

नमुना-२ अ

(नियम ४ पहा)

नामनिर्देशन पत्र

HP/2019/29/26

प्रस्तावकाने दि. १.५.१९ लोकसभेची निवडणूक
सं. १.५२ वा खंड

(भाग एक किंवा दोन यांपैकी एका नसलेला भाग खोडून टाकावा.)

३

पाहण्या किंवा फक्त
पाहण्या रंगाच्या पाखळीभूमीवरील
पूर्ण चंहरपट्टी असलेले स्टॅप
साईज (२ से.मी × २.५ से.मी.)
आकाराचे ऑनिकडॉन
छायाचित्र विकटवाये.

भाग एक

(मान्यता प्राप्त राजकीय पक्षाने उभ्या केलेल्या उमेदवाराने वापरावयाचा)

..... संसदीय मतदारसंघातून लोकसभेच्या निवडणुकीसाठी उमेदवार म्हणून
मी नामनिर्देशन करीत आहे.

उमेदवाराचे नाव :

वडिलांचे/आईचे/पतीचे नाव :

त्याचा/तिचा टपालाचा पत्ता :

त्याचे/तिचे नाव : लोकसभा मतदारसंघातील

ॐ विधानसभा मतदारसंघाच्या मतदार यादीचा भाग क्र. अनुक्रमांक येथे
नोंदलेले आहे.

माझे नाव श्री./श्रीमती असून ते
..... लोकसभा मतदारसंघातील विधानसभा मतदारसंघाच्या
मतदार यादीच्या भाग क्रमांक अनुक्रमांक येथे नोंदलेले आहे.

दिनांक :

(प्रस्तावकाची सही)

भाग दोन

(मान्यता प्राप्त राजकीय पक्षाने उभ्या न केलेल्या उमेदवाराने वापरावयाचा)

आम्ही, याद्वारे संसदीय मतदारसंघातून लोकसभेच्या निवडणुकीसाठी पुढील
उमेदवार नामनिर्देशन करीत आहोत.

उमेदवाराचे (नाव) :

वडिलांचे / आईचे / पतीचे नाव :

त्याचा/तिचा टपालाचा पत्ता :

त्याचे/तिचे नाव लोकसभा मतदारसंघातील ॐ विधानसभा

मतदारसंघाच्या मतदार यादीचा भाग क्र. अनुक्रमांक येथे नोंदलेले आहे.

FORM-2A

(See rule 4)

NOMINATION PAPER*Election to the House of the people*

Strike off part I or part II below whichever is not applicable

**PART-I**

(To be used by candidate set up by recognised political party)

I nominate as a candidate for election to the House of the People from the 29 Mumbai North Central Parliamentary Constituency.

Candidate's Name Poonam Vajendala Rao Alias Poonam Mahajan Father's/
Mother's / Husband's Name Vajendala Ramanarand Rao
His Postal Address A-703, Signature Island, G Block, Bandra Kurla Complex, Mumbai 400051

His name is entered at Sr. No. 133 in Part No. 48 of the electoral roll for 182 Worli (Assembly Constituency comprised within) 31 Mumbai South Parliamentary Constituency.

My name is Santosh Vasant Kelkar and it is entered at Sr. No. 1127 in Part No. 61 of the electoral roll for 167 Vile Park (Assembly Constituency comprised within) 29 Mumbai North - Central Parliamentary Constituency.

Date 09/04/2019

Santosh Kelkar
Signature of Proposer

PART-II

(To be used by candidate NOT set up by recognised political party)

We hereby nominate as candidate for election to the House of the People from the — NA — Parliamentary Constituency.

Candidate's Name — NA — Father's/
Mother's / Husband's Name — NA —
His Postal Address — NA —
His name is entered at Sr. No. — NA — in Part No. — NA — of the electoral roll for — NA — (Assembly Constituency comprised within) — NA — Parliamentary Constituency.

We declare that we are electors of the above Parliamentary Constituency and our names are entered in the electoral roll for that Parliamentary Constituency as indicated below and we append our signatures below in token of subscribing to this nomination :—

Particulars of the proposers and their signatures

Sr. No.	Name of component Assembly Constituency	Elector Roll No. of Proposer		Full Name	Signature	Date
		Part No. Electoral Roll	Sr. No in that part			
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.			NA			
2.			NA			
3.			NA			
4.			NA			
5.			NA			
6.			NA			
7.			NA			
8.			NA			
9.			NA			
10.			NA			

N.B.—There should be ten electors of the constituency as proposers.

PART-III

I, the candidate mentioned in Part I / ~~Part II~~ (Strike out which is not applicable) assent to this nomination and hereby declare,—

(a) that I am a citizen of India and have not acquired the citizenship of any Foreign State/Country.

(b) that I have completed 38 years of age;

[STRIKE OUT c(i) or c(ii) BELOW WHICHEVER IS NOT APPLICABLE]

(c) (i) that I am set up at this election by the Bharatiya Janata Party party, which is a recognised National Party/~~State Party~~ in this State and that the symbol reserved for the above party be allotted to me.

OR

(c) (ii) that I am set up at this election by the —NA— party, which is a registered-unrecognised political party / that I am contesting this election as an independent candidate. (Strike out which is not applicable) and that the symbols I have chosen, in order of preference, are :—

(i)..... —NA— (ii)..... —NA— (iii)..... —NA—


(d) that my name and my ~~father's~~ / ~~mother's~~ / husband's name have been correctly spelt out above in English (name of the language) ;

(e) that to the best of my knowledge and belief, I am qualified and not also disqualified for being chosen to fill the seat in the House of the People.

* I further declare that I am a member of the —NA— **Caste/Tribe which is a scheduled **Caste/Tribe of the State of —NA— in relation to —NA— (area) in that State.

I also declare that I have not been, and shall not be nominated as a candidate at the present general election/the bye-elections being held simultaneously, to the House of the People from more than two Parliamentary Constituencies.

Date : 09/04/2019.....


Signature of Candidate.

γ Score out the words “assembly constituency comprised within” in the case of Jammu and Kashmir, Andaman and Nicobar Islands, Chandigarh, Dadra and Nagar Haveli, Daman and Diu and Lakshadweep.

* Score out this paragraph, if not applicable.

** Score out the words not applicable.

N.B.—A “recognised political party” means a political party recognised by the Election Commission under the Election Symbols (Reservation and Allotment) Order, 1968 in the State concerned.

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PART-III A

(To be filled by the candidate)

(1) Whether the candidate—

(i) has been convicted—

(a) of any offence(s) under sub-section (1); or

(b) for contravention of any law specified in sub-section (2) of section 8 of the Representation of the People Act, 1951 (43 of 1951); or

(ii) has been convicted for any other offence(s) for which he has been sentenced to imprisonment for two years or more.

Yes/No

If the answer is "Yes", the candidate shall furnish the following information :—

- (i) Case / First Information Report No. /Nos. — NO —
- (ii) Police Stations (s) — NA — District (s) — NA — State (s) — NA —
- (iii) Section (s) of the concerned Act(s) and brief description of the offence(s) for which he has been convicted — NA —
- (iv) Date (s) of conviction(s) — NA —
- (v) Court(s) which convicted the candidate — NA —
- (vi) Punishment(s) imposed [indicate period of imprisonment(s) and/or quantum of fine(s)] — NA —
- (vii) Date(s) of release from prison — NA —
- (viii) Was/were any appeal(s) / revision(s) filed against above conviction(s) — NA — Yes/No. ☒
- (ix) Date and particulars of appeal(s) / application(s) for revision filed — NA —
- (x) Name of the court (s) before which the appeal (s) / application(s) for revision filed — NA —
- (xi) Whether the said appeal (s) / application(s) for revision has/have been disposed of or is/are pending — NA —
- (xii) If the said appeal(s) application (s) for revision has / have been disposed of—
- (a) Date (s) of disposal — NA —
- (b) Nature of order (s) passed — NA —
- (2) Whether the candidate is holding any office of profit under the Government of India or State Government N.O. (Yes/No) ☒
- If Yes, details of the office held — NA —

- (3) Whether the candidate has been declared insolvent by any Court? NO
(Yes/No) ✓
-If Yes, has he been discharged from insolvency —NA—
- (4) Whether the candidate is under allegiance or adherence to any foreign country?
NO (Yes / No) ✓
-If Yes, give details —NA—
- (5) Whether the candidate has been disqualified under section 8A of the said Act by an order of the President? NO (Yes/ No) ✓
-If Yes, the period for which disqualified —NA—
- (6) Whether the candidate was dismissed for corruption or for disloyalty while holding office under the Government of India or the Government of any State ? NO
(Yes / No) ✓
If Yes, the date of such dismissal —NA—
- (7) Whether the candidate has any subsisting contract(s) with the Government either in individual capacity or by trust or partnership in which the candidate has a share for supply of any goods to that Government or for executing works undertaken by that Government? NO (Yes/No) ✓
-If Yes, with which Government and details of subsisting contract(s) —NA—
- (8) Whether the candidate is a managing agent, or manager or Secretary of any company or Corporation (other than a co-operative society) in the capital of which the Central Government or State Government has not less than twenty-five percent. share? NO (Yes/No) ✓
-If Yes, with which Government and the details thereof —NA—
- (9) Whether the candidate has been disqualified by the Commission under section 10A of the said Act NO (Yes/No) ✓
- If yes, the date of disqualification —NA—

Mumbai
Place :
Date : 09/04/2019

Prakash
Signature of Candidate.

