



ANNEXURE XIII C  
(CHAPTER V, PARA 9.3)

(Form 26)

See rule 4 A

AFFIDAVIT TO BE FURNISHED BY THE CANDIDATE BEFORE THE RETURNING  
OFFICER FOR ELECTION TO SIKKIM LEGISLATIVE ASSEMBLY

(name of the House)

from 23 -Shyari (BL), constituency (name of the constituency)

I, Karma Tempo Namgyal Gyaltzen, son of Late T.S. Gyaltzen, aged about 48 years, resident of Upper Tadong, P.O. Tadong, East Sikkim, candidate at the above election, do hereby solemnly affirm/state on oath as under:-

1. I am not accused of any offence(s) punishable with imprisonment for two years or more in a pending case(s) in which a charge(s) has/have been framed by the court(s) of competent jurisdiction.

If the deponent is accused of any such offence(s) he shall furnish the following information:

- (i) Case No./First information report No / Nos. : Nil
- (ii) Police station(s) - Nil District(s) - Nil. State(s) - Nil.
- (iii) Section(s) of the concerned Act(s) and short description of the offence(s) for which the candidate has been charged -Nil
- (iv) Court(s) which framed the charge(s) -Nil
- (v) Date(s) on which the charge(s) was /were framed - Nil.
- (vi) Whether all or any of the proceedings(s) have been stayed by any court(s) of competent jurisdiction - Nil.

2. I have not been convicted of an offence(s) [other than any offence(s) referred to in sub-section(1) or sub-section(2), or covered in sub-section(3), of section 8 of the Representation of the People Act, 1951 (43 of 1951) ]and sentenced to imprisonment for one year or more.

*Karma Tempo Namgyal Gyaltzen*



2. I have not been convicted of an offence(s) [other than any offence(s) referred to in sub-section(1) or sub-section(2), or covered in sub-section(3), of section 8 of the Representation of the People Act, 1951 (43 of 1951) ]and sentenced to imprisonment for one year or more.

If the deponent is convicted and punished as aforesaid, he shall furnish the following information:

- (i) Case/First information report No./Nos N.A.
- (ii) Court which punished N.A.
- (iii) Police station(s) N.A. .District(s) N.A .State(s) N.A.
- (iv) Section(s) pf the concerned Act(s) and short description of the offence(s) for which the candidate has ever been charged N.A.
- (v) Date(s) on which the sentence(s) was/were pronounced N.A.
- (vi) Whether the sentence(s) has/have been stayed by any court(s) of competent jurisdiction N.A.

*[Signature]*  
Signature of Deponent

Place: - Gangtok  
Date: - 08/ 04/2009

**VERIFICATION**

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

Verified at Gangtok this 8<sup>th</sup> day of April 2009.

*[Signature]*  
IDENTIFIED BY  
J.K. Chandak, Adv.

*[Signature]*  
Signature of deponent

Solemnly affirmed before me on this the 08<sup>th</sup>  
day of April, 2009 by Shri. Smriti Karmar  
Tempo Namona Qualification of Upper  
Ladeng, Pasikim who is known to me/  
identified by Shri. Smriti Karmar  
(Advocate) of Gangtok, Pasikim

*[Signature]*  
8/04/09  
DEVI PRASAD SHARMA  
ADVOCATE  
OATH COMMISSIONER  
SIKKIM



Nº 76931

**AFFIDAVIT TO BE FURNISHED BY CANDIDATE ALONG WITH NOMINATION PAPER**

**BEFORE THE RETURNING OFFICER**

For election to Sikkim Legislative Assembly (name of the House)  
from 23- Shyari (BL) constituency  
(name of the constituency)

I, Karma Tempo Namgyal Gyaltzen, son of Late T.S.Gyaltzen, aged about 48 years, resident of Upper Tadong, P.O. Tadong, East Sikkim candidate at the above election, do hereby solemnly affirm and state on oath as under:-

(strike out whichever not applicable)

(1) The following case(s) is/are pending against me in which cognizance has been taken by the court:-

