

Theme 2 - Nomination Process

Guidance Plan:

1. Nomination filing stage is the starting point of the election process and a very vital stage for the RO.
2. The RO should note that the ECI announces the Election Schedule which will be available for reference in the form of a Press Note. The schedule will mention the various stages of the election process.
3. RO should also note that the announcement of schedule by ECI via the Press Note is different from the notification calling the election, which will be a subsequent stage. Filing of nomination starts only from the date of election notification.
4. The slides explain the various statutory and non-statutory 'Forms' and 'Notices' to be issued on the part of the RO, starting with the public notice of election.
5. Instances of omission on the part of RO, during the nomination filing process, which resulted in vitiation of the process have been brought out in the slides, checklists, Dos & Don'ts.
6. RO should remember that certain defects in the nomination paper can be cured at the time of receiving the nomination paper and the RO has to do the necessary preliminary examination, at the time of receiving the nomination papers.
7. The protocol to be observed in the last hour of nomination filing has been brought out in the slides, Dos & Don'ts and Risk Management part should be carefully studied.
8. "FILLING FILING THE SAME IN PHYSICAL FORM AS REQUIRED UNDER THE LAW' AND AFFIDAVIT USING ONLINE FACILITY BEFORE FILING THE SAME IN PHYSICAL FORM AS REQUIRED UNDER THE LAW'



Notification – for GE – and - bye elections



Notification for GE:

- Filing of nomination starts on the date of notification by the President/Governor under **S 14/15 RPA 1951**.
- ECI also issues a notification **S 30 RPA 1951** on the same day

(NB – not to be confused with the Press Note issued by ECI. PN usually is issued a week in advance and contains the date on which the notification is to be issued and also lays down the entire schedule of the election. Generally, not held to be a statutory document. Therefore, the date of notification as mentioned in PN becomes the immutable starting point for the election process, i.e., Nominations)

- RO to issue public notice of election (**S. 31 RPA 1951**) in **Form – 1**
(appended to COER, 1961)
- **NB1: Public notice has to be under the signature of the RO only**
- **NB2: any material defect in the Public Notice will vitiate the process – eg. in next slide**

Notification for Bye-election:

- **S 149 & 150 RPA 1951** – Notification for Bye-election is issued by ECI (not President/Governor)
- - rest of the process same as for GE



Notification – for GE – and - bye elections - contd

Case where the election notification was rescinded on account of improper public Notice.

- In a bye-election to the Lok Sabha in Uttar Pradesh, the Public Notice was issued by the DM whereas the ADM was the RO. When this error was noticed, the ECI cancelled the election notification and issued a fresh notification subsequently. (Akbarpur PC/ Ambedkar Nagar)



Public Notice

Particulars to be specified [in Form 1; COER, 1961]

- Specify the election.
- Mention the place at which nominations are to be filed (normally at the headquarters of RO) .
- **Specify the ARO** who will receive nomination paper in addition to RO. In normal circumstances, only one ARO should be so specified.
- Mention the last date of filing nomination, date, time and place of scrutiny, withdrawal and date & hours of poll.
- **All details are mandatory**

Contd...



Public Notice-Publishing (ECI Instructions) – Contd.

- Public notice to be published in the morning of the date of notification well before **11:00 AM** (time for commencement of nomination filing).
- Notice shall be in **English and official language** of the State.
- Notice to be displayed on the **notice board** of RO, AROs and in other prominent public offices. (O/o Panchayat Samiti, Gram Panchayat, etc.)