Part IV

(To be filled by the Returning Officer)

Serial No. of Nomination Paper 48/2019/29/25

This nomination was delivered to me at my office at 1.52 (hour)
on 9.4.2019 (date) by the *candidate/proposer.
(name of proposer Santosh Sant Kulkarni) ✓

Date : 9.4.19



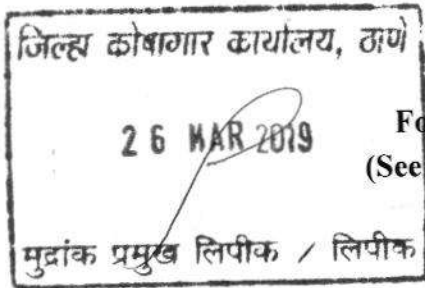
[Signature]
Returning Officer
29 Mumbai North-Central
Parliamentary Constituency

* Score out the word not applicable.



महाराष्ट्र MAHARASHTRA

2019



Form 26
(See rule 4A)



AFFIDAVIT TO BE FILED BY THE CANDIDATE ALONGWITH NOMINATION PAPER BEFORE THE RETURNING OFFICER FOR ELECTION TO **LOKSABHA** (NAME OF THE HOUSE) FROM **29-MUMBAI-NORTH-CENTRAL** CONSTITUENCY (NAME OF THE CONSTITUENCY)

PART A

I **Poonam Vajendla Rao** **son/daughter/wife of **Vajendla Ramananand Rao** Aged 38 years, resident of **A-703, Signature Island, G-Block, Bandra Kurla Complex, Mumbai - 400051** (mention full postal address), a candidate at the above election, do hereby solemnly affirm and state on oath as under:-

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(1) I am a candidate set up by **Bharatiya Janata Party** (**name of the political party) /
~~**am contesting as an Independent candidate.~~ (**strike out whichever is not
 applicable)

(2) My name is enrolled in **182, Worli Constituency, Maharashtra** (Name of the
 Constituency and the state), at **Serial No. 133 in Part No. 48**

(3) My contact telephone number(s) is/~~are~~ **+91-9821977777** and my e-mail id (if any) is
contact@poonammahajan.in and my social media account(s) (if any) is/are

- (a) Twitter - @poonam_mahajan
 (b) Facebook Page - PoonamMahajanOfficial
 (c) Instagram - @poonam.mahajan
 (d) LinkedIn - poonammahajanofficial

(4) Details of Permanent Account Number (PAN) and status of filing of Income tax
 return:

Sl No.	Name	PAN	The financial year for which the last Income tax return has been filed	Total income shown in Income Tax Return (in Rupees) for the last five Financial Years completed (as on 31st March)	
1.	Self: Smt. Poonam Vajendla Rao	AEEPV8435Q	2017-2018	(i)	10,00,103
			2016-2017	(ii)	11,14,685
			2015-2016	(iii)	28,44,236
			2014-2015	(iv)	54,75,170
			2013-2014	(v)	69,14,542
2.	Spouse: Mr. Vajendla Ramananand Rao	ACBPV2392M	2017-2018	(i)	1,01,620
			2016-2017	(ii)	4,13,247
			2015-2016	(iii)	4,41,877
			2014-2015	(iv)	1,72,73,646
			2013-2014	(v)	85,70,378

MP

3.	HUF (If Candidate is Karta/Coparcener) - NA -	- NA -	- NA -	(i)	- NA -
				(ii)	- NA -
				(iii)	- NA -
				(iv)	- NA -
				(v)	- NA -
4.	Dependent 1: Aadya Rao	AZPPV6313F	- NA -	(i)	- NA -
				(ii)	- NA -
				(iii)	- NA -
				(iv)	- NA -
				(v)	- NA -
5.	Dependent 2: Avika Rao	No PAN Allotted	- NA -	(i)	- NA -
				(ii)	- NA -
				(iii)	- NA -
				(iv)	- NA -
				(v)	- NA -
6.	Dependent 3: - NA -	- NA -	- NA -	(i)	- NA -
				(ii)	- NA -
				(iii)	- NA -
				(iv)	- NA -
				(v)	- NA -



MP

Note: It is mandatory for PAN holder to mention PAN and in case of no PAN, it should be clearly stated "No PAN allotted".

(5) Pending criminal cases

(a) I declare that there is no pending criminal case against me. ✓

[Tick this alternative if there is no criminal case pending against the Candidate and write NOT APPLICABLE against alternative (ii) below]

OR

(b) The following criminal cases are pending against me: NOT APPLICABLE
[If there are pending criminal cases against the candidate, then tick this alternative and score off alternative (i) above, and give details of all pending cases in the Table below]

Table

(a)	FIR No. with name and address of Police Station concerned	NOT APPLICABLE	NOT APPLICABLE	NOT APPLICABLE
(b)	Case No. with Name of the Court	NOT APPLICABLE	NOT APPLICABLE	NOT APPLICABLE
(c)	Section(s) of concerned Acts/Codes involved (<i>give no. of the Section, e.g. Section.....of IPC, etc.</i>)	NOT APPLICABLE	NOT APPLICABLE	NOT APPLICABLE
(d)	Brief description of offence	NOT APPLICABLE	NOT APPLICABLE	NOT APPLICABLE
(e)	Whether charges have been framed (<i>mention YES or NO</i>)	NOT APPLICABLE	NOT APPLICABLE	NOT APPLICABLE
(f)	If answer against (e) above is YES, then give the date on which charges were framed	NOT APPLICABLE	NOT APPLICABLE	NOT APPLICABLE
(g)	Whether any Appeal/Application for revision has been filed against the proceedings (Mention YES or NO)	NOT APPLICABLE	NOT APPLICABLE	NOT APPLICABLE

RP

(6) Cases of conviction

(a) I declare that I have not been convicted for any criminal offence. ✓

[Tick this alternative, if the candidate has not been convicted and write NOT APPLICABLE against alternative (ii) below]

OR

(b) I have been convicted for the offences mentioned below: **N.A.**

[If the candidate has been convicted, then tick this alternative and score off alternative (i) above, and give details in the Table below/

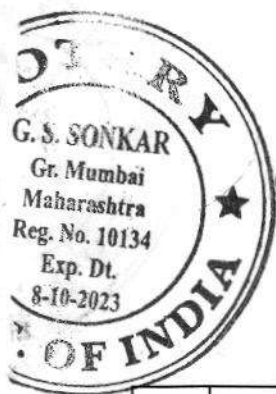
Table

(a)	Case No.	- NA -	- NA -	- NA -
(b)	Name of the Court	- NA -	- NA -	- NA -
(c)	Sections of Acts/Codes involved (give no. of the Section, e.g. Section..... of IPC, etc.).	- NA -	- NA -	- NA -
(d)	Brief description of offence for which convicted.	- NA -	- NA -	- NA -
(e)	Dates of orders of conviction	- NA -	- NA -	- NA -
(f)	Punishment imposed	- NA -	- NA -	- NA -
(g)	Whether any Appeal has been filed against conviction order (Mention YES or No)	- NA -	- NA -	- NA -
(h)	If answer to (g) above is YES, give details and present status of appeal	- NA -	- NA -	- NA -

(6A) I have given full and up-to-date information to my political party about all pending criminal cases against me and about all cases of conviction as given in paragraphs (5) and (6).

[candidates to whom this Item is not applicable should clearly write NOT APPLICABLE IN VIEW OF ENTRIES IN 5(i) and 6(i), above]

PX



Notes:

1. Details should be entered clearly and legibly in **BOLD** letters.
2. Details to be given separately for each case under different columns against each item.
3. Details should be given in reverse chronological order, i.e., the latest case to be mentioned first and backwards in the order of dates for the other cases.
4. Additional sheet may be added, if required.
5. Candidate is responsible for supplying all information in compliance of Hon'ble Supreme Court's judgment in W. P (C) No. 536 of 2011.