- (vi) section of the Act and description of the offence for which cognizance taken: **Section 295C, 296, 298 and 506 IPC, 1860 under Section 3 & 6 of the Place of worship Special provision Act, 1991.**
- (vii) The court which taken cognizance: **Judicial magistrate, East & North Sikkim**
- (viii) Case No.: **Private Complainant Case No. 07 of 2007**
- (ix) Date of order of the Court taking cognizance: **11.07.2007**
- (x) Details of appeal(s) /application(s) for revision, etc., if any, filed against above order taking cognizance: **Revision filed on 07.09.2007 against the order of the Lower Court taking cognizance vide criminal Revision No.04 of 2007. Revision admitted and called for the Lower Court record order dated 07/09 2007 passed by the Hon'ble Court (E&N) Sikkim**

*Ayina*

(2) That I give here in below the details of the assets (immovable, movable, bank balance, etc.) of my self, my spouse, and dependents\*:

A. Details of movable assets –

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

Sl. No.	Description	Self: Mr. Karma Tempo Namgyal Gyaltsen	Spouse Name: Mrs. Tsezin Yangzom	Dependent-1 Tenzin Yangchen (Daughter)	Dependent-2 Dechen Peden (Daughter)	Dependent-3 Nil
(i)	Cash	Rs.6,15,000/- (Rupees Six Lacs Fifteen Thousand only)	Rs.2,45,500/- (Rupees Two Lacs Forty Five Thousand and Five Hundred only)	Nil	Nil	NA
(ii)	Deposits in Banks, Financial Institutions and Non-Banking Financial Companies	<p>1. State Bank of India, Gangtok Branch. SB Account No.01190022345. Balance as on 07-04-2009 is Rs.10,000/- (Rupees Ten Thousand only).</p> <p>2. State Bank of Sikkim, Main Branch. SB Account No.1989. Balance as on 06-04-2009 is Rs.42,20,531/- (Rupees Forty Two Lacs Twenty Thousand Five Hundred and Thirty One only).</p> <p>3. Axis Bank Ltd. Gangtok Branch. SB Account No.112010100198097. Balance as on 06-04-2009 is Rs.729.90 (Rupees Seven Hundred Twenty Nine and Ninety paise only)</p>	<p>1. SBI Mutual Fund. Folio No.8675315 L24G Magnum Balanced Fund Growth. Amount Rs.49,000/-</p> <p>2. ICICI Mutual Fund. Folio No. 2340283/11 Amount Rs.49,000/-</p> <p>3. UCO Bank, Gangtok Branch. Saving Account Balance as on 31/03/2009 is Rs.23,677/- (Rupees Twenty Three Thousand Six Hundred and Seventy Seven only)</p> <p>4. Axis Bank Ltd. Gangtok Branch. SB Account No. 112010100018753. Balance as on 06-04-2009 is Rs. 2,08,749.32 (Rupees Two Lacs Eight Thousand Seven Hundred Forty Nine and Thirty Two paise only)</p>	<p>1. Axis Bank Ltd. Gangtok Branch. SB Account No. 112010100179256. Balance as on 06-04-2009 is Rs. 38,763/- (Rupees Thirty Eight Thousand Seven Hundred Sixty Three only)</p> <p>2. FD with UCO Bank, Gangtok Branch. Principal Amount Rs.1,70,000/-</p>	<p>1. Axis Bank Ltd. Gangtok Branch. SB Account No. 112010100179294. Balance as on 06-04-2009 is Rs.32,931/- (Rupees Thirty Two Thousand Nine Hundred and Thirty One only)</p> <p>2. FD with UCO Bank, Gangtok Branch. Principal Amount Rs.1,60,000/-</p>	NA
(iii)	Bonds, Debentures and Shares in / Companies	Nil	Nil	Nil	Nil	NA



*[Handwritten Signature]*

Sl. No.	Description	Self: Mr. Karma Tempo Namgyal Gyaltsen	Spouse Name: Mrs. Tsezin Yangzom	Dependent-1 Tenzin Yangchen (Daughter)	Dependent-2 Dechen Peden (Daughter)	Dependent-3 Nil
(iv)	Other financial institutions, NSS, Postal Savings, LIC Policies, etc.	Met Life Insurance. Policy No.1200700443477. DOI:20/12/2007 Plan:Met Smart Plus. Sum Assured: Rs.7,50,000/-. DOM:23/01/2061 Installment Premium Rs.50,000/- annual.	1. Bajaj Allianz Life Insurance. Plan: Century Plus. Policy No.0088638685 DOC:26/02/2008 Premium Rs.50,000/- annual. 10 years Term. Sum Assured Rs.2,50,000/-  2. Bajaj Allianz Life Insurance. Plan: Century Plus. Policy No.0088600517 DOC:26/02/2008 Premium Rs.50,000/- annual. 10 years Term. Sum Assured Rs.2,50,000/-  3. Bajaj Allianz Life Insurance. Plan: Century Plus. Policy No.0105181152 DOC:19/08/2008 Premium Rs.50,000/- annual. 10 years Term. Sum Assured Rs.2,50,000/-  4. Bajaj Allianz Life Insurance. Plan: Century Plus. Policy No.0105318270 DOC:08/08/2008 Premium Rs.50,000/- annual. 10 years Term. Sum Assured Rs.2,50,000/- 5. MIS with Post Office, Gangtok Office. Account No.2187 Amount of deposit Rs.3,00,000/- DOM:08/11/2010	1. Bajaj Allianz Life Insurance. Product: Unit Gain. Policy No.0013980904 DOC:21/12/2005 5 Premium Rs.25,000/- annual. 5 years Term. Sum Assured Rs.1,25,000/- 2. MIS with Post Office, Gangtok Office. Account No.1665 Amount of deposit Rs.72,000/- DOM:09/07/2009	1. Bajaj Allianz Life Insurance. Product: Unit Gain. Policy No.0013977605 DOC:21/12/2005 Premium Rs.25,000/- annual. 5 years Term. Sum Assured Rs.1,25,000/- 2. MIS with Post Office, Gangtok Office. Account No.1664 Amount of deposit Rs.72,000/- DOM:09/07/2009	NA



*[Handwritten signature]*

Sl. No.	Description	Self: Mr. Karma Tempo Namgyal Gyaltsen	Spouse Name: Mrs. Tsezin Yangzom	Dependent-1 Tenzin Yangchen (Daughter)	Dependent-2 Dechen Peden (Daughter)	Dependent-3 Nil
(v)	Motor Vehicles (details of make, etc.)	Model: Bolero SLX-E-II 2WD Chassis No. MA1PS2GAK92A71735 Engine No. GA94A41076 Date of Purchase: 03-03-2009. Invoice Value: Rs.6,30,241/- (Rupees Six Lacs Thirty Thousand Two Hundred and Forty One only)	Model: Ford Fusion Chassis No. MAJJPXXMRJP7U362 22 Engine No. 7U36222 Date of Purchase: 19-12-2007. Invoice Value: Rs.6,00,000/- (Rupees Six Lacs only)[Approx]	Nil	Nil	NA
(vi)	Jewellery (give details of weight and value)	Gold:3 Tolas. Value:Rs.54,000/- One Wrist Watch of Rolex, Value:Rs.80,000/-	Gold:15 Tolas. Value: Rs.2,70,000/-	Gold:5 Tolas. Value: Rs.90,000/-	Gold: 5 Tolas. Value: Rs.90,000/-	NA
(vii)	Other assets, such as values of claims / interest	Nil	Nil	Nil	Nil	NA

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.

\* Dependent here means a person substantially depends on the income of the candidate.