NB: Omission of any of the above details, will amount to a material defect

Notice is hereby given that -

FORM 1

(See rule 3)

NOTICE OF ELECTION

Notice is hereby given that-

- (1). an election is to be held of a member to the House of the People /..... Legislative Assembly/.....
.....Legislative Council in the.....constituency;
OR
- (2). an election is to be held of a member(s) to the Council of State /.....Legislative Council/
..... by the elected members of the.....Legislative Assembly.
- (3). nomination papers may be delivered by a candidate or any of his proposers to the Returning Officer or to
..... Assistant Returning Officer, at between 11 A.M.
and 3 P.M. on any day (other than public holiday) not later than the.....
- (4). forms of nomination paper may be obtained at the place and times aforesaid;
- (5). nomination paper will be taken up for scrutiny at..... on
..... at
- (6). notice of withdrawal of candidature may be delivered either by a candidate or by any of his proposers or by
his election agent who has been authorised in writing by the candidate to deliver it to either of the officers
specified in paragraph (2) above at his office before 3 P.M. on the
- (7). in the event of the election being contested, the poll will be taken on.....between the hours of
..... and.....

Place:

Date:

Returning Officer

Contd...



Filing of Nominations - Restriction on Number of vehicle: and people at the time (ECI Instructions)

- Maximum **three vehicles** in the convoy of a candidate or accompanying him to be allowed to come within a periphery of 100 meters of ROs/AROs Office
- Maximum **five persons** (including the candidate) can be allowed to enter the Office of ROs/AROs at the time of filing nomination.
- **Any violation of this instruction at the time of filing nomination papers will be seriously viewed by the Commission and actions will be taken against DEO/RO or such other person including candidate and or his party responsible for violation.**

NB1: for COVID circumstances, if relevant, check for revised instructions

NB 2: Irrespective of the no. of Nomination Papers being filed by a candidate, the restriction of 5 persons being permitted will hold.



Instructions on CCTV/Videography and safe custody of documents (ECI Instructions)

- i. 360 degree CCTV coverage of the room specified for nomination process.
- ii. Process of filing of nomination to be video graphed.
- iii. If CCTV arrangement cannot be made, then there should be videography done with time stamping facility.
- iv. Continuous/unedited videography in the last hour of filing nomination (2 PM onwards on the last day)
- v. Keep all papers securely. Avoid misplacing.
- vi. RO/Specified ARO to be available at the place of filing throughout the nomination filing period.



Security Deposit (RPA 1951 for requirement of Security Deposit & COER 1961 Security Deposit - Prevailing amount for LS and LA)



- Rs.25,000 for Lok Sabha election.
- Rs. 10,000 for Assembly election.
- Half the amount for SC/ST candidates (even in general constituencies).
- Security amount can be deposited in cash before the RO/ARO or through e-challan/challan in Bank/ Treasury- **no deposit acceptable by cheque or Bank draft.**
- No question of submitting at the time of Scrutiny.

NB : please reconfirm the prevailing Security amount as per the latest provisions of the RPA, 1951



Requirements for valid nomination [S 33(1)RPA 1951]



- [Form 2A & Form 2B \(COER 1961\)](#) for LS and LA respectively
- To be presented before RO/ specified ARO only
- Can only be filed at the place mentioned in the public notice.
- Can be filed only between **11 AM and 3 PM** during the period for filing as per schedule notified by ECI under **S 30 RPA 1951**.

NB 1: ensure that Nomination Papers are not received outside the stipulated hours

NB 2: omission/default on any of the above may have vitiating effect

NB 3: The candidate is not at the liberty to modify, change or delete portions thereof of the prescribed formats i.e. **Form 2A and 2B. Doing so will be assessed as a substantial defect. RO may note the same in the Checklist so as to allow appropriate corrective action by the candidate within the stipulated time.**



Requirements for valid nomination - contd.



- Nomination can be filed only by candidate or any of the proposers, in person
- Cannot be sent by post or filed through any other person.
- To be filed only at the prescribed place(s).
- Nomination to be signed by the candidate and the prescribed number of proposers.
- Cannot be filed on a public holiday.

NB: Online nomination is not a complete filing process. It simply provides an option to the candidate to fill the forms through the IT tools. Thereafter, the print has to be taken, signed by proposers/candidate and submitted in Physical form to the RO. (Guidelines for optional facility for candidates for online data entry of personal details in Nomination Form may be referred to along with the Suvidha APP.)