(7) That I give hereinbelow the details of the assets (movable and immovable etc.) of myself, my spouse and all dependents:

A. Details of movable assets:

Note : 1. Assets in joint name indicating the extent of joint ownership will also have to be given.

Note : 2. In case of deposit/Investment, the details including Serial Number, Amount, date of deposit, the scheme, Name of Bank/Institution and Branch are to be given.

Note: 3. Value of Bonds/Share Debentures as per the current market value in Stock Exchange in respect of listed companies and as per books in case of non-listed companies should be given.

Note: 4. 'Dependent' means parents, son(s), daughter(s) of the candidate or spouse and any other person related to the candidate whether by blood or marriage, who have no separate means of income and who are dependent on the candidate for their livelihood.

Note: 5. Details including amount is to be given separately in respect of each investment.

Note: 6. Details should include the interest in or ownership of offshore assets.

Explanation.- For the purpose of this Form, the expression "offshore assets" includes, details of all deposits or investments in Foreign banks and any other body or institution abroad, and details of all assets and liabilities in foreign countries';

MP

Table

Sl. No.	Description	Self Smt. Poonam Vajendla Rao	Spouse Mr. Vajendla Ramananand Rao	HUF -NA-	Dependent - 1: Aadya Rao	Dependent - 2: Avika Rao	Dependent - 3: -NA-
(i)	Cash in hand	75,000	29,650	-NA-	-NA-	-NA-	-NA-
(ii)	Details of deposit in Bank accounts (FDRs, Term Deposits and all other types of deposits including saving accounts), Deposits with Financial Institutions, Non-Banking Financial Companies and Cooperative societies and the amount in each such deposit ANNEXURE 1 ENCLOSED	22,02,098	13,41,740	-NA-	1,38,770	-NA-	-NA-
(iii)	Details of investment in Bonds, Debentures/Shares and units in companies/Mutual Funds and others and the amount. ANNEXURE 2 ENCLOSED	-NIL-	5,28,498	-NA-	-NA-	-NA-	-NA-
(iv)	Details of investment in NSS, Postal Saving, Insurance Policies and investment in any Financial instruments in Post office or Insurance Company and the amount ANNEXURE 3 ENCLOSED	72,91,903	95,27,388	-NA-	-NA-	-NA-	-NA-
(v)	Personal loans/advance given to any person or entity including firm, company, Trust etc. and other receivables from debtors and the amount.	-NIL-	-NIL-	-NA-	-NA-	-NA-	-NA-

PR

(vi)	Motor Vehicles/Aircrafts/ Yachts/Ships (Details of Make, registration number. etc. year of purchase and amount)	11,07,466	-NIL-	-NA-	-NA-	-NA-	-NA-
	ANNEXURE 4 ENCLOSED						
(vii)	Jewellery, bullion and valuable thing(s) (give details of weight and value)	-NIL-	-NIL-	-NA-	-NA-	-NA-	-NA-
(viii)	Any other assets such as value of claims/interest	-NIL-	-NIL-	-NA-	-NA-	-NA-	-NA-
(ix)	Gross Total Value	1,06,76,467	1,14,27,276	-NA-	1,38,770	-NA-	-NA-



B. Details of Immovable Assets:

Note: 1. Properties in joint ownership indicating the extent of joint ownership will also have to be indicated.

Note: 2. Each land or building or apartment should be mentioned separately in this format.

Note: 3. Details should include the interest in or ownership of offshore assets.

Sl. No.	Description	Self Smt. Poonam Vajendla Rao	Spouse Mr. Vajendla Ramanana nd Rao	HUF -NA-	Depen dent - 1: Aadya Rao	Depen dent - 2: Avika Rao	Depen dent - 3: -NA-
(i)	<u>Agricultural Land</u> Location(s) Survey number(s)	-NIL-	-NIL-	-NA-	-NIL-	-NIL-	-NIL-
	Area (total measurement in acres)	-NA-	-NA-	-NA-	-NA-	-NA-	-NA-
	Whether inherited property (Yes or No)	-NA-	-NA-	-NA-	-NA-	-NA-	-NA-
	Date of purchase in case of self - acquired property	-NA-	-NA-	-NA-	-NA-	-NA-	-NA-

NP

	Cost of Land (in case of purchase) at the time of purchase	-NA-	-NA-	-NA-	-NA-	-NA-	-NA-
	Any investment on the land by way of development, construction etc.	-NA-	-NA-	-NA-	-NA-	-NA-	-NA-
	Approximate Current market value	-NA-	-NA-	-NA-	-NA-	-NA-	-NA-
(ii)	<u>Non-Agricultural Land</u> Location(s) Survey number(s)	-NIL-	-NIL-	-NA-	-NIL-	-NIL-	-NA-
	Area (total measurement in sq. ft.)	-NA-	-NA-	-NA-	-NA-	-NA-	-NA-
	Whether inherited property (Yes or No)	-NA-	-NA-	-NA-	-NA-	-NA-	-NA-
	Date of purchase in case of self - acquired property	-NA-	-NA-	-NA-	-NA-	-NA-	-NA-
	Cost of Land (in case of purchase) at the time of purchase	-NA-	-NA-	-NA-	-NA-	-NA-	-NA-
	Any investment on the land by way of development, construction etc.	-NA-	-NA-	-NA-	-NA-	-NA-	-NA-
	Approximate current market value	-NA-	-NA-	-NA-	-NA-	-NA-	-NA-
(iii)	<u>Commercial Buildings</u> (including apartments) - Location(s) - Survey number(s)	-NIL-	-NIL-	-NA-	-NIL-	-NIL-	-NA-
	Area (total measurement in sq. ft.)	-NA-	-NA-	-NA-	-NA-	-NA-	-NA-
	Built-up Area (total measurement in sq.ft.)	-NA-	-NA-	-NA-	-NA-	-NA-	-NA-
	Whether inherited property (Yes or No)	-NA-	-NA-	-NA-	-NA-	-NA-	-NA-

PP

	Date of purchase in case of self - acquired property	-NA-	-NA-	-NA-	-NA-	-NA-	-NA-
	Cost of Land (in case of purchase) at the time of purchase	-NA-	-NA-	-NA-	-NA-	-NA-	-NA-
	Any investment on the land by way of development, construction etc.	-NA-	-NA-	-NA-	-NA-	-NA-	-NA-
	Approximate current market value	-NA-	-NA-	-NA-	-NA-	-NA-	-NA-
(iv)	Residential Buildings (including apartments) - Location(s) - Survey number(s)	-NIL-	-NIL-	-NA-	-NIL-	-NIL-	-NA-
	Area (total measurement in sq. ft.)	-NA-	-NA-	-NA-	-NA-	-NA-	-NA-
	Built-up Area (total measurement in sq.ft.)	-NA-	-NA-	-NA-	-NA-	-NA-	-NA-
	Whether inherited property (Yes or No)	-NA-	-NA-	-NA-	-NA-	-NA-	-NA-
	Date of purchase in case of self - acquired property	-NA-	-NA-	-NA-	-NA-	-NA-	-NA-
	Cost of Land (in case of purchase) at the time of purchase	-NA-	-NA-	-NA-	-NA-	-NA-	-NA-
	Any investment on the land by way of development, construction etc.	-NA-	-NA-	-NA-	-NA-	-NA-	-NA-
	Approximate current market value	-NA-	-NA-	-NA-	-NA-	-NA-	-NA-
(v)	Others (such as interest in property)	-NIL-	-NIL-	-NA-	-NIL-	-NIL-	-NA-
(vi)	Total of current market value of (i) to (v) above	-NIL-	-NIL-	-NA-	-NIL-	-NIL-	-NA-


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

MP

(Note: Please give separate details of name of bank, institution, entity or individual and amount before each item)

