To,
Chief Electoral officers
of all State and Union Territories

Sub:- Affidavit to be filed by the candidates with their nomination paper- modification of format - regarding.

Sir/Madam,

The candidates at elections to the Parliament and the State Legislatures hitherto were required to file two affidavits: one, in Form -26 appended to Conduct of Elections Rules 1961 and the other, in the Form prescribed by the Commission, vide its Order No. 3/ER/2003 dated 27.03.2003, as subsequently modified by the letter of even number dated 25.02.2011. In the affidavits, the candidates are required to declare information about their criminal background, if any, assets, liabilities and educational qualifications.

2. On a proposal moved by the Commission for amalgamating the two affidavits into one format, the Govt. has amended Form 26 so as to include in it all the information that was sought in the two separate affidavits. The Ministry of Law and Justice have notified the revised format of Form 26 in the Gazette of India on 01.08.2012. A copy of the said notification dated 1st August, 2012 is enclosed herewith.

3. In view of the amendment to Form-26, all candidates shall, hereafter, file only one affidavit in the revised Form 26 notified on 01.08.2012(at elections to the Parliament and State Legislatures). The requirements to be followed while filing the affidavit have been mentioned in the notes given at the end of the format. Further, as already directed in the Commission’s letter No. 3/ER/2011/SDR, dated 1st September, 2011, the affidavit should be on stamp paper of such denomination as prescribed under the State Act on the subject.

4. The Commission has directed that the revised format of the affidavit should be brought to the notice of the Returning Officers for all elections conducted by the Commission, including elections to Rajya Sabha and Legislative Councils (in the States having Legislative Council) with instructions to ensure that this is brought to the notice of all concerned. You may kindly ensure that all the Returning Officers, including Returning Officers for elections to Council of States and Legislative Councils, receive a copy of this letter along with the
notification of amended Form-26 and acknowledgement of receipt be obtained from every Returning Officer in the State. A consolidated certificate that all the Returning Officers have received the instructions may be forwarded to the Commission within one month of receipt of this letter.

5. You are also requested to furnish a copy of this letter along with copy of the enclosed notification to every political party (including registered unrecognized parties) having headquarters in your State/UT, including the State Units of recognized National and State political parties.

Yours faithfully,

(Ashish Chakraborty)
Secretary
S.O. 1732(E).- In exercise of the powers conferred by section 169 of the Representation of the People Act, 1951 (43 Of 1951), the Central Government, after consulting the Election Commission, hereby makes the following rules further to amend the Conduct of Elections Rules, 1961, namely:-

1. (1) These rules may be called the Conduct of Elections (Amendment) Rules, 2012.
   (2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Conduct of Elections Rules, 1961, for Form 26 and the entries relating thereto,
   the following Form and entries shall be substituted, namely:-

"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 …………………………………………. (mention full
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 return-

<table>
<thead>
<tr>
<th>SL No.</th>
<th>Names</th>
<th>PAN</th>
<th>The financial year for which the last Income-Tax return has been filed</th>
<th>Total income shown in Income-Tax return (in Rs.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Self</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Spouse</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Dependent-1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Dependent-2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Dependent-3</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(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 | Cash/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 offence(s) for which cognizance taken |
(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 cover 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

<table>
<thead>
<tr>
<th>Sl No.</th>
<th>Description</th>
<th>Self</th>
<th>Spouse</th>
<th>Dependent-1</th>
<th>Dependent-2</th>
<th>Dependent-3</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>Cash in hand</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>II</td>
<td>Details of deposit in , Bank accounts(FDRs. Term Deposits and all other types of deposits including saving accounts). Deposits with financial</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

280
<table>
<thead>
<tr>
<th>Institutions. Non-Banking financial Companies and Cooperative societies and the amount in each such deposit</th>
</tr>
</thead>
<tbody>
<tr>
<td>III Details of investment in Bonds debentures / shares and units in companies/mutual funds and others and the amount</td>
</tr>
<tr>
<td>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</td>
</tr>
<tr>
<td>V Personal loans/ advance given to any person or entity including firm, company, Trust etc and other receivables from debtors and the amount</td>
</tr>
<tr>
<td>VI Motor Vehicles/ Aircrafts/Yachts/Ships (Details of Make, registration number etc. year of purchase and amount)</td>
</tr>
<tr>
<td>VII Jewellery, bullion and valuable thing(s) (give details of weight and value)</td>
</tr>
<tr>
<td>VIII Any other assets such as value of claims/interest</td>
</tr>
<tr>
<td>IX Gross Total Value</td>
</tr>
</tbody>
</table>
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

