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By Speed Post/ email

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.76/Instructions/EEPS/2014/Vol.I

Date: 3rd March, 2014

To

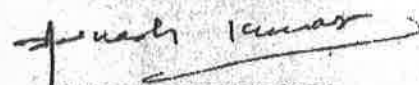
The Chief Electoral Officers
of all States and Union Territories

Sub:- Forthcoming General Election to the Lok Sabha and State Legislative Assemblies of Andhra Pradesh, Odisha and Sikkim-2014 – Compendium of Instructions on Election Expenditure Monitoring (January 2014) – Corrigendum in Annexure 76 – Regarding.

Sir/Madam,

I am directed to refer to the Commission's letter of even no. dated 24th January, 2014 forwarding therewith a copy of the Compendium of Instructions of Election Expenditure Monitoring-January, 2014 and to state that the typing errors in the format of Assets and liabilities in Form 26, enclosed at Annexure 76 of the Compendium, stand corrected as enclosed with this letter. The same may kindly be re-placed at Annexure-76 and be brought to the notice of all concerned.

Yours faithfully


(AVINASH KUMAR)
UNDER SECRETARY

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Form 26
(See rule 4A)

Please affix your
recent passport
size photograph
here

**Affidavit to be filed by the candidate alongwith nomination paper before the
returning officer for election to.....(name of the House)
from.....constituency (Name of the constituency)**

PART-A

I **son/daughter/wife of.....
Aged..... years, resident of..... (mention full postal
address), a candidate at the above election, do hereby solemnly affirm and state on
oath as under:-

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

(2) My name is enrolled in..... (Name of the
constituency and the State), at Serial No..... in Part No.....

(3) My contact telephone number(s) is/are..... and my e-mail id
(if any) is.....

**(4) Details of Permanent Account Number (PAN) and status of filing of Income
Tax returns as**

Sl. No.	Names	PAN	The financial year for which the last Income-tax return has been filed	Total income shown in Income-tax return (in Rupees)
1.	Self			
2.	Spouse-			
3.	Dependent-1			
4.	Dependent-2			
5.	Dependent-3			

(5) I am/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) The following case(s) is/ are pending against me in which charges have been framed by the court for an offence punishable with imprisonment for two years or more:-

(a)	Case/First Information Report No./Nos. together with complete details of concerned Police Station/District/State	
(b)	Section(s) of the concerned Act(s) and short description of the offence(s) for which charged	
(c)	Name of the Court, Case No. and date of order taking cognizance:	
(d)	Court(s) which framed the charge(s)	
(e)	Date(s) on which the charge(s) was/were framed	
(f)	Whether all or any of the proceeding(s) have been stayed by any Court(s) of competent jurisdiction	

(ii) The following case(s) is /are pending against me in which cognizance has been taken by the court [other than the cases mentioned in item (i) above]:-

(a)	Name of the Court, Case No. and date of order taking cognizance:	
(b)	The details of cases where the court has taken cognizance, section(s) of the Act(s) and description of the offences(s) for which cognizance taken	
(c)	Details of Appeal(s)/Application(s) for revision (if any) filed against the above order(s)	

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(6) I have been/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:

In the following cases, I have been convicted and sentenced to imprisonment by a court of law:

(a)	The details of cases, Section(s) of the concerned Act(s) and description of the offence(s) for which convicted	
(b)	Name of the Court(s), Case No. and date(s) of order(s):	
(c)	Punishment imposed	
(d)	Whether any appeal was/has been filed against the conviction order. If so, details and the present status of the appeal:	

(7) That I give herein below 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 the Bank/ Institution and Branch are to be given.

Note: 3. Value of Bonds/Share Debentures as per 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 here has the same meaning as assigned in Explanation (v) under section 75A of the Representation of the People Act, 1951.

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

Sl. No.	Description	Self	Spouse	Dependent-1	Dependent-2	Dependent-3
(i)	Cash in hand					
(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					
(iii)	Details of investment in Bonds, debentures/shares and units in companies/Mutual funds and others and the amount.					
(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					
(v)	Personal loans/advance given to any person or entity including firm, company, Trust etc., and other receivables from debtors and the amount.					

(vi)	Motor Vehicles/ Aircrafts/Yachts/Ships (Details of Make, registration number etc., year of purchase and amount)					
(vii)	Jewellery, bullion and valuable thing(s) (give details of weight and value)					
(viii)	Any other assets such as value of claims/interest					
(ix)	Gross Total value					

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

S. No	Description	Self	Spouse	Dependent-1	Dependent-2	Dependent-3
(i)	Agricultural Land					
	Location(s) Survey number(s)					
	Area (total measurement in acres)					
	Whether inherited property (Yes or No)					
	Date of purchase in case of self - acquired property					
	Cost of Land (in case of purchase) at the time of purchase					
	Any investment on the land by way of development, construction etc.					
	Approximate current market value					
(ii)	Non-Agricultural Land:					
	Location(s) Survey number(s)					
	Area (total measurement in sq. ft.)					

	Whether inherited property (Yes or No)				
	Date of purchase in case of self - acquired property				
	Cost of Land (in case of purchase) at the time of purchase				
	Any investment on the land by way of development, construction etc.				
	Approximate current market value				
(iii)	Commercial Buildings (including apartments) -Location(s) -Survey number(s)				
	Area (total measurement in sq. ft.)				
	Built-up Area (total measurement in sq. ft.)				
	Whether inherited property (Yes or No)				
	Date of purchase in case of self - acquired property				
	Cost of property (in case of purchase) at the time of purchase				
	Any investment on the property by way of development, construction etc.				
	Approximate current market value				
(iv)	Residential Buildings (including apartments): -Location(s) - Survey number(s) *				
	Area (total measurement in sq. ft.)				
	Built up area (Total measurement in sq. ft.)				
	Whether inherited property (Yes or No)				
	Date of purchase in case of self - acquired property				

	Cost of property (in case of purchase) at the time of purchase				
	Any investment on the land by way of development, construction etc.				
	Approximate current market value				
(v)	Others (such as interest in property)				
(vi)	Total of current market value of (i) to (v) above				

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

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

S. No.	Description	Self	Spouse(s)	Dependent-1	Dependent-2	Dependent-3
(i)	Loan or dues to Bank/financial Institution(s) Name of the Bank or financial Institution, Amount outstanding, Nature of Loan					
	Loan or dues to any other individuals/ entity other than mentioned above Name(s), Amount outstanding, nature of loan					
	Any other liability					
	Grand total of liabilities					
(ii)	Government dues: Dues to departments dealing with government accommodation					
	Dues to department dealing with supply of water					
	Dues to department dealing with supply of electricity					

	Dues to department dealing with supply of telephones/mobiles					
	Dues to department dealing with government transport (including aircrafts and helicopters)					
	Income tax dues					
	Wealth tax dues					
	Service tax dues					
	Municipal /Property Tax dues					
	Sales Tax dues					
	Any other dues					
(iii)	Grand total of all Government dues					
(iv)	Whether any other liabilities are in dispute, if so, mention the amount involved and the authority before which it is pending.					

(9) Details of profession or occupation:

(a) Self.....

(b) Spouse

(10) My educational qualification is as under:

.....

(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.)

PART - B

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

1.	Name of the candidate	Sh./Smt./Kum.
2.	Full postal address	
3.	Number and name of the constituency and State	
4.	Name of the political party which set up the candidate (otherwise write 'Independent')	

5.	(i) Total number of pending cases where charges have been framed by the Court for offences punishable with imprisonment for two years or more			
	(ii) Total number of pending cases where the court(s) have taken cognizance [other than the cases mentioned in item (i) above]			
6.	Total Number of cases in which convicted and sentenced to imprisonment for one year or more [except for offences referred to in sub-sections (1), (2) or (3) of section 8 of Representation of the People Act, 1951]			
7.		PAN of	Year for which last income Tax return filed	Total income shown
	(a) Candidate			
	(b) Spouse			
	(c) Dependents			
8.	Details of Assets and Liabilities in Rupees			
	Description	Self	Spouse	Dependent-I
A.	Moveable Assets (Total value)			
B.	Immovable Asset			
I.	Purchase Price of self-acquired immovable property			
II.	Development/ construction cost of immovable property after purchase (if applicable)			
III.	Approximate Current market price of -			
	(a) self-acquired assets (Total Value)			
	(b) inherited assets (Total Value)			
9.	Liabilities			
	(i) Government dues (Total)			
	(ii) Loans from Bank, Financial Institutions and others (Total)			
10.	Liabilities that are under dispute			

(i)	Government dues (Total)					
(ii)	Loans from Bank, Financial Institutions and others (Total)					
11.	Highest educational qualification: (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.)					

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 therefrom. 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.....this the.....day of.....

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.

[F.No.H-11019(6)2012-Leg.II]
Dr. SANJAY SINGH, Addl. Secy

Note: The principal rules were published *vide* notification number S.O.859, dated the 15th April, 1961 and last amended *vide* notifications –

- (1) Number S.O.728(E), dated the 8th May, 2007.
- (2) Number S.O. 425(E), dated 23rd February, 2011.

Note 5: In pursuance of the Judgment dated 13.09.2013 of the Hon'ble Supreme Court in WP(C) No. 121 of 2008-Resurgence India VS Election Commission of India and other, regarding the filing of incomplete affidavit of candidates, the candidates are required to fill up all columns therein. No column can be left blank. At the time of filing of affidavit, RO has to check whether all columns of the affidavit filed with the nomination paper are filled up. If not, the RO shall give a reminder to the candidate to furnish information against blank columns. The Hon'ble court has held that if there is no information to be furnished against any item, appropriate remarks such as 'Nil' or 'Not Applicable' or 'Not Known' as may be applicable shall be indicated in such column. They should not leave any column blank if a candidate fails to fill the blanks even after reminder, the nomination paper will be liable to be rejected by the RO at the time of scrutiny of nomination papers.

Note 6: In para 3 of the affidavit, the information should be furnished as follows:-

"My contact telephone no. (s) is/are

my e-mail id (if any) is

and my social media accounts (if any) are"