Sl. No.	Description	Self	Spouse	HUF	Dependent - 1:	Dependent - 2:	Dependent - 3:
		Smt. Poonam Vajendla Rao	Mr. Vajendla Ramanana nd Rao	-NA-	Aadya Rao	Avika Rao	-NA-
(i)	Loan or dues to Bank/Financial Institution(s) Name of Bank or Financial Institution, Amount outstanding, Nature of loan	-NIL-	-NIL-	-NA-	-NIL-	-NIL-	-NA-
	Loan or dues to any other individuals/entity other than mentioned above. Name(s), Amount outstanding, nature of loan	-NIL-	-NIL-	-NA-	-NIL-	-NIL-	-NA-
	Any other liability	-NIL-	-NIL-	-NA-	-NIL-	-NIL-	-NA-
	Grand total of liabilities	-NIL-	-NIL-	-NA-	-NIL-	-NIL-	-NA-
(ii)	Government Dues: Dues to departments dealing with Government accommodation	<p>(A) Has the Deponent been in occupation of accommodation provided by the Government at any time during the last ten years before the date of notification of the current election?</p> <p>(B) If answer to (A) above is YES, the following declaration may be furnished namely:-</p> <p>(a) The address of the Government accommodation: 16, Lodhi Estate, New Delhi, Delhi - 110003</p> <p>(b) There is no dues payable in respect of above Government accommodation, towards-</p> <p>(i) rent;</p> <p>(ii) electricity charges;</p>					YES/ NO (Pl. tick the appropriate

RP



		(iii) water charges; and (iv) telephone charges as on 31st March 2019 (date) (the date should be the last date of the third month prior to the month in which the election is notified or any date thereafter). <i>Note-</i> 'No Dues Certificate' from the agencies concerned in respect of rent, electricity charges, water charges and telephone charges for the above Government accommodation should be submitted.					alternative)
(iii)	Dues to department dealing with Government transport (including aircrafts and helicopters)	-NIL-	-NIL-	-NA-	-NIL-	-NIL-	-NA-
(iv)	Income Tax dues	-NIL-	-NIL-	-NA-	-NIL-	-NIL-	-NA-
(v)	GST dues	-NIL-	-NIL-	-NA-	-NIL-	-NIL-	-NA-
(vi)	Municipal/Property tax dues	-NIL-	-NIL-	-NA-	-NIL-	-NIL-	-NA-
(vii)	Any other dues	-NIL-	-NIL-	-NA-	-NIL-	-NIL-	-NA-
(viii)	Grand total of all Government dues	-NIL-	-NIL-	-NA-	-NIL-	-NIL-	-NA-
(ix)	Whether any other liabilities are in dispute, if so, mention the amount involved and the authority before which it is pending.	-NIL-	-NIL-	-NA-	-NIL-	-NIL-	-NA-

(9) Details of profession or occupation:

(a) Self **Politician**

(b) Spouse **Business**

(9A) Details of source(s) of income:

(a) Self **MP Remuneration**

(b) Spouse **Business**

(c) Source of income, if any, of dependents,-NA-.....

MP

(9B) Contracts with appropriate Government and any public company or companies

- (a) details of contracts entered by the candidate.....-NA-.....
- (b) details of contracts entered into by spouse-NA-.....
- (c) details of contracts entered into by dependents-NA-.....
- (d) details of contracts entered into by Hindu Undivided Family or trust in which the candidate or spouse or dependents have interest-NA-.....
- (e) details of contracts, entered into by Partnership Firms in which candidate or spouse or dependents are partners-NA-.....
- (f) details of contracts entered into by private companies in which candidate or spouse or dependents have share-NA-.....

(10) **My educational qualification is as under:**

- (a) Level – 5 BTEC Professional Diploma in leadership from Brighton School of Business and Management in February 2012.
- (b) Private – Pilot License completed 300 hrs. of flying from Aer Mistral Flying School, Fort Worth Texas
- (c) Additional Courses: Completed the annual Georgetown Leadership Seminar conducted and hosted by the Institute for the Study of Diplomacy at the Edmund A. Walsh School of Foreign Service at Georgetown University in 2015

(Give details of highest School / University education mentioning the full form of the certificate/ diploma/ degree course, name of the School /College/ University and the year in which the course was completed.)

KP

PART - B**(11) ABSTRACT OF THE DETAILS GIVEN IN (1) TO (10) OF PART - A:**

1.	Name of the candidate		Sh./Smt./Kum. Poonam Vajendla Rao				
2.	Full postal address		A-703, Signature Island, G-Block, Bandra Kurla Complex, Mumbai - 400051				
3.	Number and name of the constituency and State		29 - Mumbai North – Central Constituency				
4.	Name of the political party which set up the candidate (otherwise write 'Independent')		Bharatiya Janata Party				
5.	Total number of pending criminal cases		-NA-				
6.	Total Number of cases in which convicted		-NA-				
		PAN of	Year for which last Income Tax Return filed	Total Income Shown			
	(a) Candidate: Smt. Poonam Vajendla Rao	AEEPV8435Q	2017-2018	10,00,103			
	(b) Spouse: Mr. Vajendla Ramanananand Rao	ACBPV2392M	2017-2018	1,01,620			
	(c) HUF	-NA-	-NA-	-NA-			
	(d) Dependent: Aadya Rao	AZPPV6313F	-NA-	-NA-			
8.	Details of Assets and Liabilities (including offshore assets) in rupees						
	Description	Self Smt. Poonam Vajendla Rao	Spouse Mr. Vajendla Ramanananand Rao	HUF -NA-	Dependent - 1: Aadya Rao	Dependent - 2: Avika Rao	Dependent - 3: -NA-
A.	Moveable Assets (Total value)	1,06,76,467	1,14,27,276	-NA-	1,38,770	-NA-	-NA-

B.	Immovable Assets						
I.	Purchase Price of self-acquired immovable property	-NIL-	-NIL-	-NA-	-NIL-	-NIL-	-NA-
II.	Development/construction cost of immovable property after purchase (if applicable)	-NIL-	-NIL-	-NA-	-NIL-	-NIL-	-NA-
III.	Approximate Current Market Price - (a) Self-acquired assets (Total Value) (b) Inherited assets (Total Value)	-NIL-	-NIL-	-NA-	-NIL-	-NIL-	-NA-
9.	Liabilities						
I.	Government dues (Total)	-NIL-	-NIL-	-NA-	-NIL-	-NIL-	-NA-
II.	Loans from Bank, Financial Institutions and others (Total)	-NIL-	-NIL-	-NA-	-NIL-	-NIL-	-NA-
10.	Liabilities that are under dispute						
I.	Government dues (Total)	-NIL-	-NIL-	-NA-	-NIL-	-NIL-	-NA-
II.	Loans from Bank, Financial Institutions and others (Total)	-NIL-	-NIL-	-NA-	-NIL-	-NIL-	-NA-
11.	Highest educational qualification: (d) Level – 5 BTEC Professional Diploma in leadership from Brighton School of Business and Management in February 2012. (e) Private – Pilot License completed 300 hrs. of flying from Aer Mistral Flying School, Fort Worth Texas						

(f) Additional Courses: Completed the annual Georgetown Leadership Seminar conducted and hosted by the Institute for the Study of Diplomacy at the Edmund A. Walsh School of Foreign Service at Georgetown University in 2015

(Give details of highest School /University education mentioning the full form of the certificate/ diploma/ degree course, name of the School /College/ University and the year in which the course was completed.)



RP

VERIFICATION

I, the deponent, above named, do hereby verify and declare that the contents of this affidavit are true and correct to the best of my knowledge and belief and no part of it is false and nothing material has been concealed there from. I further declare that:-

(a) there is no case of conviction or pending case against me other than those mentioned in items 5 and 6 of Part A and B above;

(b) I, my spouse, or my dependents do not have any asset or liability, other than those mentioned in items 7 and 8 of Part A and items 8, 9 and 10 of Part B above.

Verified at **Mumbai** this the 9th day of **April 2019**.

Identified by me

Anita Adsul
Anita Adsul
 B.A., LL.B.
 Advocate, High Court
 311, Sai Krupa CHS. Ltd. Anant Kanekar Marg,
 Bandra (E), Mumbai-400 051.

[Signature]

DEPONENT

Note: 1. Affidavit should be filed latest by 3.00 PM on the last day of filing nominations.

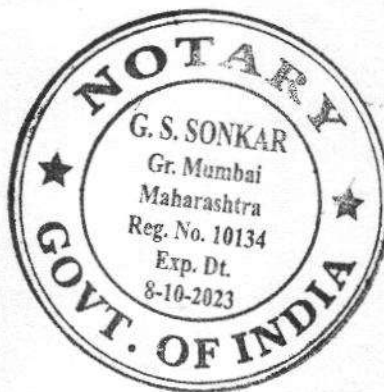
Note: 2. Affidavit should be sworn before an Oath Commissioner or Magistrate of the First Class or before a Notary Public.

Note: 3. All columns should be filled up and no column to be left blank. If there is no information to furnish in respect of any item, either "Nil" or "Not applicable", as the case may be, should be mentioned.

Note: 4. The affidavit should be either typed or written legibly and neatly.

Note: 5. Each page of the Affidavit should be signed by the deponent and the Affidavit should bear on each page the stamp of the Notary or Oath Commissioner or Magistrate before whom the Affidavit is sworn.

