

ई-मेल/स्पीड पोस्ट

# कार्यालय मुख्य निर्वाचन अधिकारी उत्तर प्रदेश।

चतुर्थ तल, विकास भवन, जनपथ मार्केट, लखनऊ-226001

संख्या-417/सी0ई0ओ0-2-67/2-2007

लखनऊ:

दिनांक: 13 मार्च, 2019

सेवा में,

समस्त जिला निर्वाचन अधिकारी,  
उ०प्र०।

विषय: **Filing of nomination papers-instructions-regarding.**

महोदय,

उपर्युक्त विषय पर कृपया भारत निर्वाचन आयोग के पत्र सं०-3/ER/2019/SDR/Vol. 1, दिनांक-12 मार्च, 2019 का अवलोकन करने का कष्ट करें।

2- उक्त पत्र के माध्यम से भारत निर्वाचन आयोग द्वारा हाल में ही हुए वीडियोकान्फ्रेंसिंग में कई रिटर्निंग ऑफिसर्स द्वारा की गई पृच्छा को दृष्टिगत रखते हुए रिटर्निंग ऑफिसर्स के सुलभ सन्दर्भ हेतु संबंधित परिपत्र उपलब्ध कराए गए हैं।

अतः अनुरोध है कि कृपया आयोग द्वारा उपर्युक्त पत्र के साथ संलग्न परिपत्रों को रिटर्निंग ऑफिसर/सहायक रिटर्निंग ऑफिसर को उपलब्ध कराते हुए आवश्यक कार्यवाही सुनिश्चित कराने का कष्ट करें।

संलग्नक:यथोपरि

भवदीय,

(रत्नेश सिंह)

संयुक्त मुख्य निर्वाचन अधिकारी।

संख्या:-417(1)सी0ई0ओ0-2-तददिनांक-

प्रतिलिपि निम्नलिखित को संलग्नक सहित सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

1. सचिव, भारत निर्वाचन आयोग, निर्वाचन सदन, अशोक रोड, नई दिल्ली को पत्र सं०-3/ER/2019/SDR/Vol. 1, दिनांक-12 मार्च, 2019 के सन्दर्भ में।
2. समस्त उप/सहायक जिला निर्वाचन अधिकारी, उत्तर प्रदेश।
3. प्रभारी, कम्प्यूटर कक्ष को कार्यालय की वेबसाइट पर अपलोड करने हेतु।

(रत्नेश सिंह)

संयुक्त मुख्य निर्वाचन अधिकारी।

# ELECTION COMMISSION OF INDIA

E-mail/Speed Post

Nirrachan Sadan, Ashok Road, New Delhi-110 001

No 3/ER/2019/SDR/Vol.I

Date: 12<sup>th</sup> March, 2019

To,

The Chief Electoral Officers  
of all States & Union Territories.

Subject: - Filing of nomination papers-instructions- regarding.

Sir/Madam,

In view of the queries raised by several Returning Officers in the Video Conferences held recently, copies of the following circulars are being sent, for ready reference and clarification for Returning Officers: -

S/No.	Letter No.	Date	Subject
1.	576/3/2007/JS.II	08.08.2007	Filing of nomination as candidate set up by more than one party- instructions
2.	4/3/2008/JS-IV/Vol.III	02.07.2008	Scrutiny of nomination papers- SC/ST Candidate from reserved seats - regarding
3.	3/ER/2013/SDR Vol.II	06.09.2013	Disqualification for conviction under Section 8 of the Representation of the People Act, 1951-clarification-regarding.
4.	4/ECU/ET/FUNC/JUD/S DR/Vol I/2016	29.12.2016	Receiving of nomination papers holidays-regarding
5.	3/4/2017/SDR/VOL-II	10.10.2018	Supreme court's judgment on the petition regarding people with criminal antecedents contesting elections.

6.	576/3/ECU/ET/FUNC/JU D/SDR/2013	07.02.2019	The CHECK LIST of document requirement to be filed by a candidate along with the nomination paper-regarding.
7.	3/4/2019/SDR-Vol.I	28.02.2019	Amendments in Form-26 (Format of Affidavit to be filed by candidates).