Proposers - Prescribed numbers [S33(1) RPA 1951]

Recognized Party*	For all other candidates**
One proposer*	10 proposers**

***Recognized Party**-Recognized National Parties or recognized State Parties of the State concerned.

Proposers should be **electors of the constituency concerned.

NB1: Candidates of recognized State party of another State will require 10 proposers for their nomination

NB 2: refer to the updated list of National and State Parties issued by ECI

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Proposers-clarifications – contd.

- Under **R 2(2) COER, 1961**, in case of person(s) (proposer in this context) who are ***illiterate*** their thumb Impression has to be attested by the RO or any Administrative Officer not below the rank of SDO as **authorized by ECI** for this purpose.
- Therefore Thumb Impression has to be affixed in the presence of the RO or the authorized officer (an Administrative Officer not below the rank of SDO has been authorized for the purpose by ECI) .
- Form of nomination paper – [Form 2A](#) for Lok Sabha and [Form 2B](#) for Legislative Assembly maybe seen for reference.



For Reserved Constituencies

- For reserved constituencies, candidates have to give a **declaration (in the Nomination Form)** specifying the caste/tribe to which he/she belongs. (S33 (2) RPA, 1951).
- The candidate should belong to SC/ST of any State in case of LS election and should belong to SC/ST of that particular state in case of LA election (S 4,5 RPA, 1951)
- It is desirable to obtain certificate to prove SC/ST status.

NB: typical risk related to forged SC/ST Certificate and therefore adequate care to be taken by RO, such as checking with the issuing authority, wherever necessary



Documents to be filed by Candidates dismissed from Govt. Service/ Documents to be filed by Candidates who are electors of a different Constituency



1. For a person dismissed from an office under Govt. of India/any State Govt., to contest election within 5 years of dismissal:

Submit along with nomination paper, a certificate from ECI stating that the dismissal was not on account of corruption or disloyalty to State. (S 33(3) RPA 1951)

2. Candidate who is an elector of a different Constituency:

Certified extract of entries in the relevant roll to be submitted – (S 33(5) RPA 1951)

NB: If not filed with nomination, this can be filed till the time of scrutiny. RO to give a notice - in the check-list in the format as per *ECI direction dated 6th March 2024*.



Affidavit by candidate

- Candidate is required to file affidavit in [Form-26](#) (revised Form circulated vide **ECI letter dated 28-02-2019.**)
- The affidavit to be filed along with nomination paper or up to 3:00 pm on the last date of filing nomination.
- All the columns in the affidavit must be filled in. No column should be left blank
- If candidate does not have information to be filled in a column, he/she should fill – Not Applicable / Nil/Not Known
- The affidavit should be typed or written legibly and neatly.
- Maximum 4 nomination papers can be filed by a candidate in a constituency. In case of more than 01 nomination paper of a candidate, 01 affidavit is sufficient. (**ECI letter No.3/ER/2023/SDR/Vol.IV dated 06-03-2024**)

Contd...



Affidavit by candidate – No due Certificate

NB 1: No Dues certificate Mandatory if the prospective candidate has been in occupation of Government accommodation anytime in last 10 years- Ground for rejection

NB 2: Form 26 COER 1961 in column no.8 (ii), states the requirement of the No-Due certificate. No prescribed format.

NB 3 – to Obviate difficulties in obtaining such certificates in some cases, the Commission has issued an Order no.3/ER/2023/SDR/Volume IV dated 03/05/2024 should be referred to. Inter alia, it directs the concerned authorities/depts./agencies to issue the No-due Certificate within 48 hours of the receipt of application/ request letter from candidates in cases where dues are not pending or are not due by law.

✓ Non- furnishing of affidavit is defect of substantial character.



Additional points w.r.t Affidavits by candidate

- ✓ Affidavit to be sworn before notary public/oath commissioner/magistrate of the first class.
- ✓ **If the affidavit has not been filed with nomination paper or any column left blank, in that case, notice to be given as per check list**
- ✓ If despite notice the defect is not rectified then prima facie it will sustain as substantial defect.



Action by RO on Affidavits in **Form 26** as per ECI Instructions



- Copy to be **displayed** on notice board of RO and also notice board of ARO if his office is in a different place. If office of both RO and AROs are outside the boundary of constituency, one set of copies of affidavits to be **displayed** in a prominent public place within constituency limits.
- Copies to be **supplied** free of cost to whoever requests for it. Copy to be **uploaded** on website of CEO within **24 hours** of filing.
- If anyone files counter affidavit pointing out **false statements** in any affidavit, that also to be displayed on notice board.

NB 1: RO is not required to conduct enquiry into correctness of statements in the affidavits.

NB 2: Please see ECI letter No.3/ER/2023/SDR/Vol.IV Dated 06.03.2024.

NB 3 : in cases where counter affidavit is filed against a candidate own affidavit, and the candidate files a revised/fresh affidavit, both the counter affidavit and fresh affidavit will require to be uploaded on the website.

Action by RO on Affidavits in **Form 26** as per ECI Instructions - timelines

- **Situation 1:** the affidavit has to be filed upto/by the last day of nomination by 3:00 PM. If the affidavit is not filed, RO to give notice in the checklist asking candidate to file the affidavit accordingly.
- **Situation 2:** if affidavit is filed but columns are left blank in the affidavit, RO to give notice in the checklist asking candidate to file a fresh affidavit complete in all respect, latest by the time of commencement of scrutiny.
- **Situation 3:** if the affidavit is defective such as not notarized, then checklist will mention the defect and the candidate will need to file fresh affidavit in the prescribed manner within the allotted time of 3:00 PM of the last day of nomination.
- **Situation 4:** in cases where a candidate desires to file a revised affidavit suo-moto, it can be done within the prescribed time limit i.e. 3:00 PM on the last date of nomination.

Candidates with Criminal antecedents - Amendments made to [Form 26](#)

- Ref.: **Public Interest Foundation Vs UOI &, Lok Prahari Vs UOI**
- Court order:
 - ✓ Details of criminal cases to be put up in BOLD letters in [Form 26](#)
 - ✓ Candidate to inform the political party about criminal cases
 - ✓ Political party to mandatorily put the details on its official website
 - ✓ Both candidate and political party to issue declaration in widely circulated newspapers in the concerned area and in TV Channels (at least thrice after the last day of withdrawal of candidature)



Directions of Commission regarding Criminal Antecedents of Candidates - Checklist



- ✓ [Format C1](#) for candidate
- ✓ [Format C2](#) for Political Party
- ✓ [Format C3](#) – in case of candidates having criminal antecedents, a reminder by RO/ARO
- ✓ [Format C4](#) – report to RO By candidates
- ✓ [Format C5](#) – report to CEO By Political Party
- ✓ [Format C6](#) – report to Commission By CEO
- ✓ [Format C7](#) – Publication by Political Party
- ✓ [Format C8](#) – report to Commission by Political Party
- ✓ [Format CA](#) - report to Commission by CEO & RO

NB 1 : Publication of declaration both in newspapers and TV channels by the candidate

NB 2 : Publication of declaration in newspapers and TV channels, website & Social Media platform by the Political Party



Photographs of Candidates – ECI Instructions



- As per **Form 2A & 2B COER, 1961** (circulated vide ECI letter dated 7th July, 2017), each candidate has to affix a photograph on the nomination paper
- Candidates required to submit stamp size (2 cm x 2.5 cm) photograph, in addition to affixed photograph.
- Photograph of candidates is required to be printed on Ballot Paper



Preliminary Examination - **S 33(4) RPA 1951,**



- ✓ Preliminary examination from technical standpoint at the time of **receiving nomination paper. S 33(4) RPA 1951**
- ✓ Entries relating to **electoral roll** details to be compared
- ✓ **Clerical errors** in names, Sl. No. etc. can be allowed to be corrected or even ignored.
- ✓ **Defects**, if any, to be pointed out to candidate



Forms “A” and “B” by Pol. Parties – **Symbols Order, 1968**

- ✓ **Paragraph 13 of Symbols Order, 1968** provides requirements for treating a candidate as a candidate set up by political party.
- ✓ **Forms A and B** to be filed latest by 3 PM on the last day of filing nomination.
- ✓ Both **Forms A and B** to be submitted to RO.
- ✓ **Forms A & B** to be **signed in ink in original** by the authorized officer bearer

NB 1 : Photocopy of Form A & B is not acceptable. Forms received through Fax/e-mail also not acceptable.

NB 2: In cases of Form A received not from the registered Headquarter-address of the party, the same cannot be accepted as a valid Form A.



Forms 'A' & 'B – contd.

- ✓ There is provision in [Form B](#) to cancel the notice given in favour of a candidate by submitting a fresh [Form B](#) (by 3 PM on last date of filing nomination) mentioning the name of the new candidate, and **specifically rescinding** the notice given earlier in favour of the first candidate.
- ✓ If you receive [Form B](#) from the same party in favour of more than one candidate, duly signed by the authorized office-bearer, and there is no cancellation/rescinding of [Form B](#) for any candidate, then among such candidates, the one who filed **nomination paper first** shall be treated as the candidate sponsored by that Party (**Para 13A of Symbols Order**).



Oath/Affirmation (Articles 84 & 173 of Constitution of India)

- ✓ Oath has to be made and subscribed by the candidate in person **after** the submission of nomination paper to RO and by the day before the date of scrutiny of nominations. (***Latest by mid-night of the date preceding the date of scrutiny***)
- ✓ **Multiple Nomination paper - One oath** is sufficient for all nomination papers if candidate is contesting
- ✓ **Two separate oaths** are required for contesting to **different houses** (Lok Sabha/Legislative Assembly).

NB: Oath to be made only after filing nomination and before the day of scrutiny (ruling by the Apex Court & so cited in the ROs Handbook)

Contd...



Oath/Affirmation



(Articles 84 & 173 of Constitution of India) – contd.

- ✓ Candidate required to make oath or affirmation in the [prescribed format](#) in person.
- ✓ Certificate of oath to be given to the candidate without his applying for it.
- ✓ Onus is on candidate to produce Certificate of Oath before the RO (wherever taken before a different authority).
- ✓ Oath can be made before RO/ARO/ Authorized Persons (Ref. RO Handbook 2023 point 5.17)
- ✓ Oath can also be taken before certain other authorities prescribed by ECI

Contd...



List of other/all Authorities before whom Oath or Affirmation to be made (as prescribed by ECI Order)

AUTHORITIES BEFORE WHOM OATH OR AFFIRMATION TO BE MADE

- i. RO or any of the Assistant ROs of the constituency.
- ii. All stipendiary/Presidency Magistrates of the first class, District Judges and persons belonging to judicial service of the State.
- iii. Superintendent of the prison if the candidate is confined in a prison.
- iv. Commandant of the detention camp if the candidate is under preventive detention.
- v. Medical Superintendent/Medical Practitioner attending to the candidate in case candidate is confined to bed in a hospital or elsewhere owing to illness or other cause.

Contd...



Authorities before whom Oath or Affirmation to be made (as prescribed by ECI Order) contd

AUTHORITIES BEFORE WHOM OATH OR AFFIRMATION TO BE MADE

- vi. Diplomatic or Consular Representative of India in that country, if the candidate is out of India.
- vii. Any other person nominated by the ECI, on application made to it.

NB 1: Certificate of oath to be given to the candidate without his applying for it.

NB 2: If taken before a different authority-Onus is on candidate to produce Certificate of Oath before the RO

Contd...