B. Details of immovable assets -

[Note : Properties in joint ownerships indicating the extent of joint ownership will also have to be indicated]

Sl. No.	Description	Self: Mr. Karma Tempo Namgyal Gyaltsen	Spouse Name: Mrs. Tsezin Yangzom	Dependent-1 Tenzin Yangchen (Daughter)	Dependent-2 Dechen Peden (Daughter)	Dependent-3 Nil
(i)	Agricultural Land -Location(s) - Survey number(s) - Extent (Total measurement) - Current market value	Nil	1. Agricultural Land. Situated in Penlong Block. Plot No. 9 and 8/473. Total Area:1.9140 Current Market Value: Rs.4,98,955/- (Rupees Four Lacs Ninety Eight Thousand Nine Hundred and Fifty Five only) 2. Agricultural Land. Situated in Luing Block. Plot No. 896 and 898. Total Area:0.3360 Current Market Value: Rs.1,66,052/- (Rupees One Lac Sixty Six Thousand and Fifty Two only)	Nil	Nil	NA
(ii)	Non-Agricultural Land -Location(S) - Survey number(s) - Extent (Total measurement) Current market value	Residential Land located at Tadong, East Sikkim. Khatian No.57 Plot No.4206. Area: 0.0985 Hect, i.e., 10597.93 Sqft. Current Market Value: Rs.52,98,965/- (Rupees Fifty Two Lacs Ninety Eight Thousand Nine Hundred and Sixty Five only)	1. Residential Land located at M.G.Marg, Gangtok, East Sikkim. Gift Deed Document, Book No. I, Volume No. II, Item No.105, year 1989. Area:1125.75 Sqft. Current Market Value: Rs,33,77,250/- (Rupees Thirty Three Lacs Seventy Seven Thousand Two Hundred and Fifty only) 2. Residential Land located at Tibet Road, Gangtok, East Sikkim. Khatian No.429 Plot No.517/1902. Area: 0.05 Acres, i.e., 2178 Sqft. Current Market Value: Rs.26,13,600/- (Rupees Twenty Six Lacs Thirteen Thousand and Six Hundred only)	Nil	Nil	NA



*Handwritten signature*



Sl. No.	Description	Self: Mr. Karma Tempo Namgyal Gyaltsen	Spouse Name: Mrs. Tsezin Yangzom	Dependent-1 Tenzin Yangchen (Daughter)	Dependent-2 Dechen Peden (Daughter)	Dependent-3 Nil
(iii)	Buildings (commercial and residential) -Location(s) - Survey number(s) - Extent (Total measurement) Current market value	Residential Building on Land located at Tadong, East Sikkim. Khatian No.57 Plot No.4206. Area of the Land: 0.0985 Hect, i.e., 10597.93 Sqft. Total Plinth Area: 4596 Sqft. Current Market Value: Rs.41,82,360/- (Rupees Forty One Lacs Eighty Two Thousand Three Hundred and Sixty only)	1. Residential Building on Land located at M.G.Marg, Gangtok, East Sikkim. Gift Deed Document, Book No. I, Volume No. II, Item No.105, year 1989. Area of the Land:1125.75 Sqft. Total Plinth Area of the Building:6180 Sqft. Current Market Value of the Building: Rs.42,06,069/- (Rupees Forty Two Lacs Six Thousand and Sixty Nine only) 2. Residential Building on Land located at Tibet Road, Gangtok, East Sikkim. Khatian No.429 Plot No.517/1902. Area of Land: 0.05 Acres, i.e., 2178 Sqft. Total Plinth Area of the Building: 8104 Sqft. Current Market Value of the Building: Rs.67,20,301/- (Rupees Sixty Seven Lacs Twenty Thousand Three Hundred and One only)	Nil	Nil	NA
(iv)	House / Apartments, etc.) -Location(s) - Survey number(s) - Extent (Total measurement) Current market value	One Residential Flat of 1,561 Sqft. Including a car parking space of 197.87 Sqft. And a servant space of 184.95 Sqft. Deed No.1086. Situated at Bhakti Nagar, Dist: Jalpaiguri, Mauja:Dabgram, J.L. No.2. Current Market Value: Rs.23,32,584/- (Rupees Twenty Three Lacs Thirty Two Thousand Five Hundred and Eighty Four only)	Nil	Nil	Nil	NA
(v)	Others (Such as interest in property)	Nil	Nil	Nil	Nil	NA