An amended Form 2A (format of nomination paper for election to Lok Sabha) is also enclosed for ready reference.

2. The above instructions may be brought to the notice of all DEOs, ROs and other election authorities.

Kindly acknowledge receipt.

Yours faithfully,

(N.T.Bhuria)  
Secretary

**ELECTION COMMISSION OF INDIA**  
Nirvachan Sadan, Ashoka Road, New Delhi - 110 001.

No. 576/3/2007/IS-II

Dated:- 8<sup>th</sup> August, 2007.

To

✓  
The Chief Electoral Officers of  
all States & Union Territories.

Subject:- Filing of nomination as candidate set up by more than one party-  
Instructions.

Sir/Madam,

Allotment of symbols to candidates is governed by the provisions of Election Symbols (Reservation & Allotment) Order 1968. Paras 13 and 13A of the Election Symbols (Reservation & Allotment) Order, 1968 provide the conditions as to when a candidate shall be deemed to be set up by a political party. There are express provisions to deal with cases where Form B (the form for communicating the name of a party's candidate to the Returning Officer), is filed by one political party in favour of more than one candidate (Second proviso to para 13A of the Order).

2. Clarification has been sought regarding cases where a candidate files nomination as candidate set up by more than one political party and both/all such parties send Forms A and B in his favour. To deal with such situations, it may be noted that in Form 'B', the political party concerned is required to make a declaration that the candidate who is being set up as the party's candidate is a member of that party. One person cannot be member of two different parties at the same time. Therefore, it follows that if a candidate is seen to be set up by two different parties, the Returning Officer, at the time of scrutiny, will have to look into the facts and decide which of the two parties, the candidate is a member at the time of scrutiny and whether the candidate has ceased to be a member of the other political party/parties mentioned in his nomination papers, and take a decision based on these factual findings.

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3. Accordingly, the following may be incorporated in the Handbook for Returning Officers in 'Chapter-VIII- Allotment of Symbols' in para 4.2 after item (i), and this new insertion may be numbered as '(ii)'.

" (ii) If a candidate claims in his nomination papers to be set up by two or more political parties and both/all such parties have submitted Forms A and B in his favour, the Returning Officer will, at the time of scrutiny, examine the facts as to which of the political parties the candidate belongs to as its member and whether the candidate has ceased to be a member of the other political party/parties mentioned in his nomination papers, and decide the party affiliation of the candidate accordingly".

4. The instructions of para 3 above may be brought to the notice of all Returning Officers/District Election Officers and other election authorities for information and reference.

5. Receipt of this letter may please be acknowledged.

Yours faithfully,

  
(S.R. KAR)  
UNDER SECRETARY

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**ELECTION COMMISSION OF INDIA**

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.4/3/2008/JS-II/Vol.III

Dated 2<sup>nd</sup> July 2008

To

The Chief Electoral Officer of  
All States/Union Territories.

**Sub: Scrutiny of nomination papers - regarding.**

Sir,

The qualifications for contesting election to the House of the People and State Legislative Assemblies are given in Articles 84 and 173 of the Constitution and in Part II of the Representation of the People Act, 1951. Under Sections 4, 5 and 5A of the Representation of the People Act, 1951 as the said Part II, for contesting election from a constituency reserved for SCs/STs, a candidate must belong to SC or ST, as the case may be. Under the law, the Returning Officer is the authority to determine whether a candidate fulfils the requisite qualifications.

2. There have been complaints that in certain cases candidates who do not belong to SC/ST have managed to contest elections from reserved seats by giving false declaration, or on the basis of false documents, etc. There have also been several cases of Election Petitions on the issue of Caste/Tribe status of candidate elected from reserved constituencies.

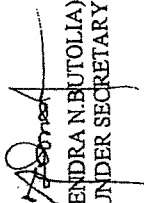
3. In order to prevent cases of non-SC/ST persons contesting election from reserved constituencies, the Returning Officers at the time of scrutiny of nominations should satisfy themselves that the candidates contesting from reserved constituencies belong to SC or ST, as the case may be. Wherever in doubt, the Returning Officer must insist on

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production of SC/ST certificate issued by competent authorities. Where, however, the certificate produced by the candidate is also challenged, the Returning Officer need not go into that question, except where it is alleged that the certificate produced is forged or is not issued by competent authority. In the case of any allegation/suspicion about the genuineness of the certificate, the Returning Officer should get the position cross-checked with the authority which purportedly issued the SC/ST certificate in question, before deciding the validity of the nomination paper of the candidate concerned. If on such cross-checking/verification, the Returning Officer is satisfied that the certificate in question is not genuine, he should not only reject the nomination of the candidate concerned, but should also initiate criminal proceeding against the candidate for adducing forged documentary evidence before him.

4. The above instructions may be brought to the notice of all the Returning Officers, District Election Officers and also all political parties in your State, both recognized and un-recognized.

Yours faithfully,

  
(NARENDRA N. BUTOLIA)  
UNDER SECRETARY

Copy to:

Shri P. Rajanna Dora, MLA-Salur, Shri L. Raja Rao, MLA-Paderu,  
Shri Podem Veeriah, MLA-Mulugu, Shri S. Babu Rao, MLA, Boath-241  
Ch. Babu Ramesh, MLA- Allavaram, Andhra Pradesh Legislative Assembly,  
Hyderabad.

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# ELECTION COMMISSION OF INDIA

NR/VACHAN SADAN, ASHOKA ROAD, NEW DELHI 110 001

No. 3/FE/2013/SDR Vol. II

Dated: 6<sup>th</sup> September 2013

ITEM NO. 121

To  
The Chief Electoral Officer of  
all the States/Union Territories.

Subject: Disqualification for conviction under Section 8 of Representation of the People Act, 1951 - Clarification regarding.

Sir/Madam,

I am directed to invite your reference to the Commission's two letters bearing No. 4/2003/JS-II dated 6<sup>th</sup> February, 2003 and No. 509/5/2005 -JS-I dated 14.01.2005 (copies enclosed) whereby clarifications were issued in connection with disqualification on the ground of conviction under section 8 of the Representation of the People Act 1951.

2. It has come to the notice of the Commission that some Returning Officers and District Election Officers are not aware of the correct legal position about the impact of such order of the Appellate Court on execution of sentence passed by the Trial Court for the purpose of disqualification of the convicted person. In this regard, it is once again clarified that


(i) In cases where a person is convicted and the conviction along with sentence awarded results in disqualification, under sub section (1), (2) or (3) of Section 8, and if the Higher Court, on appeal, stays the operation of only the execution of sentence or imprisonment passed by the Trial Court, then the stay on the execution of sentence so granted by Higher Court and release of the convicted person on bail will not have the effect of suspension of disqualification. In other words, the disqualification will continue to be applicable in such cases;

(ii) In cases where not just the operation of the sentence but the conviction is also specifically stayed, then the disqualification will also remain suspended.

3. These clarifications may be brought to the notice of all the Returning Officers and the Assistant Returning Officers and all other election authorities concerned, in your State/UT, so as to avoid cases of wrong interpretation of law at the time of scrutiny of nominations.

4. Kindly acknowledge receipt.

Yours faithfully,

  
(N.T. Bhadani)  
Under Secretary

Standard distribution

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Election Commission's letter No. 4/2003/JS-II dated 06.02.2003, addressed to the Chief Electoral Officer, Himachal Pradesh and copy forwarded to CEOs of remaining States/UTs

Subject: Disqualification for conviction under Section 8 of Representation of the People Act, 1951 - Clarification

I am directed to refer to your message No. 3-2/96-ELN, dated 27.1.2003, on the above subject

2. Your attention, in this connection, is invited to the Commission's Order No. 509/Disqn./97/J.S.I, dated 28.8.1997, clarifying that a person convicted of an offence mentioned in Section 8 of the Representation of the People Act, 1951, will continue to be treated as disqualified even if he has filed an appeal or application for revision and has been granted bail during the pendency of such appeal/revision. Such person will, however, not attract the disqualification in view of the exemption under sub section (4) of Section 8 of Representation of the People Act, 1951, if he was a sitting member of Parliament or of a State Legislature on the date of his conviction and if he has filed an appeal or application for revision against the order of conviction/sentence within three months of his date of conviction and the same is pending disposal by the Court, in such cases, subsequent dissolution of the House/Assembly will not have any adverse effect on the benefit available to the said person under the exemption clause under the said Section 8(4), and the person concerned will not be disqualified under Section 8 till the disposal of the appeal or application for revision

3. I am also to bring to your notice that the information which was earlier required to be obtained from the candidates regarding cases of conviction for offences under Section 8 through a separate affidavit, prescribed vide the Commission's letter No. 509/Disqn./97-J.S.I, dated 28.8.97, is now covered in the nomination paper itself, by a recent amendment of the Conduct of Elections Rules, 1961. A copy of the amendment notification has already been sent with the Commission's letter No. 3/4/2002/JS-II, dated 25th October, 2002, and the above position has also been clarified to you. The candidates will now be required to file only an affidavit prescribed in Form 26 appended to the Conduct of Elections Rules, 1961.

**INSTRUCTION SL. NO. 9**

Election Commission's letter No.: 509/5/2005-JS.1, dated 14.01.2005 addressed to the Chief Secretaries/Chief Electoral Officers of all States and Union Territories

**Subject: Representation of the People Act, 1951 - Sections 8(3) and 8(4) Interpretation thereof by the Supreme Court of India - CA No. 8213 of 2001 with Civil Appeal No. 6691 of 2002 - Forwarding of Judgment dated 11.1.2005 of the Hon'ble Supreme Court regarding.**

I am directed to forward herewith a copy of the judgment of the Hon'ble Supreme Court of India dated 11.1.2005 in the matter cited above.

- 2. It may be noted that the Hon'ble Supreme Court in the above judgment has, *inter-alia*, held that:
  - (i) in the case of conviction of a person for more than one offence, in a common trial and with the sentences of imprisonment to run consecutively, for the purposes of Section 8(3) of the Representation of the People Act, 1951, the period of sentences of imprisonment for each offence should be added and if the total length of time for which a person has been ordered to remain in prison consequent upon such conviction and sentences is two years or more, the convicted person shall be disqualified under the said Section 8(3) of the Representation of the People Act, 1951;
  - (ii) the protection given under sub-section (4) of Section 8 of RP Act, 1951 to a sitting member of Parliament or State Legislature from incurring disqualification will be available only so long as the House to which he belongs continues to exist and the person continues to be a member of that House.

- 3. You are requested to bring the above order of the Hon'ble Supreme Court to the notice of all returning officers and other authorities concerned for strict compliance in future. Where elections are in progress now, this should be brought to the notice of all Returning Officers immediately and in any case before the date of scrutiny of nominations.
- 4. In this context, it may be clarified that the interpretation placed by the Hon'ble Supreme Court on the provision of Section 8(3) of the Representation of the People Act, 1951 would be equally applicable to the provision of Section 8(2) of the said Act.
- 5. Further, to remove any ambiguity, it is also clarified in conformity with the above decision of the Hon'ble Supreme Court, that if any sitting MLA or MP, who is presently protected under Section 8(4) of the said Act till the dissolution of the existing House to which he belongs, files his nomination for any election held subsequent to his conviction, either for constituting a new House on the dissolution of the existing House or even for a bye-election to an existing House, he shall

not get the protection of the said Section 8(4) and he shall be deemed to be disqualified under Section 8(1), 8(2) or 8(3) of the Act, as may be applicable to him.

6. The receipt of this letter may kindly be acknowledged and copy of instruction issued in this behalf to the Returning Officers, etc. may be endorsed to the Commission for its information and record.



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29/12/2016  
L. 11/11/2016

S.L. No. 21 (CI)

# ELECTION COMMISSION OF INDIA

Nirvaahan Sadan, Ashok Road, New Delhi-110 001

Dated: 29<sup>th</sup> December, 2016

No. 4/ECJ/LET/RUNC/JUD/SDR/VOL.1/2016

995-1030

To,  
The Chief Electoral Officer of  
all States and Union Territories.