BEFORE ME



G. S. SONKAR
 B.A., LL.B.
 NOTARY GR. MUMBAI
 MAHARASHTRA
 (Govt. of India)

Notarial Register of G. S. SONKAR	
Sr. No.	1274/2019

9 APR 2019



ANNEXURE 1.**Details of deposit Bank account including Savings account****Self :- Smt. Poonam Vajendla Rao**

Bank	Account No.	Type	Balance as on 31.03.2019
Oriental Bank of Commerce	10972150006060	Saving	821917
Indian Overseas Bank	054201000018363	Saving	5385
Janakalyan Bank	10010100030817	Saving	1000
State Bank of India	33849986479	Saving	1373796
Total			2202098

Spouse :- Mr. Vajendla Ramananand Rao

Bank	Account No.	Type	Balance as on 31.03.2019
Oriental Bank of Commerce	10972150006070	Saving	40684
Indian Overseas Bank	054201000018777	Saving	395
HDFC Bank Limited	01631000069003	Saving	152622
ICICI Bank Limited	623901544195	Saving	1148039
Total			1341740

Dependent 1 :- Master Vajendla Aadya Rao

Bank	Account No.	Type	Balance as on 31.03.2019
Oriental Bank of Commerce	10972151005579	Saving	1663
Indian Overseas Bank	054201000018999	Saving	136690
DBS Bank (Singapore)	287288972	Saving	417
Total			138770

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ANNEXURE 2.

Details of investment in Bonds, debentures / shares and units in companies / Mutual funds and others

			Self :- Smt. Poonam Vajendla Rao			Spouse : Mr. Vajendla Ramananand Rao		
Company	Date of Allotment	Share Value	No. of Shares	Face Value	Market Value (31.03.2019)	No. of Shares	Face Value	Market Value (31.03.2019)
Aadya Motor Company Pvt. Ltd.	14-Jul-08	10	1000	10000	0	9000	90000	0
Aadya Motor Company Pvt. Ltd.	21-Mar-09	10	199000	1990000	0	1791000	17910000	0
Aadya Motor Company Pvt. Ltd.	19-Aug-11	10	200000	2000000	0	1800000	18000000	0
Aadya Motor Car Company Pvt. Ltd.	1-Sep-09	10	4900	49000	0	5100	51000	0
Aadya Motor Car Company Pvt. Ltd.	31-Mar-10	10	2445100	24451000	0	2544900	25449000	0
Aadya Motor Car Company Pvt. Ltd.	29-Mar-12	10	1470000	14700000	0	1530000	15300000	0
Aadya Motor Car Company Pvt. Ltd.	30-Mar-13	10	2450000	24500000	0	2550000	25500000	0
Aadya Motor Car Company Pvt. Ltd.	1-Jan-14	10	4900000	49000000	0	5100000	51000000	0
Aadya Motor Car Company (India) Pvt. Ltd.	26-Aug-11	10	4900	49000	0	5100	51000	0
Aadya Motor Car Company (India) Pvt. Ltd.	30-Mar-13	10	2445100	24451000	0	2544900	25449000	0
Aadya Motor Company (India) Pvt. Ltd.	13-Apr-12	10	4900	49000	0	5100	51000	0
Aadya Motor Company (India) Pvt. Ltd.	29-Mar-13	10	2445100	24451000	0	2544900	25449000	0
Dhiraj Iron & Steel Limited	31-Mar-13	10	10	100	0	10	100	0
Juventus Buildwell Limited	30-Apr-12	1	10	10	0	10	10	0
Reliance Industries Limited	1-Jul-09	10	-	-		28	280	38489
Ratan India Power	19-Oct-10	5	-	-		900	4500	2700
Kingfishers Airlines	6-Jul-09	10	-	-		455	4550	1001
Tata Consultancy Services	16-Mar-10	1	-	-		232	232	482131
Reliance Power	16-Feb-10	10	-	-		27	270	282
Vodafone Idea Celluer	24-Jan-11	10	-	-		245	2450	3896
Total			16570020	165700110	0	20431907	204312392	528498

ANNEXURE 3.**Details of investment in NSS, Postal Saving, Insurance policies :-****Self :- Smt. Poonam Vajendla Rao**

Name of the Insurance Company	Policy No.	Year of issue	Sum Assured	Premium Paid	Fund Value (31-March-2019)
SBI Life Insurance	45003177605	2012	250000000	830590	0
HDFC Standard Life Insurance Company Limited	13361940	2009	4212456	3000000	4372960
HDFC Life	15078215	2012	1640638	396000	598740
HDFC Life	15065750	2012	1640638	396000	578817
HDFC Life	15066691	2012	1640638	396000	617819
HDFC Life	15065043	2012	1640638	396000	582650
HDFC Life	15065143	2012	1640638	396000	540917
Total			262415646	5810590	7291903

Spouse :- Mr. Vajendla Ramananand Rao

Name of the Insurance Company	Policy No.	Year of issue	Sum Assured	Premium Paid	Fund Value (31-March-2019)
SBI Life Insurance	45003177301	2012	500000000	2341246	0
HDFC Standard Life Insurance Company Limited	14208608	2011	4212456	3000000	4122945
HDFC Standard Life Insurance Company Limited	13185591	2009	500000	500000	500000
ICICI Prudential Life Insurance Company Limited	02022246	2008	2000000	2100000	1958629
ICICI Prudential Life Insurance Company Limited	07649173	2008	2100000	1680000	2945814
Total			508812456	9621246	9527388



ANNEXURE 4.

Motor Vehicles / Aircrafts / Yachts / Ships (Details of make, registration no.) :-

Owner	Date of Purchase	Model	Registration No.	Purchase Value	Accumulated Deprecation	WDV as on (31-March-2019)
Smt. Poonam Vajendla Rao	20/11/14	Honda CRV	DL14CC1980	2293576	1186110	1107466

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**LOK SABHA SECRETARIAT
(MSA BRANCH)**

Telegrams : LOK SABHA, NEW DELHI
FAX: 23010756/23017167

PARLIAMENT HOUSE ANNEXE,
NEW DELHI-110001

No.: 160277/16-LS/MSA/LSS/2018-2019

Dated : 19.03.2019

PROVISIONAL NO DUES CERTIFICATE

This is to certify that the following 'dues' are outstanding towards **Smt. Poonam Mahajan, MP (16th Lok Sabha), Maharashtra** as per the information received from various Branch of Lok Sabha Secretariat and allied agencies :

1	Parliament Library	:	No Dues against Smt. Poonam Mahajan, MP (16 LS) IC No. 160277. (as on 13.03.2019)								
2	Computer (HW) Management Branch	:	As ascertained from the relevant registers in the HW Unit, as on 13.03.2019, there is no outstanding against Smt. Poonam Mahajan, MP (16 LS (IC - 277)) in respect of computer equipment purchased during 16th Lok Sabha (as on 13.03.2019)								
3	Computer (SW) Management Branch	:	Nothing is due (as on 12.03.2019).								
4	Estate Office	:	It is certified that a sum of NIL is outstanding in the name of Smt. Poonam Mahajan, MP (IC 160277) for Accommodation No 67 North Avenue, New Delhi on account of Rent and other charges upto 31.12.2018. As the Government Accommodation is still in her possession the demand for the period after 31.12.2018 will be issued separately. Hence her final accounts may not be settled till she vacates the accommodation and finally No Demand Certificate is issued from this Directorate (as on 18.03.2019)								
5	NDMC	:	As per record (Part Payment) nothing is due on account of electric / water charges against Smt. Poonam Mahajan, MP (16th Lok Sabha) I.C. No. 160277 upto billing cycle Feb-2019 (reading period up to 31.12.2018) in r/o under mentioned premises : 1) Bungalow No. 16, Lodhi Estate, New Delhi with S.Qtr and Flat No. 67, North Avenue, New Delhi (Consumer No. 6412152, 6412153, 6412154, 6410354, 6410355) (as on 18.03.2019)								
6	MTNL	:	Certified that no MTNL dues are outstanding against Smt. Poonam Mahajan, MP Lok Sabha from Maharashtra in respect of the official MP category telephones provided by MTNL up to last payment received from MSA Branch dates mentioned as under : <table><tr><td><u>Telephone</u></td><td><u>Amount outstanding till last billing/payment received</u></td></tr><tr><td>Delhi Telephones (PSTN)</td><td>Nil, up to 31.12.2018</td></tr><tr><td>Delhi (Dolphin)</td><td>Nil up to 31.12.2018</td></tr><tr><td>FTTH</td><td>Nil up to 31.11.2017 (as on 15.03.2019)</td></tr></table>	<u>Telephone</u>	<u>Amount outstanding till last billing/payment received</u>	Delhi Telephones (PSTN)	Nil, up to 31.12.2018	Delhi (Dolphin)	Nil up to 31.12.2018	FTTH	Nil up to 31.11.2017 (as on 15.03.2019)
<u>Telephone</u>	<u>Amount outstanding till last billing/payment received</u>										
Delhi Telephones (PSTN)	Nil, up to 31.12.2018										
Delhi (Dolphin)	Nil up to 31.12.2018										
FTTH	Nil up to 31.11.2017 (as on 15.03.2019)										
7	BSNL	:	No BSNL dues are pending as she has not taken any telephone in BSNL service area as per the records of this office (as on 18.03.2019)								
8	CPI Cell	:	It is stated that LMP 1404, LSO NIL, Lable No. LM-0249 & vehicle RF tag VLM-2233 issued in favour of Smt. Poonam Mahajan, MP (16th Lok Sabha) are outstanding (as on 13.03.2019).								
9	Publication Branch	:	As per Records, no dues in the name of Smt. Poonam Mahajan, MP (16 Lok Sabha) (as on 12.03.2019).								
10	Committee on Urban Development	:	No dues pending against Smt. Poonam Mahajan, MP (16th Lok Sabha) (as on 13.03.2019)								
11	Estimates Committee Branch	:	As per records available in this Branch as on date, no dues are outstanding against Smt. Poonam Mahajan, MP (16th Lok Sabha) (as on 13.03.2019).								
12	Committee on Private Members Bill & Resolutions	:	As per records available in the Branch, no dues is pending in respect of Smt. Poonam Mahajan, MP, Member of the Committee on Private Members Bills and Resolutions (as on 19.03.2019).								