Action by RO on receipt of Nomination Paper – 10 Steps

Step 1: Enter date & time of receipt and put his/her initials thereon

Step 2: Give running serial number in order of presentation of Nomination Papers

NB: each Nomination paper has to be given a separate serial number, even if more than one Nomination Paper is filed by the same candidate

Step 3: Fill up Part-VI of Nomination Form & handover to candidate/proposer as acknowledgement

Step 4: Give notice of time, date & venue for allotment of symbols, to each candidate

Step 5: Fill up check list in duplicate (See ECI letter No. 3/ER/2023/SDR/Vol.IV dated 06-03-2024) and handover one copy to candidate/proposer filing nomination

Contd...



Action by RO on receipt of nomination – contd.



Step 6: Point out defects, specifically mention documents not filed and/or found defective in any manner in the second part of checklist as notice to candidate for filing the same within prescribed time limit.

Step 7: Obtain specimen signature of candidate

Step 8: Ask candidate to write down his name in the language in which ballot paper to be printed.

Step 9: Handover to candidate/proposer-

- i. **The Register prescribed for maintaining day-to-day account of election expenses with all connected documents & obtain acknowledgment.**
- ii. **An extract of S 127A.**

Step 10: Advise the candidate to make and subscribe oath.

Check List

Original/Duplicate (Original to be kept with nomination paper and duplicate to be handed over to candidate)

Check list of documents in connection with filing of nomination

Name of constituency

Name of the candidate

Date and time of filing nomination paper

Sl. No. of nomination paper

Sl. no.	Documents	Whether filed (Write Yes/No) if there is any defect/shortcoming in the documents, the same should be specified
1.	Affidavit in Form 26 - (a) Whether filed in correct Format? (b) Whether all columns filled up? (c) If not, which column(s) are blank (Please specify) (d) Whether the affidavit is sworn before an Oath Commissioner or Magistrate of First Class or before a Notary Public? (e) Whether each page is signed by deponent? (f) Whether each page bears stamp of Notary or Oath Commissioner? (g) Whether "No Dues" certificates from agencies concerned in respect of rent, electricity charges, water charges and telephone charges have been produced. (Only in case of candidate who has been allotted govt. accommodation during last 10 years)?	
2.	Certified extract of electoral roll (when candidate is an elector of a different constituency)	
3.	Form A and B (applicable in the case of candidates set up by political parties)	
4.	Copy of caste certificate (if the candidate claims to belong to SC/ST)	
5.	Security deposit (whether made)	
6.	Oath or affirmation (whether taken)	

Contd...



Check List



The following documents which have not been filed should be filed as indicated below: -

(a) _____ should be filed latest by _____

(b) Above mentioned columns in the Affidavit in Form 26 have been left blank. You must submit a revised Affidavit with columns duly filled up before the commencement of scrutiny of nominations, failing which the nomination paper will be liable to be rejected.

(c) _____ should be filed latest by _____

Signature of RO/ARO)

Received by me

.....
(Signature/ Thumb impression of candidate/ Proposer)

Date & time:

Place:

Contd...

Check List

N.B.

1. The Affidavit in Form 26 to be filed latest by 3.00 P.M. on the last date of filing nominations.
2. If the affidavit is filed in pre-revised/ incorrect format, the candidate should be asked to submit affidavit in correct format complete in all respect, latest by 3:00 pm on the last date of filing nominations.
3. If columns have been left blank in the affidavit in Form 26, this should be specified against Sr. No. 1, and candidate should be asked to submit an affidavit complete in all respect, latest by the time fixed for commencement of scrutiny of nominations. Failure to submit revised affidavit complete in all respects, even after reminder by RO will be a ground for rejection of the nomination paper.
4. Oath has to be taken after filing nomination paper and before the date fixed for scrutiny.
5. Certified extract of electoral roll can be filed up to the time of scrutiny.
6. In case of candidates set up by Political Parties, Form A & Form B have to be filed by 3:00 PM on the last date of making nominations. Both the Form A and Form B should bear original signature in ink. Photocopies shall not be acceptable. In case candidate submits photocopies of Form A or Form B or both, the same should be pointed out at Sr. No. 3 and the candidate should be asked to file original Form A and Form B, signed in ink, latest by 3:00 PM on the last date of making nominations.
7. If "No Dues" certificate from agencies concerned in respect of rent, electricity charges, water charges and telephone charges have not been produced alongwith affidavit, the candidate shall be asked to submit them by the time fixed for commencement of scrutiny of nominations. Failure to submit "No Dues" Certificate shall be defect of substantial nature.

