

THE UTTAR PRADESH MINISTERS AND LEGISLATORS
(PUBLICATION OF ASSETS AND LIABILITIES) ACT, 1975¹

[U. P. Act No. 29 of 1975]

Amended by

U. P. Act no. 17 of 1981

[Passed in Hindi by the Uttar Pradesh Legislative Assembly on July 31, 1975 and by the Uttar Pradesh Legislative Council on August 5, 1975.]

Received the assent of the Governor on August 14, 1975 under Article 200 of the Constitution of India and was published in the Uttar Pradesh Gazette Extraordinary, dated August 18, 1975.]

AN

ACT

to provide for publication of statement of assets and of liabilities of all Ministers and legislators and of the members of their families, and for matters connected therewith —

IT IS HEREBY enacted in the Twenty-sixth Year of the Republic of India as follows :

Sort title

1. This Act may be called the Uttar Pradesh Ministers and Legislators (Publication of Assets and Liabilities) Act, 1975.

Definitions

2. In this Act, unless the context otherwise requires —

(a) “assets”, in relation to any person, mean —

(i) his right title or interest in immovable properties whether as owner mortgagor, lessor, lessee or otherwise ;

(ii) his right, title or interest in any business, trade or industrial or commercial venture, whether conducted with profit motive or not ;

(iii) any sum or money (in excess of five thousand rupees) kept in cash ;

(iv) bank balances, including fixed deposit ;

(v) shares, stocks, debentures and other securities ;

(vi) motor vehicles, as defined in the Motor Vehicles Act, 1939 ;

(vii) insurance policies ;

(viii) jewellery (other than rings, ear-rings, bangles, buttons, cuff-links, watches, watch straps and like articles which such person normally wears every day).

(b) “family”, in relation to a Minister or legislator means his or her —

1. For Statement of Objects and Reasons see the Uttar Pradesh Gazette Extraordinary, dated August 1, 1975.

(i) spouse (not being a judicially separated spouse) ;

(ii) minor children ; and

(iii) any other person related to him or her, whether by blood or marriage and wholly dependent on him or her ;

(c) “legislator” means a member of either House of the Uttar Pradesh State Legislature and includes a Minister who is such a member ;

(d) “liability” in relation to any person, does not include a liability to the extent of an amount not exceeding five thousand rupees;

(e) “Minister” means a member of the Uttar Pradesh Council of Ministers ;

(f) “Secretary”, in relation to a legislator, means the Secretary of the House of the State Legislature of which he is member, and in relation to a Minister who is not a legislator, means the Secretary of the Legislative Assembly.

**Duty of
Ministers and
Legislators to
submit
statement of
properties**

3. (1) Every Minister or legislator shall, within a period of three months from seventh day of June, 1975 furnish to the Secretary a statement in the form set out in the First Schedule of all his assets and liabilities and the assets and liabilities of members of his family as on the said date.

(2) Every person appointed as Minister or elected or nominated as a legislator after the said date shall furnish to the Secretary the statement referred to in sub-section (1) within a period of three months from the date of such election, nomination or appointment, as the case may be.

(3) Every person ceasing to hold office as Minister or legislator shall furnish a like statement of assets and liabilities as on the date of cessation within three months from such date.

**Annual
statement of
Acquisition
and Disposals**

4. Every Minister or legislator shall, throughout the term of his office furnish to the Secretary on or before the thirtieth day of June every year, a statement in the form set out in the Second Schedule, of all assets acquired or disposed of or liabilities incurred by him and also by any member of his family during the preceding financial year.

Explanation I — If neither such person nor any member of his family has acquired or disposed of any asset or incurred any liability during a particular year a ‘nil’ statement shall nevertheless be submitted by him under this section.

Explanation II — For the purposes of this section, the expression “acquired” in relation to any assets, means its acquisition by purchase, gift, bequest, lease, exchange, mortgage, partition or family settlement.

Corrections

5. Where any person who has furnished a statement under section 3 or section 4 subsequently discovers any omission or mistake in such statement he may furnish a statement to the Secretary giving details of the correction he desires to be published. Such statement shall be accompanied by a declaration in the form set out in the First Schedule.