*[Handwritten signature]*

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

[Note : Please give separate details for each item]

Sl. No.	Description	Name & Address of Bank / Financial institution(s) / Department(s)	Amount outstanding as on-
(a)	(i) Loans from Banks	1. Availed Housing Loan from State Bank of Sikkim, Main Branch, Gangtok.  2. Availed Loan of Rs. 6,00,000/- from SBI, Gangtok Branch and the Loan Account No.11018879171.	Balance as on 31-03-2009 is Rs.10,19,584/- (Rupees Ten Lacs Nineteen Thousand Five Hundred and Eighty Four only) Balance as on 07-04-2009 is Nil
	(ii) Loans from financial institutions	Nil	Nil
	(iii) Government Dues:		
	a. dues to departments dealing with government accommodation	Nil	Nil
	b. dues to departments dealing with supply of water	Obtained clearance certificate from WS & PHED, Govt. of Sikkim, up to March, 2009	Nil
	c. dues to departments dealing with supply of electricity	Obtained no dues certificate from Energy and Power Department, Govt. of Sikkim, up to February, 2009. March bill not yet received.	Nil
	d. dues to departments dealing with telephones	Obtained no dues certificate from BSNL for Land Line connection, up to bill dated 10-03-2009 and also Mobile Bill	Nil
	e. dues to departments dealing with government transport (including aircrafts and helicopters)	Nil	Nil
	f. Others dues if any	Nil	Nil
(b)	(i) Income Tax including surcharge [Also indicated the assessment year up to which income Tax Return filled. Give also Permanent Account Number (PAN)]	Vide Finance Act, 2008, a new clause (26AAA) has been inserted in section 10 of the Income-tax Act, 1961 ('Act') with retrospective effect from assessment year 1990-91. Under the said clause, the following income accruing or arising to a <b>Sikkimese individual</b> is exempt from tax- (a) Income from any source in the state of Sikkim; or (b) Income by way of dividend or interest on securities.	As on 31-03-2009 is Nil
	(ii) Wealth Tax [Also indicated the assessment year up to which income Tax Return filled.]	Nil	Nil
	(iii) Sales Tax [Only in case of proprietary business]	Nil	Nil
	(iv) Property Tax	Cleared.	Nil



*Signature*



(4) My educational qualifications are as under:-

(GIVE DETAILS OF SCHOOL AND UNIVERSITY EDUCATION)

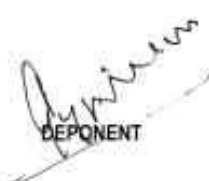
(Name of School / University and the year in which the course was complete should also be given.)

Passed Secondary School Examination in the year 1977 from Goethals Memorial School, ICSE Board.

Passed ISCE in the year 1979 from Tashi Namgyal Academy, Gangtok.

Passed Bachelor of Arts in the year 1983 from St. Stephens College under Delhi University.

Passed LLB in the year 1987 from Campus Law Center, Delhi under Delhi University.

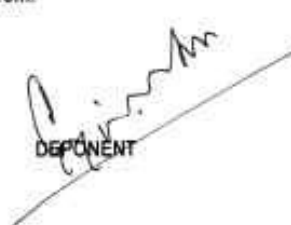
  
DEPONENT

VERIFICATION

I, the deponent above name, do hereby verify and declare that the contents of this affidavit 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 Gangtok this the 8<sup>th</sup> day of April, 2009.

Deponent Identified by   
J.K. Chandelak Advocate

  
DEPONENT

Solemnly affirmed before me on this the 8<sup>th</sup>  
day of April 2009 by Shri/Smt/Miss Karma Tempo  
Namgyal Gyathson of Village - Tadong  
East Sikkim who is known to me/  
identified by Shri/Smt/Miss J.K. Chandelak  
Advocate of Gangtok, East Sikkim

  
8/04/09  
DEVI PRASAD SHARMA  
ADVOCATE  
OATH COMMISSIONER  
SIKKIM