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Acknowledgment of Nomination Paper

NB 1: Apart from acknowledgement in Part-VI of nomination form, checklist duly filled is a further acknowledgement.

NB 2: All notices for filing various documents shall be given in checklist itself.



Other documents to be handed over to candidates at the time of filing of nominations – as per ECI Instructions



- Handover the Register prescribed for maintaining day-to-day account of election expenses, along with all other connected documents.
- Obtain an acknowledgment from the candidate/proposer filing the nomination.
- Handover an extract of **S 127A** (printing/ publishing of pamphlets, posters etc.)
- Pls refer to 'ENCORE : ONLINE NOMINATION',



Notice of nomination

- ✓ RO to publish on Notice Board a notice in [FORM-3A](#) regarding nominations received up to 3 PM of each day during the nomination filing period. (S 35 RPA 1951, R.7 COER 1961)
- ✓ Where the Specified ARO receives nomination in a different place such ARO should also publish such notice in [FORM-3A](#) and keep the RO informed on a daily basis.
- ✓ In case more than one nomination papers is filed by one candidate, notice must be given for all of them.



Notice of nomination - Form 3A

FORM 3A (See rule 7)

NOTICE OF NOMINATIONS

Election to the *House of the People/Legislative Assembly from the.....
. constituency. Notice is hereby given that the following nominations in respect of the above election have been received up to 3 P.M. today: -

Serial no. of nomination paper	Name of candidate	Name of father / mother / husband	Age of candidate	Address
1	2	3	4	5
Party affiliation	Particulars of castes, or tribes for candidates belonging to scheduled castes or scheduled tribes	Electoral roll number of candidates	Name of proposers	Electoral roll number of proposers
6	7	8	9	10

Place.....

.....
Returning Officer

Date.....



Preparation of the consolidated list of nominated candidates – ECI Instructions

- ✓ To be prepared after 3 PM on last day of filing, as per format given by ECI – RO Handbook (Aug. 2023) Ch-V
- ✓ Candidates to be classified in 3 categories-
 - (i) Recognized parties,
 - (ii) Registered unrecognized parties and
 - (iii) independents.
- ✓ Within each category, names of candidates shall be arranged alphabetically as per languages prescribed by ECI
- ✓ Recognized parties of other States will be included in the 2nd category (registered unrecognized party).
- ✓ Even if more than one candidate has claimed to be set up by the same party, all such candidate may be included in relevant category.



Arrangements for facilitating the Nomination Process (Instructions of ECI)



Arrangements inside Nomination Hall

- Copies of latest [Form – 2A/2B](#)
- Copies of [Form – 26](#) (Affidavit)
- Clock
- CCTV/Videography
- Counter for Security Deposit
- Adequate support staff
- Slips for last hour of nomination

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Document Checklist for error-free Nomination Process (Instructions of ECI)



Affidavit - [Form 26](#) :-

- Prescribed Formats
- All columns to be filled up
- Not applicable (NA)/Nil/Not Known
- Signature and Notarization
- Notice in the form of check list
- No dues Certificates
- Criminal Antecedents
- Display and uploading of Affidavits and counter affidavits
- Wide dissemination of Affidavit

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Document Checklist for error-free Nomination Process (ECI Instructions) – contd.



- Documents required with Nomination Paper :-
 - Affidavit – [From 26](#)
 - No dues Certificate (wherever required)
 - Security deposit proof
 - Oath certificate
 - Certified Extract of Electoral Roll (wherever required)
 - SC/ST certificate (desirable)
 - [Form A](#) and [Form B](#) (for party candidates)
 - Certificate from ECI under **S9 RPA 1951** (Only for dismissed govt. servant)
 - Photograph



Risks associated with Nomination Process – contd.

