

IN THE HIGH COURT OF DELHI AT NEW DELHI

CWP NO. 141 OF 2013

IN THE MATTER OF:ASSOCIATION FOR DEMOCRATIC REFORMS
& ANOTHER

PETITIONER

VERSUS

T.O.I & OTHERS

REPRESENTANTS

N.D. 04, 4.2.2013

INDEX

S.NO.	PARTICULARS	PAGES	FILE
1.	Counter affidavit on behalf of Respondent No. 1	1-2	
2.	Signature - R-21-1 after Date 28.9.2012	5-6	
3.	Annexure - R-22. Reminder dated 11.1.2013	7	
4.	Annexure - R-23. Letter dated 28.9.2012	8-11	
5.	Vakalatnama	12	

Note: Two Sets are filed

(P.K. Chopra)
Advocate for Respondent No. 2
143, Lawyers' Flats,
Delhi High Court,
New Delhi - 110002
Ph. 23385267
23385178
M. 9810218448

New Delhi:
03.2.2013

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi - 110001.

No.56/CR/2012-PPEMS 1436

Dated : 28th September, 2012

To

The Secretary to the Government of India,
Ministry of Home Affairs,
North Block,
New Delhi-110001.

Subject:- Contributions received by political parties from foreign sources - matter
Sir,

The political parties are required to file annual reports of contributions raised in excess of Rs.20,000/- from a person or a company before the Election Commission of India as per section 29C of Representation of the People Act, 1951. Further, the proviso to Section 29B stipulates that no political party shall receive any contribution from any foreign source as defined in Section 2(e) of Foreign Contribution Regulation Act, 1976. The said Foreign Contribution (Regulation) Act, 1976 (before its replacement by the Foreign Contribution (Regulation) Act, 2010) also specifically prohibited, vide Section 4 thereof, any foreign contribution being accepted, *intra alia*, by any political party or office-bearer thereof. Furthermore, Section 5 of the Foreign Contribution (Regulation) Act, 2010 also continues the same prohibition on acceptance of foreign contributions by the political parties and their office-bearers.

2. In above regard, complaints are received that certain political parties have received contributions from foreign sources in contravention of the said proviso to Section 29B of the Representation of the People Act, 1951 and the corresponding provisions of the Foreign Contribution (Regulation) Act.



Pls forward
28/9/12
RECEIVED

By Special Messenger

ELECTION COMMISSION OF INDIA

Nirvechan Sadan, Ashoka Road, New Delhi-110001.

No. 560CR/2012/PPEMS/ 1138

Dated: 26th September, 2012

To

The Secretary,
Ministry of Law and Justice
(Legislative Department),
Shaheed Bhawan,
New Delhi.

Subject: Proposed modifications in Form 24A regarding.

Sir,

I am directed to state that in the interest of greater transparency with regard to contributions received during any financial year by political parties, they are required to file a report in Form 24 A u/t Rule 85 B of the Conduct of Elections Rules, 1961. The Commission proposes certain modifications to above said Form 24A.

A copy of the proposed Form 24 A with modifications is being forwarded herewith for making the necessary changes.

Yours faithfully,

Bharat Singh
(S.B. GARG)

JOINT DIRECTOR (EE)



This report should be filed with the Election Commission of India before the due date for furnishing of Return of Income of the Political Party for the relevant financial year under section 29 of the Income-tax Act, 1961 (43 of 1961) and a certificate to this effect should be attached with the Income-tax Return to claim exemption under the Income-tax Act, 1957.

PART-A

1. Name of Political Party: _____

2. Status of the Political Party (recognised/Unrecognised): _____

3. Complete Postal Address of the headquarters of the Political Party: _____

4. Date of registration of political party with Election Commission: _____

5. (i) Permanent Account Number (PAN): _____

(ii) Ward/Circle where the annual return of Income Tax of the political party is filed: _____

6. (a) Financial year for which the contribution report is being submitted: FY: 20.....-20.....

(b) Details of contribution recipient:

S. No.	Description	Total amount (In Rupees) for the financial year (as mentioned at (i) above)			Total amount for the last financial year (FY: 20.....-20.....) (In Rupees)
		Cash	Cheque/Draft RTGS	Tel	
(i)	Total contributions received from all persons punishable under section 29 B of the Representation of the People Act, 1951	_____	_____	_____	_____
(ii)	Out of (i) above, total amount of contributions received in excess of Rs. 20,000/- from a person or company as per Section 29C of the Representation of the People Act, 1951	_____	_____	_____	_____
(iii)	Out of (i) above, total amount received below Rs. 20,000/- from a person or company	_____	_____	_____	_____

7. The details of contributions received in excess of Rs.20,000/- from any person or company (other than Government company) in the financial year as mentioned in Item 6(i) above, are given in Part-B.

8. Where the contributor is a company, the conditions laid down under section 202A of the Companies

(Details of contributions received in excess of Rs. 20,000/- from a person or company under section 29-C of
Representatives of Peoples Act 1951)

- In case of payment by cheque/ demand draft with date and instrument number, indicate name of the bank and Branch of the bank on which the cheque/demand draft has been drawn.
 - Where a person or company has made contributions in more than one occasion, the aggregate whereof exceeds Rs 20,000/- in the Financial Year under reference, details of each such contribution shall be given separately in columns (1) to (7) above, even if any such contribution was less than Rs 20,000/-.
 - The Grand Total mentioned in column (4) above should tally with the total figure of contributions shown in Item (b) (ii) of Part A of the Form 24A.

PART - C

Verification

I, _____ (full name in Block letters), son/daughter of _____, declare that:

