

By Speed Post/E-mail

# ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.3/4/2019/SDR – Vol.I

Dated: 28<sup>th</sup> February, 2019

To,

The Chief Electoral Officers of  
All States and UTs.

**Sub: Amendments in Form-26 (Format of Affidavit to be filed by candidates).**


Sir,

I am directed to invite reference to the Commission's letter No. 3/4/2017/SDR/Vol II dated 10/10/2018, on the subject cited, and to state that Form 26 appended to the CE Rules 1961 has been further amended vide Ministry of law and Justice Notification no. S.O.1023 (E). dated 26/02/2019 (copy enclosed). The consolidated Form-26 after incorporating the amendments is enclosed herewith. The candidates are now required to file the affidavit in this amended form-26.

2. This letter may be circulated to all DEOs, ROs in the State/Union Territory for necessary action on their part. This shall also be circulated to all Political parties based in the State, i.e. the State Units of the recognized Parties and recognized State parties of other States and all registered un-recognized political parties with headquarters based in your State/Union Territory, with instructions to take note of the amendments in Form-26. Adequate publicity shall also be given in this regard so that all concerned are aware of the amendments in Form-26.

3. Please acknowledge receipt and confirm action taken

Yours faithfully,

  
(N.T. Bhutia)  
Secretary

**Form 26**  
**(See rule 4A)**

Please affix your  
recent passport  
size photograph  
here

**AFFIDAVIT TO BE FILED BY THE CANDIDATE ALONG WITH  
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..... and my social media account(s) (if  
any) is/are
  - (i).....
  - (ii).....
  - (iii).....

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

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) for the last five Financial Years completed (as on 31 <sup>st</sup> March)
	Self			(i)
				(ii)
				(iii)
				(iv)
				(v)
2.	Spouse			(i)
				(ii)
				(iii)
				(iv)
				(v)
3.	HUF (If Candidate is Karta/Coparcener)			(i)
				(ii)
				(iii)
				(iv)
				(v)
4.	Dependent I			(i)
				(ii)
				(iii)
				(iv)
				(v)

5.	Dependent 2			(i)	
				(ii)	
				(iii)	
				(iv)	
				(v)	
6.	Dependent 3...			(i)	
				(ii)	
				(iii)	
				(iv)	
				(v)	

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**

**(i) 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**

**(ii) The following criminal cases are pending against me:**

**(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**

<b>(a)</b>	<b>FIR No. with name and address of Police Station concerned</b>			
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(b)	Case No. with Name of the Court			
(c)	Section(s) of concerned Acts/Codes involved (give no. of the Section, e.g. Section.....of IPC, etc.).			
(d)	Brief description of offence			
(e)	Whether charges have been framed (mention YES or NO)			
(f)	If answer against (e) above is YES, then give the date on which charges were framed			
(g)	Whether any Appeal/Application for revision has been filed against the proceedings (Mention YES or NO)			

**(6) Cases of conviction**

**(i) 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**

**(ii) I have been convicted for the offences mentioned below:**

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

**Table**

<b>(a)</b>	<b>Case No.</b>			
<b>(b)</b>	<b>Name of the Court</b>			
<b>(c)</b>	<b>Sections of Acts/Codes involved (give no. of the Section, e.g. Section..... of IPC, etc.).</b>			
<b>(d)</b>	<b>Brief description of offence for which convicted</b>			
<b>(e)</b>	<b>Dates of orders of conviction</b>			
<b>(f)</b>	<b>Punishment imposed</b>			
<b>(g)</b>	<b>Whether any Appeal has been filed against conviction order (Mention YES</b>			

(h)	If answer to (g) above is YES, give details and present status of appeal			
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(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]**

**Note:**

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 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 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';**

S. No.	Description	Self	Spouse	HUF	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)						
(vii <sup>i</sup> )	Any other assets such as value of claims/interest						
(ix)	<b>Gross Total value</b>						

**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.

S. No	Description	Self	Spouse	HUF	Dependent-1	Dependent-2	Dependent-3
(i)	<b><u>Agricultural Land</u></b>						
	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)	<b><u>Non-Agricultural Land</u></b>					
	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)	<b><u>Commercial Buildings</u></b>					
	(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)	<b><u>Residential Buildings</u></b> (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	HUF	Dependent-1	Dependent-2	Dependent-3
(i)	<b>Loan or dues to Bank/Financial Institution(s)</b>  Name of Bank or Financial Institution, Amount outstanding, Nature of loan						
	<b>Loan or dues to any other individuals/entity other than mentioned above.</b>  Name(s), Amount outstanding, nature of loan						
	<b>Any other liability</b>						
	<b>Grand total of liabilities</b>						

(ii)	<p><b>Government Dues:</b></p> <p>Dues to departments dealing with Government accommodation</p>	<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>(i) The address of the Government accommodation:</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>(ii) There is no dues payable in respect of above Government accommodation, towards-</p> <p>(a) rent;</p> <p>(b) electricity charges;</p> <p>(c) water charges; and</p> <p>(d) telephone charges as on .....(date)</p> <p>[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].</p> <p>Note- '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.</p>	<p>YES/NO (Pl. tick the appropriate alternative)</p>
(iii)	<p>Dues to department dealing with Government transport (including aircrafts and helicopters)</p>		

		Self	Spouse	HUF	Dependent-1	Dependent-2	Dependent-3
(iv)	Income Tax dues						
(v)	GST dues						
(vi)	Municipal/Property tax dues						
(vii)	Any other dues						
(viii)	Grand total of all Government dues						
(ix)	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 .....

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

(a) Self .....

(b) Spouse .....

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

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

(a) details of contracts entered by the candidate.....

(b) details of contracts entered into by spouse .....

(c) details of contracts entered into by dependents .....

(d) details of contracts entered into by Hindu Undivided Family or trust in which the

- candidate or spouse or dependents have interest .....
- (e) details of contracts, entered into by Partnership Firms in which candidate or spouse or dependents are partners .....
- (f) details of contracts, entered into by private companies in which candidate or spouse or dependents have share .....

**(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.	Total number of pending criminal cases						
6.	Total Number of cases in which convicted						
7.		<b>PAN of</b>	Year for which last Income Tax Return filed	Total Income Shown			
	(a) Candidate						
	(b) Spouse						
	(c) HUF						
	(d) Dependent						
8.	<b>Details of Assets and Liabilities (including offshore assets) in rupees</b>						
	Description	Self	Spouse	HUF	Dependent-1	Dependent-2	Dependent-3
A.	<b>Moveable Assets (Total value)</b>						
B.	<b>Immovable Assets</b>						
	I Purchase Price of self-acquired immovable property						
	II Development/const ruction cost of immovable property after purchase (if applicable)						



	III	Approximate Current Market Price -					
		(a) Self-acquired assets (Total Value)					
		(b) Inherited assets (Total Value)					
9.		<b>Liabilities</b>					
	(i)	Government dues (Total)					
	(ii)	Loans from Bank, Financial Institutions and others (Total)					
10.		<b>Liabilities that are under dispute</b>					
	(i)	Government dues (Total)					
	(ii)	Loans from Bank, Financial Institutions and others (Total)					
11.		<b>Highest educational qualification:</b> (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 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.....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.

**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.