The final 'No Dues' certificate will be issued after the aforesaid agencies provide NIL certificate to MSA Branch

dm
19.3.2019

[Signature]
19.3.2019
EXECUTIVE OFFICER
Lok Sabha Secretariat
New Delhi
Executive Officer
Lok Sabha Secretariat
New Delhi

EP

BY SPEED POST

महाराष्ट्र शासन

क्र.निआ/व्यमस/विचौ/नादेप्र/६१/२०१९/६६७७
निवासी आयुक्त यांचे कार्यालय
महाराष्ट्र सदन, कोपर्निकस मार्ग,
नवी दिल्ली - ११० ००१
दिनांक:- ३०.०३.२०१९

प्रति,
श्रीमती. पूनम महाजन,
मा. खासदार (लोक सभा),
१०१, परम हाऊस, शांतीनगर,
हॉटेल ग्रँड हयात च्या बाजूला,
सांताक्रुझ, मुंबई- ४००५५

विषय:- ना- देय प्रमाणपत्र देण्याबाबत

संदर्भ:- आपला दिनांक २७.०३.२०१९ रोजीचा ई-मेल.

महोदया,

उपरोक्त विषयावरील संदर्भित पत्राच्या अनुषंगाने निवासी आयुक्त यांचे कार्यालय, महाराष्ट्र शासन, नवी दिल्ली या कार्यालयातर्फे "ना - देय प्रमाणपत्र" सहपत्रित करून पाठविण्यात येत आहे.
धन्यवाद.

आपला नम्र,

३०/३/१९

(विजय कायरकर)

सहाय्यक निवासी आयुक्त (राजशिष्टाचार)

सोबत:- वरीलप्रमाणे.

२४

महाराष्ट्र शासन

क्र. निआ/व्यमस/विचौ/नादेप्र/६१/२०१९/६६७७
निवासी आयुक्त यांचे कार्यालय
महाराष्ट्र सदन, कोपर्निकस मार्ग,
नवी दिल्ली - ११० ००१
दिनांक:- ३०.०३.२०१९

ना - देय - प्रमाणपत्र

प्रमाणित करण्यात येते की, श्रीमती. पूनम महाजन, मा. खासदार (लोक सभा) यांच्याकडे या कार्यालयातील उपलब्ध अभिलेख्यानुसार दिनांक २९.०३.२०१९ रोजी पर्यंत महाराष्ट्र सदनातील कक्षबंधाचे तसेच इतर बाबींबाबत कोणतेही देयक प्रलंबित नाही.



30/3/19

(विजय कायरकर)

सहाय्यक निवासी आयुक्त (राजशिष्टाचार)

प्र

Received on : 22/01/2019
Registered on : 28/01/2019
Decided on : 29/03/2019
Duration : Y.00, M.02 D.07.

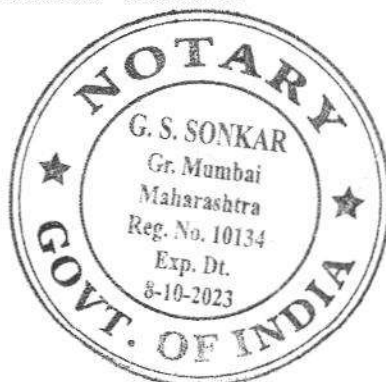
IN THE COURT OF ADDITIONAL SESSIONS JUDGE-AT PUNE.
(Presided over by S.S. Gosavi)

CRIMINAL REVISION APPLN. NO.42/2019

Exh. No. 7

(CNR-MHPU01-001348-2019)

1. **AADYA MOTOR CO. PVT. LTD.**
Commercial Unit No.1,
Godrej Coliseum, Ground floor,
Somaiya Hospital Road,
Off. Eastern Express Highway,
Sion (E), Mumbai-400 070.
2. **VAJENDALA RAMANAND V RAO**
Age about-45 Yrs, Occupation-Service,
Commercial Unit No.1,
Godrej Coliseum, Ground floor,
Somaiya Hospital Road,
Off. Eastern Express Highway,
Sion (E), Mumbai-400 070.
3. **VAJENMDALA POONAM RAO**
Age about-38 Yrs, Occupation-Service,
1201, Bhima, Worli Sagar CHS,
Sir Pochkhanwala Road, Worli,
Mumbai-400030.



CERTIFIED TRUE COPY

G. S. SONKAR
NOTARY GOVT. OF INDIA
NOTARY GR. MUMBAI
MAHARASHTRA

4. **MILIND JAGANNATH SURVE**

Age about-40 Yrs, Occupation-Service,
Commercial Unit No.1,
Godrej Coliseum, Ground floor,
Somaiya Hospital Road,
Off. Eastern Express Highway,

Applicants

(Orig. Accused No.1 to 4 respectively)

Versus.1. **ASSET AUTO (I) PVT. LTD.**

(Orig. Complainant)

Office No.7, Durvankur Society,
2nd floor, Paud Road, Kothrud,
Pune.

2. **THE STATE OF MAHARASHTRA**RespondentsAppearance :

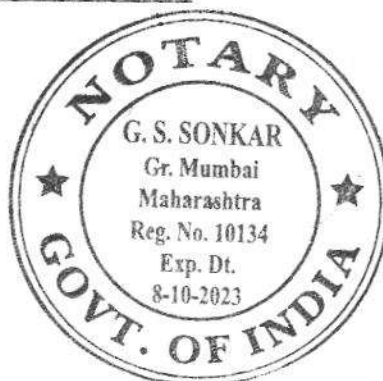
Shri. V. V. Vyas, Advocate for the Applicants.

Shri. S. D. Patil, Advocate for the Respondent no.1.

Shri. V. M. Fargade, APP for the Respondent no.2.

J U D G M E N T(Delivered on 29th March, 2019)

- 1] The applicants /original accused nos.1 to 4 have filed
this criminal revision petition under section 397 of Cr. P. C. against
the order of issue of process dated 11/09/2018 passed by Ld. Addl.
CJM, Pune in S.C.C. No30238/2018.

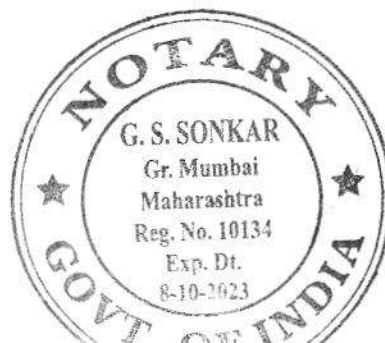
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2] The brief facts giving rise to this revision petition, are as under :

The respondent no.1 / original Complainant has filed the complaint under section 138 of Negotiable Instruments Act on 06/06/2018. Ld. Magistrate was pleased to take its cognizance and issued process against applicants for the alleged offence mentioned in S.C.C. No.30238/2018. On 24/08/2018 respondent no.1 i.e. original Complainant filed affidavit under section 145 of N. I. Act and on the same day Ld. Magistrate was pleased to issue process against accused. In the revision petition, the applicants have challenged that order of issue of process mainly on following two grounds.