Publication of statement in the Gazette

6. (1) The Secretary shall, as soon as may be, after the end of the period referred to in ¹[***] section 3 and every year after the end of the period referred to in section 4 publish in the Gazette in the form set out in the Third Schedule all the statements as furnished to him and also the names of all Ministers and legislators from whom no such statements were received by him within time.

(2) The Secretary shall also publish in the Gazette every statement furnished to him ¹[***] under section 5, as soon as may be, after he receives them.

(3) If the Secretary subsequently receives any statement from any Minister or legislator who had failed to furnish the same within the period mentioned in section 3 or section 4 he shall publish the same in the Gazette with a note that the same was received by him after the expiration of the said period.

Proof of statement or declaration before any court or authority

7. (1) A statement or declaration furnished to the Secretary under section 3, section 4, section 5 or sub-section (3) of section 6 may be proved in any Court or before any authority by production of a copy of the Gazette in which it has been published under section 6.

(2) The Secretary or any other member of the secretarial staff of any House of the Legislature shall not ordinarily be summoned or required to produce the original statement or declaration or to prove any other fact in connection therewith.

(3) Where a Court or other authority, for reasons to be recorded, considers the production of the original statement or declaration to be necessary, a letter of request shall be sent by it to the Speaker of the Legislative Assembly or the Chairman of the Legislative Council, as the case may be, for leave of the House to have the original statement or declaration produced before such Court or authority through a member of the secretarial staff of the House who may thereupon be examined as a witness.

Protection of action taken in the Act

8. No suit, prosecution or legal proceeding shall lie against the State Government or against the Secretary or against any other person for anything done or intended to be done and in particular for the publication of any matter in pursuance of the provisions of this Act.

Repeal and Savings

9. (1) The Uttar Pradesh Ministers and Legislators (Publication of Assets and Liabilities) Ordinance, 1975, is hereby repealed.

U. P. Ordinance No. 15 of 1971

[1. Omit by sec. 2 of U. P. Act No. 17 of 1981.](#)

(2) Notwithstanding such repeal anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act as if this Act had come into force on 7th June, 1975.

THE FIRST SCHEDULE

Statement of Assets and Liabilities of Minister of Legislator ¹[under section 3] of the Uttar Pradesh Ministers and Legislators.

(Publication of Assets and Liabilities) Act, 1975 as on —

1. Name
2. Address
3. Whether Minister/M.L.A./
M.L.C.
4. If elected, state the name of the
constituency (in the case of nomination,
the fact of nomination,
be stated)

FORM I

Particulars of agricultural land held by the Minister/Legislator or members of his family

Serial no.	The name of the recorded tenure-holder and in the case of a member of family, his relationship with Minister or Legislator	Description and situation	Plot no. or other identifica- tion no.	Area in acres	Land Revenue
1	2	3	4	5	6

Note 1— Each item of agricultural land should be listed separately.

Note 2— Description and situation of the property should be such as to enable the property and its boundaries to be clearly identified. Plot number and/or survey member and the name of Village/Tahsil should invariably be mentioned.

[1. Subs. by sec. 3 of U. P. Act No. 17 of 1981.](#)

FORM II

Particulars of immovable properties (other than agricultural land held by Minister/Legislator or member of his family)

Serial no.	Person in whose name property stands and in the case of a member of family, his relationship with the Minister or Legislator	Description and situation	Identification no. of boundaries	Nature of right, title or interest (i.e. whether held as owner mortgagor, mortgagee lessor, lessee or in any other capacity)
1	2	3	4	5

Note 1— Each item of the property should be listed separately.

Note 2— Description and situation of the property should be such as to enable the property and its boundaries to be clearly identified. Plot number and/or survey member and the name of Village/Tahsil should invariably be mentioned.

FORM III

Particulars of right, title or interest of Minister/Legislator or any member of his family in any business, trade or industrial or commercial venture

Serial no.	Name, if any, of the venture or concern	Location	Nature and description of his right, title or interest in it
1	2	3	4

Note 1— The details of the right, title or interest of the Minister/Legislator or the members of the family should separately be listed in column no. 4.

Note 2— In the case of family members, the relationship with the Minister/Legislator should also be specified.

