p>(ii) Livestock</p> <p>(iii) Plant & Equipments</p> <p>(iv) Mobile phone(s)</p> <p>(v) Computer/Laptop</p> <p>(vi) Other electronic gadgets including I-pad etc.</p> <p>(vii) TV, Fridge, Air Conditioner, etc.</p> <p>(viii) List anything else of value</p>				

	of more than Rs.25,000/- each				
23.	<p><u>Financial Assets/Debts:</u></p> <p>(i) Particulars of all bank accounts including Current and Savings Accounts in your name or joint names held in the last ten years.</p> <p><i>Note : If any bank account(s) has/have been classified by the banks as willful defaulter under the Master Circular on 'Wilful Defaulters' dated 01.07.2015 [RBI/2015-16/100DBR.No.CID.BC.22/20.16.003/2015-16] or Reserve Bank of India (Frauds classification and reporting by commercial banks and select Financial Institutions) directions 2016 under Master Circular dated 01.07.2016(RBI/DBS/2016-17/28 DBS. CO. CFMC. BC. No.1/23.04.001 /2016-17), give particulars of such bank accounts.</i></p>	Account Number		Name of Bank	Current Balance
		(i)			
		(ii)			
		(iii)			
		(iv)			
	(ii) Particulars of DEMAT accounts held in last ten years				
	(iii) Cash in hand				
	(iv) Particulars of the safety deposit of lockers				
	(v) Particulars of the debts/liabilities				
	(vi) Particulars of the overdraft facility along with name and address of the bank, branch, account No., type and particulars of the security given to secure the overdraft.				
24.	<p><u>Investments</u></p> <p>Details of all investments you hold or, in which you have interest and their current value:</p> <p>(i) FDR(s), NSC, IVP, KVP,</p>				

	<p>Post Office schemes, Provident Fund(s) etc.</p> <p>(ii) Deposits with Government and Non-Government entities</p> <p>(iii) Stocks, shares, debentures, bonds, units and mutual funds, etc.</p> <p>(iv) All insurance policies including</p> <p>(v) Loan given</p> <p>(vi) Details of all the foreign investments made including those made in last ten years or from the date of beginning of cause of action, whichever is later</p> <p>(vii) Details of the charity institutions or other bodies in which you made donations, gifts, grants, etc in last ten years or from the date of beginning of cause of action, whichever is later.</p> <p>(viii) Other investments not covered by above items</p>				
25.	<p><u>Intangible assets</u></p> <p>Intangible assets including patents, trademark, copyright, design, goodwill held by the individual and their value</p>				
26.	<p><u>Garnishee(s)/Trade receivables</u></p> <p>(i) Name(s) and addresses of Garnishee(s) and the particulars of the debt, share and other properties recoverable from the Garnishee(s) with complete details of the transactions</p> <p>(ii) Trade receivables along with name, address and amount due from each entity</p>	Details			Current Value
27.	<p><u>Corporate/Business Interests</u></p> <p>Particulars of the interest/ position/ association you hold, directly or indirectly, in any corporation, unincorporated business, Company, partnership,</p>				

	<p>trust, joint venture and Association of Persons, Society etc in the past ten years or from the beginning of cause of action, whichever is later.</p> <p>Complete details of all the subsidiary Companies, their operations and balance sheets for the past ten years or from the date of beginning of cause of action, whichever is later.</p>		
28.	<p><u>Existing charges on the assets</u></p> <p>Particulars of all existing charges on the assets including mortgage, charge, pledge on the assets.</p> <p>Whether the charges are registered, and the present status of the same.</p> <p>Whether any of the assets are subject to attachment proceedings under any Act including Prevention of Money Laundering Act, Income Tax Act, Benami Transactions (Prohibition) Act and Black Money (Undisclosed Foreign Income and Assets) and Imposition of Tax Act.</p>		
29.	<p><u>About disposal of properties</u></p> <p>Particulars of all properties transferred/agreed to be transferred or parted with the possession by any mode including sale, gift, relinquishment, General Power of Attorney, Special Power of Attorney, exchange, agreement, family settlement, lease, transfer of share holding/investment, etc in any company, partnership, trust, joint venture and Association of Persons, Society in the past ten years or from the date of beginning of cause of action, whichever is later; name/address of the transferee and the sale consideration received from the transferee(s)</p> <p>List of all the properties that were</p>		

	ever been in your name or in which you had any right/interest.		
30.	List of other incomes not itemized above		

DECLARATION OF INCOME

S. No	Description	On the date of the cause of action	On the date of the award/decree	Present
31.	Income from business/profession			
32.	<p>Income from Other Sources -</p> <p>(i) Agricultural Income</p> <p>(ii) Rent</p> <p>(iii) Interest on bank deposits and FDRs</p> <p>(iv) Interest on investments including deposits, NSC, IVP, KVP, Post Office schemes, PPF, loans etc.</p> <p>(v) Dividends</p> <p>(vi) Income from machinery, plant or furniture let on hire.</p> <p>(vii) Profit on sale of movable/immovable assets.</p> <p>(viii) Any other income not covered above</p> <p><i>Note: If the business is closed/non-active, give the date of closure, assets on the date of closure, present status of the assets and if the assets have been transferred, the particulars of the transfer and consideration received.</i></p>			
33.	Annual turnover/gross receipt			
34.	Gross Profit			