3] Firstly when offence was committed applicant no.3 Mrs. Vajenmdala Poonam Rao was neither a director of the accused no.1 company or any ways connected with the said company. She already resigned from the post of directorship on 07/12/2015. She never met the respondent no.1 or any of its representatives at any point of time and has not signed any cheque and other documents on behalf of the said company. Thus, she has not played any active role in the functioning of accused no.1 company. The Complainant has not produced any material on record to prima facie show her any involvement in the impugned transaction. She has been falsely

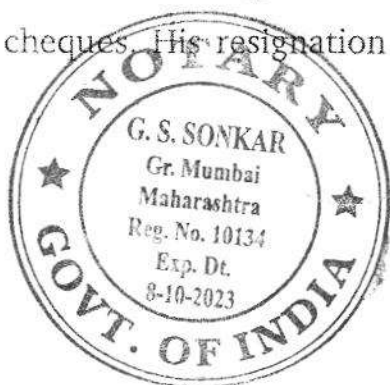


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implicated in the present complaint. Another objection is that before issuing order of process Ld. Magistrate has not recorded verification statement. He has overlooked the mandatory procedure laid down in section 200 of Cr. P. C. Complainant had only filed evidence affidavit under section 145 of the N. I. Act. Ld. Magistrate erred in believing that affidavit in issue of process. Ld. Magistrate ought to have observed that what was filed by the Complainant was an evidence affidavit under section 145 of N. I. Act and not verification statement or affidavit under section 200 of Cr. P. C. hence impugned order issuing process without first complying with mandatory provisions of Section 200 of Cr. P. C. was illegal and bad in law. Therefore, he prayed that the order passed by Ld. Magistrate in taking cognizance of the alleged offence and in mechanically issuing process against applicants, it liable to be set aside and hence that order be set aside.

4] In this context, he placed reliance on case of Pooja Ravinder Devidasani Vs. State of Maharashtra and another (2014) 16 Supreme Court Cases 1. That was a case under section Negotiable Instruments Act. Offence committed by the company. Question of vicarious liability as director on default of company arise but appellant director had resigned much before the issuance of the dishonoured cheques. His resignation was approved by the

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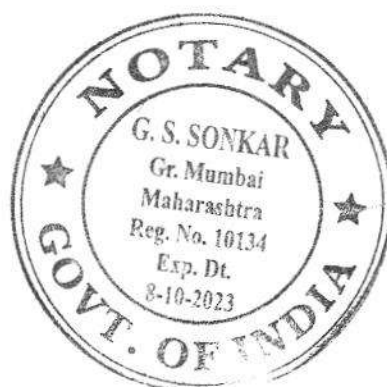
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Board of Directors. Formality of giving information to the Registrar of companies about his resignation was also fulfilled. In the entire complaint no role was attributed to her. She was non-executive director of the company. That cheque in question was issued by virtue of letter of guarantee cannot also be accepted in this proceeding. At the most letter of guarantee gave way for a case of civil liability. Hence, it was held that High Court erred in dismissing the petition that appeal under section 482 of Cr. P. C. for quashing complaint and it is a case of sheer abuse of process of law. Reliance is also placed on following cases :-

- i] Gunmala Sales Private Limited Vs. Anu Mehta and others (2015) 1 Supreme Court Cases 103,
- ii] K. K. Ahuja Vs. V. K. Vora and another (2009) 10 Supreme Court Cases 48 and,
- iii] Indian Bank Association and others Vs. Union of India (2014 ALL MR (Cri) 4178 (SC).

5] In light of these facts, following points arise for my determination. I have recorded my findings against them for the reasons recorded below.

<u>Sr. No.</u>	<u>POINTS</u>	<u>FINDINGS</u>
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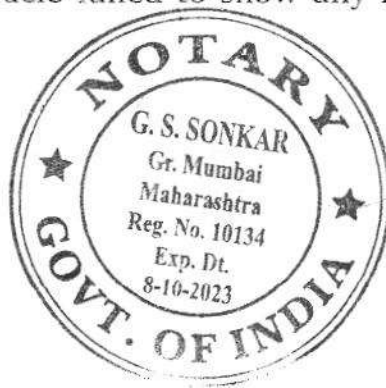
1	Whether order of issue of process dated 11/09/2018 passed by Ld. Addl. CJM in SCC no.30238/2018 against applicant no.3 is illegal and improper ?	Yes.
2	Whether Ld. Magistrate justified in believing the affidavit of Complainant as verification statement ?	Yes.
3	Whether any interference is required in the impugned order of Ld. Magistrate ?	Yes. Only to the extent of applicant no.3
4	What order ?	As per final order.

REASONS

Points No. 1 to 3 :-

6] Advocate for revision-petitioner in his argument stated that when the alleged offence was committed, applicant no.3 was neither director of accused no.1 company nor any way connected with the said company. She had already tendered her resignation of directorship on 07/12/2015 and it was accepted on 08/12/2015. She never participated in day to day management of the company. She had not signed any cheque or other document on behalf of said company having concern with this case. She has not played active role in the functioning of accused no.1 company.

Complainant prima facie failed to show any involvement of her in



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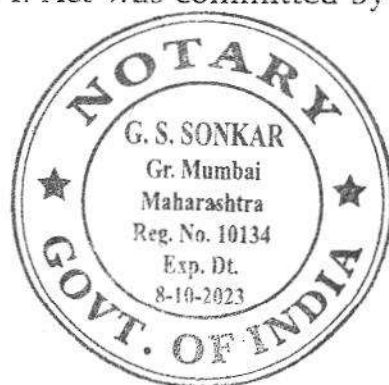
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the impugned transaction, therefore, order of issue of process passed against her be set aside. Secondly, before passing the impugned order, Ld. Magistrate did not record verification statement of the Complainant as required under section 200 of Cr. P. C. He only believed one affidavit in lieu of evidence filed under section 145 of N. I. Act. Therefore, impugned order of issue of process was passed without first applying the mandatory provisions of section 200 of Cr. P. C. Hence, it is bad in law and illegal. Therefore, interference is required in the impugned order at the hands of this court for setting aside for order.

7] Advocate for the respondent in his argument duly supported the order of Ld. Magistrate. It is his contention that said order is legal and proper. Instead of recording verification statement on the basis of affidavit filed by the Complainant, court can take cognizance and issued process. Therefore, he prayed that order of Ld. Magistrate is legal and proper. No case is made out for interference in that order. He placed reliance on following three case laws.

i] Lata Vs. Mode Export Pvt. Ltd., (2016 (4) Mh: L. J. 202,

In that case offence of dishonour of cheque under section 138 of N. I. Act was committed by the Company. Vicarious liability



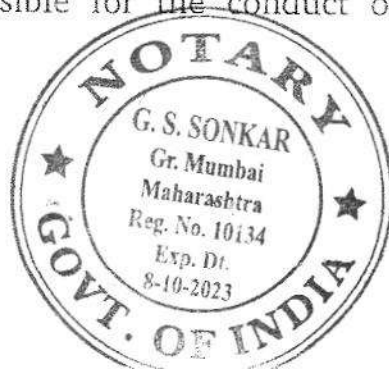
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of Director was there and hence Ld. Magistrate issued process. Petitioner sought to quash process issued against her on ground that on date when cheque in question was presented to bank and came to be dishonoured, she was no more director of company, as she had already resigned but when statutory demand notice was issued there was no such resignation presented on record nor it was acted upon. Moreover, on date of filing of complaint and issuance of process against her, fact of her alleged resignation was not at all acted upon as her resignation letter was ante dated. No unimpeachable or uncontrovertible evidence on record to show acceptance of petitioner's resignation by company on date on which it was alleged to be tendered. Therefore, it was held that the petitioner has failed to make out prima facie case for quashing of process issued against her. Petition dismissed.

ii] S. M. S. Pharmaceuticals Ltd. Vs. Neeta Bhalla (2005 AIR (SC) 3512),

In that case Hon'ble Supreme Court has laid down the requirement of complaint filed under section 138 of N. I. Act in a case in which offence was committed by the company. It was held that it is necessary to specifically aver in a complaint under section 141 that at the time the offence was committed, the accused was in charge of, and responsible for the conduct of business of the



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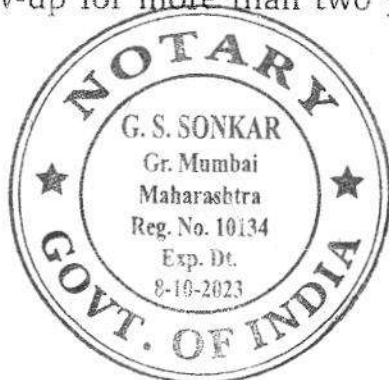
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company. This averment is an essential requirement of section 141 and has to be made in a complaint. Without this averment being made in a complaint, the requirements of section 141 cannot be said to be satisfied.

iii] **Rajesh Bhalchandra Chalke Vs. State of Maharashtra and another (2011 (1) AIR Bom R 322),**

In that case Complaint was filed against company and its director. The order of Ld. Magistrate was challenged in the writ petition. It was held that magistrate erred in taking cognizance without following procedure under section 200 of Cr. P. C. for non-examination of complainant on oath. It was held that whether in view of provisions of section 145 of N. I. Act, Magistrate, taking complaint under section 138 of N. I. Act along with documents in support thereof and verification in affidavit, still obliged to examine on oath, complainant and witnesses before issuing process. It was held that Magistrate can rely upon verification in form of affidavit filed by Complainant in support of his complaint.