RISK No 1: Incorrect notification about designation of RO may lead to legal complications.

- It must be doubly checked that the designation of the Returning Officer in all notifications and notices is the same as notified by ECI in the State Gazette.
- It may be desirable to have a new office seal made if so required.

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Risks associated with Nomination Process – contd

RISK No 2: Hasty receipt of nomination papers and documents may lead to avoidable rejections later.

- Every single nomination and accompanying documents should be checked at the time of submission.
- Deficiencies, if noticed , should be communicated to the candidate/proposer in writing, mentioning specific time and date before which the said defect must be got rectified to the satisfaction of the RO.

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Risks associated with Nomination Process – contd

RISK No 3: Last hour rush on last date of nomination may lead to complaints about difficulty in access.

- Adequate security should be ensured in the entire campus of the office of the RO to control people and allow smooth entry of candidates/proposers.

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Risks associated with Nomination Process – contd

RISK No 4: Frivolous complaints about non-receipt of forms, though claiming to be within time.

- The clock for public view in RO's office should be checked regularly and on the last day in particular.
- Uninterrupted videography should be done of the proceedings in the last hour, on the last day of nomination, which should cover all person including ECI Observer present and events in the hall/room with a clear view of the clock.

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Risks associated with Nomination Process – contd

RISK No 5: Undue request to permit submission of documents beyond the hour prescribed.

- The RO must scrupulously follow the statutory rules and ECI guidelines about the time-limits for submitting forms and supporting papers.

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Risks associated with Nomination Process – contd

RISK No 6: Lack of pre-check may lead to delay at the time of scrutiny..

- Following a prescribed check-list, all nomination forms and accompanying documents like Affidavit, electoral roll extract, caste certificate where needed, security deposit receipt, etc. must be checked after the nomination time closes
- Ensure that no Affidavit/document in an old/obsolete format gets accepted

Contd...



Do's during nomination process

Do's

- ✓ Double check designation of RO in all Notifications & Notices-to be same as in State Gazette by ECI.
- ✓ Carefully check the documents received with nomination papers & communicate all deficiencies in writing in the checklist.
- ✓ Keep adequate security and arrangements for last day rush and videograph the process in the last hour.
- ✓ Maintain separate file for different candidates

Contd...



Do's during nomination process-Contd

Do's

- ✓ Follow statutory rules and ECI guidelines and the prescribed checklist.
- ✓ Check every **Form A and B** at the time of receiving nominations whether they are signed in ink is original. Keep all the nomination papers and connected documents filled by a candidate together and in safe custody of RO.



Don'ts during nomination process

Don'ts

- ✓ Hasty receipt of nomination papers.
- ✓ Inadequate arrangements for last day rush.
- ✓ Improper videography of the process.
- ✓ Not following statutory rules and ECI guidelines

IT Applications for Nomination Process:

Candidate Nomination

- Digitization of nomination form to create database of candidate that used in various election process

Affidavit Portal

- This allows citizens to view the complete list of Candidate Nominations who have applied for the elections and their affidavits

Candidate Scrutiny

- Process of marking nomination as Accepted / Rejected / Withdrawn.

APP for Criminal Antecedents:
KYC APP

ENCORE : ONLINE NOMINATION

- *Online scheduling of meeting for document submission.*
- *Online security deposit facility and generation of e-affidavit*
- *Data validation & alert to avoid mistakes.*

ENCORE : CANDIDATE NOMINATION & SCRUTINY

(This facility to RO helps digitize the physically received nomination forms. RO can also perform other Nomination related processes like uploading affidavits, multiple nomination, scrutiny, marking of validity, allotment of symbol and finalization of list.)

Apply multiple Nominations
Digitization of physically received forms.
Upload Affidavit and counter affidavit.



THANK YOU