<table>
<thead>
<tr>
<th>SI No.</th>
<th>Description</th>
<th>Self</th>
<th>Spouse</th>
<th>Dependent-1</th>
<th>Dependent-2</th>
<th>Dependent-3</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i)</td>
<td>Agricultural Land</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Location(s)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Survey number(s)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Area (total measurement in acres)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Whether inherited property (Yes or No)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Date of purchase in case of self-acquired property</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Cost of Land (in case of purchase) at the time of purchase</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Any investment on the land by way of development, construction etc.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Approximate current market value</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(ii)</td>
<td>Non-Agricultural Land</td>
<td></td>
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<td></td>
</tr>
<tr>
<td></td>
<td>Location(s)</td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Survey number(s)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Area (total measurement in sq.ft.)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Whether inherited property (Yes or No)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(iii) Commercial buildings (including apartments)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Area (total measurement in sq.ft.)</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Built-up Area (total measurement in sq.ft.)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Whether inherited property (Yes or No)</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Date of purchase in case of self-acquired property</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cost of property (in case of purchase) at the time of purchase</td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Any investment on the property by way of development,</td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>construction etc.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Approximate current market value</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| iv Residential Buildings (including apartments) | | | |
| 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

<table>
<thead>
<tr>
<th>Description</th>
<th>Self</th>
<th>Spouse</th>
<th>Dependent-1</th>
<th>Dependent-2</th>
<th>Dependent-3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cost of property (in case of purchase) at the time of purchase</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Any investment on the land by way of development, construction etc.</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Approximate current market value</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>v Others (such as interest in property)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>vi Total of current market value of (i) to (v) above</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(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)

<table>
<thead>
<tr>
<th>Sl No.</th>
<th>Description</th>
<th>Self</th>
<th>Spouse</th>
<th>Dependent-1</th>
<th>Dependent-2</th>
<th>Dependent-3</th>
</tr>
</thead>
<tbody>
<tr>
<td>i</td>
<td>Loan or dues to Bank/financial institution(s)Name of the Bank or financial institution, Amount outstanding, Nature of Loan</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Loan or dues to any Other individuals/entity other than mentioned above Name(s) Amount outstanding, nature of loan</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Any other liability</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Grand total of liabilities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>li</td>
<td>Government dues: Dues to departments dealing with government accommodation</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dues to department dealing with supply of water</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dues to department dealing with supply of electricity</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dues to department dealing with supply of telephones/mobiles</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dues to department dealing with government transport (including aircrafts and helicopters)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Income tax dues</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wealth tax dues</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Service tax dues</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Municipal/Property Tax dues</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sales Tax dues</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Any other dues</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>iii</td>
<td>Grand total of all Government dues</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>iv</td>
<td>Whether any other liabilities are in dispute, if so, mention the amount involved, and the authority before which it is pending.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(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:

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name of the Candidates</th>
<th>Sh./Smt./Kum.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Full postal address</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Name of the political party which set up the candidate (otherwise write ‘Independent’)</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>(i) Total number of pending cases where charges have been framed by the Court for offences punishable with imprisonment for two years or more</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(ii) Total number of pending cases where the court(s) have taken cognizance [other than the cases mentioned in item (i) above]</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Total Number of cases In which convicted and sentenced to imprisonment for one year or more [except for offences referred to in subsections (1), (2) or (3) of section 8 of Representation of the People Act, 1951]</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>PAN of Year for which last income Tax return filed Total income shown</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(a) Candidate</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(b) Spouse</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(c) Dependents</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Details of Assets and Liabilities in Rupees.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Description</td>
<td>Self</td>
</tr>
<tr>
<td>A</td>
<td>Moveable Assets (Total value)</td>
<td></td>
</tr>
<tr>
<td>B</td>
<td>Immovable Asset</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Purchase Price of self-acquired</td>
<td></td>
</tr>
<tr>
<td></td>
<td>immovable property</td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>-------------------</td>
<td></td>
</tr>
<tr>
<td>II</td>
<td>Development/ construction cost of immovable property after purchase (if applicable)</td>
<td></td>
</tr>
<tr>
<td>II</td>
<td>Approximate Current market price of-</td>
<td></td>
</tr>
<tr>
<td>I</td>
<td>(a) self-acquired assets (Total Value)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(b) inherited assets (Total Value)</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Liabilities</td>
<td></td>
</tr>
<tr>
<td>i</td>
<td>Government dues (Total)</td>
<td></td>
</tr>
<tr>
<td>ii</td>
<td>Loans from Bank, Financial Institutions and others (Total)</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Liabilities that are under dispute</td>
<td></td>
</tr>
<tr>
<td>i</td>
<td>Government dues (Total)</td>
<td></td>
</tr>
<tr>
<td>ii</td>
<td>Loans from Bank, Financial Institutions and others (Total)</td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>Highest educational qualification:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(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.)</td>
<td></td>
</tr>
</tbody>
</table>
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 column 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-II09(6)/2012-Leg./I]
Dr. SANJAY SINGH, Addl, Secy.

Note: The principal rules were published vide notification number S.0.859, 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.