Subject: Receiving of nomination forms-holidays-regarding.

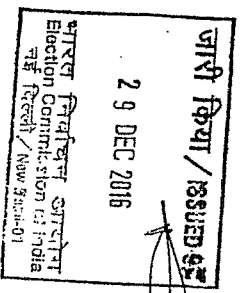
Sir/Madam,

I am directed to state that second proviso under Section 33(1) of the Representation of the People Act, 1951 provides that no nomination paper shall be delivered to Returning Officer on a day which is a public holiday. Under Section 2(4) of the Representation of the People Act, 1951, "Public Holiday" is defined as any day which is a public holiday for the purposes of Section 25 of Negotiable Instruments Act, 1881.

1. The M/o Finance, Government of India vide their Notification dated 20-08-2015 have declared holidays for Banks on second and forth Saturdays, under the Negotiable Instruments Act, 1881.
2. In view of the above legal position, it is informed that Returning Officers should not receive any nomination papers on 2<sup>nd</sup> and 4<sup>th</sup> Saturdays, which have been declared as holidays under the Negotiable Instrument Act, 1881 by the Finance Ministry.
3. This may be brought to the notice of all Returning Officers and other election officials and also to the political parties based in your State/Union Territory.

Yours faithfully,

(N.T. Bhatia)  
Under Secretary



# ELECTION COMMISSION OF INDIA

Nirvaahan Sadan, Ashoka Road, New Delhi-110001

Dated: 19<sup>th</sup> October, 2018

No. 3/4/2017/SDR/Vol.11

To,

The Chief Electoral Officers of  
All States and Union Territories.

Subj: (i) Supreme Court's Judgment on the petition regarding people with criminal antecedents contesting elections;

(ii) Amendments in Form-26 (Format of affidavit by candidates).

Sir/Madam,

The candidates at all elections are required to file affidavit in Form-26, along with nomination paper, declaring information about criminal cases, assets, liabilities and educational qualifications. Form-26 has now been amended vide Ministry of Law & Justice Notification No. H.11019(4)/2018- Leg. II, dated 10<sup>th</sup> October, 2018. The amendments made in Form-26 are in pursuance of the directions in the judgements of the Hon'ble Supreme Court in Writ Petition(C) No. 784 of 2015 (Lok Prabari Vs. Union of India & Ors) and Writ Petition (Civil) No. 536 of 2011 (Public Interest Foundation & Ors. Vs. Union of India & Anr.). A copy of the said notification, along with a copy of the updated Form-26 is enclosed herewith. The candidates are now required to file the affidavit in the amended Form-26.

2. In the judgement in Writ Petition (Civil) No. 536 of 2011, the Hon'ble Supreme Court has inter alia, given the following directions:

- (i) Each contesting candidate shall fill up the form as provided by the Election Commission and the form must contain all the particulars as required therein.
- (ii) It shall state, in bold letters, with regard to the criminal cases pending against the candidate.
- (iii) If a candidate is contesting an election on the ticket of a particular party, he/she is required to inform the party about the criminal cases pending against him/her.

(iv) The concerned political party shall be obligated to put up on its website the aforesaid information pertaining to candidates having criminal antecedents.

(v) The candidate as well as the concerned political party shall issue a declaration in the widely circulated newspapers in the locality about the antecedents of the candidate and also give wide publicity in the electronic media. When we say wide publicity we mean that the same shall be done at least thrice after filing of the nomination papers.

3. In pursuance of the abovementioned judgement, the Commission, after due consideration, has given the following directions to be followed by candidates at elections to the Houses of Parliament and Houses of State Legislatures who have criminal cases against them, either pending cases of cases of conviction in the past, and to the political parties that set up such candidates:

(a) Candidates at elections to the House of the People, Council of States,

Legislative Assembly or Legislative Council who have criminal cases against them, either pending cases or cases in which candidate has been convicted,

shall publish a declaration about such cases, for wide publicity, in newspapers with wide circulation in the constituency area. This declaration is to be published in Format C-1 attached hereto, at least on three different dates from the day following the last date for withdrawal of candidatures and upto two days before the date of poll. The matter should be published in font size of at least 12 and should be placed suitably in the newspapers so that the directions for wide publicity are complied with in letter and spirit.