35.	Income Tax			
36.	Net Income			

OTHER RELEVANT INFORMATION

37.	Whether Proprietor / Partners /Directors /Promoters / Trustee other key persons of the judgment debtor ever been arrested in the last ten years?	
38.	Whether Proprietor / Partners /Directors /Promoters/ Trustees /other key persons /of the judgment debtor ever been kept under detention in the last ten years?	
39.	Whether any Court issued bailable/non-bailable warrants for appearance of Proprietor / Partners /Directors /Promoters / Trustee /other key persons of the judgment debtor in the last ten years?	
40.	Whether Proprietor / Partners /Directors /Promoters / Trustee /other key persons of the judgment debtor ever been released on bail/anticipatory bail in the last ten years?	
41.	Whether Proprietor / Partners /Directors / Trustee /other key persons of the judgment debtor ever been prosecuted for any offence in the last ten years?	
42.	Whether Proprietor / Partners /Directors /Promoters / Trustee /other key persons of the judgment debtor ever been convicted for any offence in the last ten years?	
43.	Whether Proprietor / Partners /Directors /Promoters Trustee /other key persons of the judgment debtor have ever been declared as proclaimed offender/ proclaimed person in the last ten years?	
44.	If the answer to any of the above mentioned questions (S.No. 37- 43) is 'Yes', give full particulars of the case/ arrest/bail/detention/conviction/sentence/ punishment etc. and/or the name of the case.	
45.	Details of all litigations, disputes, claims, arbitrations FIR's, Complaints etc. pending in any Court, Tribunal, Forum, Authority, Arbitrator, etc. in which judgment	

	debtor is a party. Give the name of the case, name of the Court, nature of case, amount involved and the next date of hearing.	
46.	Details of all litigations, disputes, claims, arbitrations FIR's, Complaints etc. decided by any Court, Tribunal, Forum, Authority, Arbitrator, etc. in which judgment debtor was a party. Give the name of the case, name of the Court, value of case, amount involved and date of decision.	
47.	Particulars of the unsatisfied decrees/awards against the judgment debtor.	
48.	Details of loan/credit facility(s) taken from banks and other financial institutions in the last five years and the present status.	
49.	Name and address of the auditors and date of last audit of accounts	
50.	Do the Proprietor / Partners /Directors /Promoters/ Trustee of the judgment debtor intend to travel outside India? If yes, Give details of the visit, purpose of visit and the approximate expenditure on the visit.	

DOCUMENTS TO BE FILED ALONG WITH AFFIDAVIT

S. No.	Document	Description of Document
51.	Statement of Account of all bank accounts including current, savings and DEMAT accounts for last three years	
52.	Income Tax Return(s) along with the balance sheets, Profit & Loss Account, statement of income and Annexures of the Company/Firm/Trust for last five years.	

53.	Title deeds of the immovable properties of the Firm/Company/Trust.	
54.	Documents pertaining to any pre-existing charge on the assets, or orders pertaining to attachment of assets by authorities including but not limited under Prevention of Money Laundering Act, Income Tax Act, Benami Transactions (Prohibition) Act and Black Money (Undisclosed Foreign Income and Assets) and Imposition of Tax Act.	
55.	(a) Form 26AS downloaded from the website of Income Tax Department for the last five financial years.	
	(b) Wealth Tax Returns with all schedules and particulars for five years prior to abolition of Wealth tax.	
	(c) Forms 3CA/3CB and 3CD, as applicable, pursuant to Section 44AB of the Income Tax Act, 1961 filed for the last five years.	
	(d) GST/ VAT/Excise/Sales Tax registration, returns of the person in last ten years or from the date of beginning cause of action whichever is later.	
56.	Documents relating to the income from other sources including Lease Deed(s)/ Rent Agreement(s)/ License Agreement(s) in respect of the rental income; Interest Certificate in respect of the interest income; and Dividend Certificates	
57.	Title deeds of the immovable properties of the judgment debtor	
58.	Documents relating to the debt, share and other properties recoverable from the Garnishee(s).	
59.	Title documents relating to the properties transferred, alienated or parted with person or agreed	

	to be transferred between the date of the cause of action upto the date of filing of this affidavit.	
60.	Transfer documents in respect of the profit on sale of property/properties	
61.	Documents relating to the pending litigations	
62.	Documents relating to the decided litigations	
63.	Documents relating to the unsatisfied decrees/awards	
64.	Other relevant documents relating to Income and Assets	

Declaration:

1. I/we declare that I/we have made accurate, true and complete disclosure of income and assets of the judgment debtor from all sources. I/we further declare that the judgment debtor has no assets, income or financial resources other than set out in this affidavit.
2. I/we undertake to inform this Court immediately upon any material change in the income and assets of the judgment debtor or any other information disclosed in this affidavit.
3. I/we hereby declare that the contents of this affidavit have been duly explained to me and have been understood by me.
4. The copies of the documents filed with the affidavit are the true copies of the originals and I/we have self attested the copies after comparing them with their originals.
5. I/we understand that any false statement and misrepresentation in this affidavit may constitute an offence under Section 199 read with Sections 191 and 193 of the Indian Penal Code punishable with imprisonment upto seven years and fine, and Section 209 of the Indian Penal Code punishable with imprisonment

upto two years and fine. I/we have read and understood Sections 191, 193 199 and 209 of the Indian Penal Code.

DEPONENT

Verification:

Verified at _____ on this ____ day of _____ that the contents of the above affidavit relating to the income and assets of the judgment debtor are true to my/our knowledge, no part of it is false and nothing material has been concealed therefrom.

DEPONENT

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