8] In this case it is the case of Complainant that sometime in November 2015 an advance amount was given by Complainant company for purchasing Honda car for Cab/Taxi services. After constant follow-up for more than two years with accused, accused

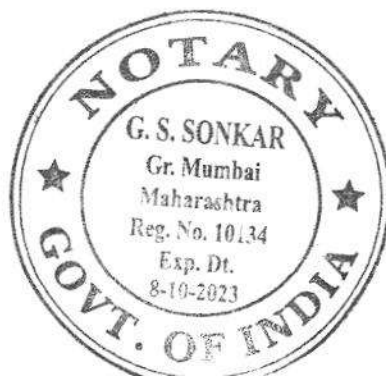


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company handed over two cheques bearing nos.742079 and 742078 both dated 08/03/2018 for Rs.20 lacs and 30 lacs respectively and those cheques was presented on 28/03/2018. They were returned by the Complainant's bank with endorsement "Exceeds arrangement". Thereafter, on 19/04/2018 statutory notice was issued. It was served on accused on 23/04/2018. Till 09/05/2018 amount of cheque was not paid (16th day from issuance of notice), therefore cause of action arose for filing the complaint. Thereafter, Complainant was filed complaint on 05/06/2018. In support of that complaint, Complainant has filed affidavit which is a replica of complaint.

9] Advocate for applicants pointed out that on 7th December, 2015 applicant no.3 tendered resignation from the post of directorship of accused company. Thereafter, on 08/12/2015 her resignation was accepted. She has filed certified copy of Form no.DIR-11 about notice of resignation of a director to the Registrar. In that form it has been mentioned that applicant no.3 Mrs. V. Rao has tendered her resignation on 07/12/2015 and with effect from 07/12/2015 she resigned from the post of directorship. He has also filed certified copy of Form DIR-12 giving particulars of appointment of Directors and the key managerial personnel and the changes among them. It is issued under the signature of Rupali

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Modi, Company Secretary of the said company. In that form it has been specifically mentioned that on 08/12/2015 resignation issued by the applicant no.3 was accepted by the Board of Directors of the company. All these sequence of dates clearly show that before issuance of disputed two cheques applicant no.3 has already resigned from her post of directorship of accused no.1 company and that resignation even accepted by the Board of Directors of Company and its note was taken by Registrar of Companies in the relevant record.

10] This complaint is filed on 05/06/2018. Prior to that on 20th May, 2018 applicant no.3 Mrs. V. Rao issued notice reply through her advocate Mr. Vinay Vyas and informed that she has already resigned from the company and she is not authorized signatory. She has never signed any cheque for and on behalf of company. That notice reply was sent by RPAD. Its postal receipt is filed on record which shows that it was decided on 26/05/2018. Thus, before filing of this complaint that notice reply was received to the Complainant but Complainant did not delete her name as accused. After receipt of said notice reply it was his duty not to implead her as accused and clearly mention in his complaint that she gave notice reply and informed that she has resigned from the post of directorship but he failed to do so. Therefore, Ld.

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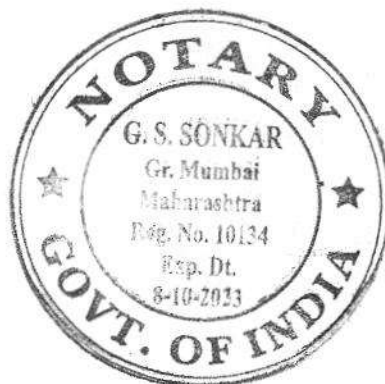
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Magistrate issued process against her. Therefore, interference is required in the order of Ld. Magistrate as to issue of process dated 11/09/2018 against the applicant no.3.

11] As per ratio laid down in Rajesh Chalke case (Cited Supra) instead of recording separate verification of Complainant in case filed under section 138 of N. I. Act it is open to magistrate to rely upon the affidavit filed in support of complaint. Therefore, instead of wasting time for recording verification statement of Complainant, Ld. Magistrate has relied upon the affidavit filed by Complainant in support of complaint under section 138 of N. I. Act and passed order to issue process against accused.

12] As stated earlier except applicant no.3 that order of issue of process dated 11/09/2018 is perfectly legal and proper against applicant no.1 company and applicant nos.2 and 4. No case is made out for any interference in that order against them. In light of these factual and legal position, I answer above said points accordingly and hold that only to the extent of process issued against applicant no.3 Mrs. Vajendla Poonam Ramananand Rao, the order of Ld. Magistrate is liable to be set aside. Hence, I pass the following order.

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ORDER

- 1] The Criminal Revision is partly allowed.
- 2] The order passed by learned magistrate dated 11/09/2018 passed in S.C.C. No.30238/2018 is slightly modified as under :-
 - a] The order of issue of process only to the extent of applicant / accused no.3 Mrs. Vejenmdala Poonam Rao is set aside.
 - b] Complaint is dismissed against her.
 - c] Rest of the order against remaining accused is kept as it is.

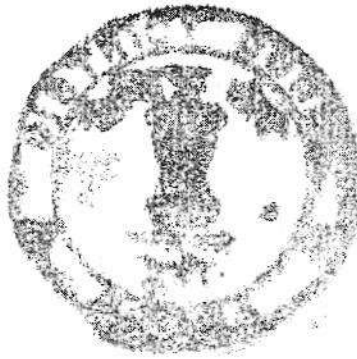
(Dictated and pronounced in open Court.)

Dt. 29/03/2019.

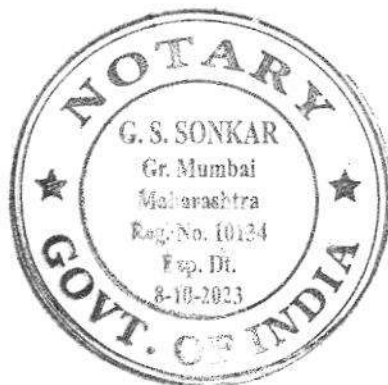
(S. S. Gosavi)

Additional Sessions Judge, Pune.

झेरीक्स करणार
रुजु पाहणार ते ए
५८१



सत्यप्रत
प्रभारी, प्रबंधक
जिल्हा न्यायालय, पुणे.
09 APR 2019

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साध्या/तातडीचा : दिवाणी / फौजदारी

अर्ज क्रमांक : 2822 / 2019

प्रकरण क्रमांक : Rm 42/19

निशाणी क्रमांक : 9

एकूण पाने : 13 X 3 रुपये

एकूण खर्च : 91 रुपये

नकलेचा अर्ज आला तारीख 8 / 4 / 2019

तारीख 21/6 माहे 1484

दोन हजार एकोणीस

अर्जाची पूर्तता झाली तारीख 9 / 4 / 2019

अभिलेखपाल,

नक्कल मिळण्याची तारीख 11 / 4 / 2019

नक्कल तयार तारीख 09 / 04 / 2019

तारीख 08 माहे एप्रिल

सदरहू नक्कल अर्जदार

श्री. डॉ. डाम. ए. ए. हावामो

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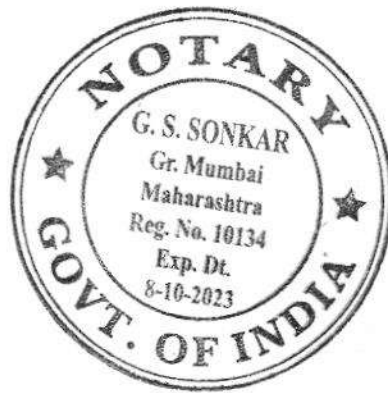
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