FORM IV

Particulars of movable properties owned or held by Minister or Legislator

Serial no.	Nature of Assets	Approximate amount or value	Remarks
1	2	3	4
1.	Cash in hand (exceeding Rs. 5,000)	Rs.	
2.	Bank balances (with the names of the Banks)— (a) Fixed Deposit (b) Saving Bank (c) Current Account (d) Post Office (e) Public Provident Fund (Post Office) (f) Others		
3.	Shares, stocks, debentures and other securities (including units issued by the Unit Trust of India)		
4.	Motor vehicles (with details of make, model and registration no.)		
5.	Life Insurance Policies (with details of Policy no., whether Life Insurance Corporation of India or Postal Life Insurance, yearly premium and the insured amount)		
6.	Jewellery (total weight of ornaments of each precious metal or stone may be specified)		
Total Value ...			

FORM V

Particulars of movable properties owned or held by family members of Minister or Legislator

- A. Name of the family member
- B. Related to Sri (Minister/M.L.A./M.L.C.)
- C. Nature of the relationship

Serial no.	Nature of Assets	Approximate amount or value	Remarks
1	2	3	4
1.	Cash in hand (exceeding Rs. 5,000)	Rs.	
2.	Bank balances (with the names of the Banks)— (a) Fixed Deposit (b) Saving Bank (c) Current Account (d) Post Office (e) Public Provident Fund (Post Office) (f) Others		
3.	Shares, stocks, debentures and other securities (including units issued by the Unit Trust of India)		
4.	Motor vehicles (with details of make, model and registration no.)		
5.	Life Insurance Policies (with details of Policy no., whether Life Insurance Corporation of India or Postal Life Insurance, yearly premium and the insured amount)		

[The Uttar Pradesh Ministers and Legislators (Publication of Assets and Liabilities) Act, 1975]

6. Jewellery (total weight of ornaments of each precious metal or stone may be specified)

Total

Note— If there are more than one family member, a separate statement shall be prepared for each such member

FORM VI

Liabilities

Serial no.	Name of person liable	Name of person to whom liable	Nature of liability	Present extent of liability of
1	2	3	4	5

DECLARATION

I, son of Sri, solemnly declare that to the best of my knowledge and belief, the information given in this statement is correct and complete.

Place

.....

Date

(Signature)

THE SECOND SCHEDULE

Statement under section 4 of the Uttar Pradesh Ministers and Legislators (Publication of Assets and Liabilities) Act, 1975, of all assets acquired or disposed of or liabilities incurred during the financial year 197 to197 ..

1. Name of Minister/M.L.A./M.L.C.
or member of his family
2. Address
3. In the case of family member, relationship
with the Minister/M.L.A./M.L.C.

Part I

Serial no.	Description of assets acquired or disposed of	Manner and date of acquisition disposal	Name and address of person from whom acquired or to whom disposed of	Amount of consideration, if any, for which acquired or disposed of
1	2	3	4	5
				Rs.
Total value				

Part II

Serial no.	Name of person liable	Person to whom liable	Nature of liability	Date on which liability was incurred	Approximate amount or value of liability
1	2	3	4	5	6
					Rs.
Total value					

Note— Separate statement should be filled in the case of each Minister/Legislator or member of his family.

DECLARATION

I, son of Sri, solemnly declare that to the best of my knowledge and belief, the information given in this statement is correct and complete.

Place

Date

.....

(Signature)

[The Uttar Pradesh Ministers and Legislators (Publication of Assets and Liabilities) Act, 1975]

THE THIRD SCHEDULE

[Notification under section 6 of the Uttar Pradesh Ministers and Legislators (Publication of Assets and Liabilities Act, 1975.)]

Legislative Assembly/Legislative Council Secretariat

Dated, Lucknow

It is hereby published for public information that the following are the names of members of the Uttar Pradesh Legislative Assembly/Council and such Ministers (as are not members of either House of the State Legislature) from whom no statements of assets and liabilities have been received for publication :—

[1. Here give names and constituencies, and in case of Ministers who are not Legislators, the date of becoming Minister]

2. The statement received from members/Ministers are set out below for public information :—

[Here statements furnished by each member shall be reproduced.]

Signature _____

Secretary.

Legislative Assembly/Council.