(Illustration: If the last date for withdrawal is 10<sup>th</sup> of the Month and poll is on 24<sup>th</sup> of the Month, the publishing of declaration shall be done between 11<sup>th</sup> and 22<sup>nd</sup> of that Month).

(b) All such candidates with criminal cases are also required to publish the above declaration on TV channels on three different dates during the abovementioned period. But, in the case of the declaration in TV Channels, the same should be completed before the period of 48 hours ending with the hour fixed for conclusion of poll.

(c) In the case of all candidates who have criminal cases as per the declarations in Items 5 and 6 of Form-26, the Returning Officer shall give a written reminder about the directions herein for publishing declaration about the criminal cases in newspapers and TV channels for wide publicity. A standard format for such reminder to the candidates is annexed as Format C-3. The candidates shall submit the copies of newspapers in which their declaration in this regard was published to the District Election Officer, along with their account of election expenses.

(e) In the case of candidates with criminal cases set up by political parties, whether recognized parties or registered un-recognized parties, such candidates are required to declare before the Returning Officer concerned that they have informed their political party about the criminal cases against them. Provision for such declaration has been made in Form-26 in the newly inserted Item (6A).

4. The Political Parties - recognized parties and registered un-recognized parties, which set up candidates with criminal cases, either pending cases or cases of past conviction are required to publish declaration giving details in this regard on their website as well as in TV channels and newspapers having wide circulation in the State concerned. This declaration by political parties is to be published in Format C-2, annexed hereto. Publishing of the declaration in newspapers and TV channels is required to be done atleast on three different dates during the period mentioned in Para-2(a) above. In the case of TV channels, it shall be ensured that the publishing should be completed before the period of 48 hours ending with the hour fixed for conclusion of poll for the election. All such political parties shall submit a report to the Chief Electoral Officer of the State concerned stating that they have fulfilled the requirements of these directions, and enclosing therewith the paper cuttings containing the declarations published by the party in respect of the State/UT concerned. This shall be done within 30 days of completion of

election. Thereafter, within the next 15 days, the Chief Electoral Officer should submit a report to the Commission confirming compliance by the parties concerned and pointing out cases of defaulters, if any.

5. It may also be noted that the provisions for the additional affidavit in respect of dues against Govt accommodation, if any, that may have been allotted to the candidates, have now been incorporated in Form-26 itself under Item (8) relating to liabilities to Public Financial Institutions and Govt. Therefore, the candidates shall give the requisite declaration/particulars in this regard in Item (8) of Form-26. Accordingly, the candidates are now not required to file the additional affidavit prescribed under the Commission's Order No. 509/11/2004-151, dated 30<sup>th</sup> February, 2016, as the provisions are now part of Form-26 itself.

6. 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 the 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 and recognized political parties with headquarters based in your State/Union Territory, with instructions to take note of the above directions and the amendments in Form-26.

7. Please acknowledge receipt and confirm action taken.

Yours faithfully,  


(K.F. WILFRED)  
Sr. PRINCIPAL SECRETARY

Format-C1

(for candidate to publish in Newspapers, TV)

Declaration about criminal cases

(As per the Judgment dated 25<sup>th</sup> September, 2018, of Hon'ble Supreme Court in WP (Civil) No. 536 of 2017 (Public Interest Foundation & Ors. Vs. Union of India & Anr.)

Name and address of candidate: \_\_\_\_\_

Name of political party: \_\_\_\_\_  
(Independent candidates should write "Independent" here)

Name of Election: \_\_\_\_\_

Name of Constituency: \_\_\_\_\_

I, \_\_\_\_\_ (name of candidate), a candidate for the above mentioned election, declare for public information the following details about my criminal antecedents:

Sl. No.	Pending criminal cases	Details about cases of conviction for criminal offences
	Name of Case, No. and Court status of case	Section(s) of Acts concerned and brief description of offence(s)
		Name of Court & details of order(s) of punishment imposed
		Description of offence(s) & of

\*In the case of election to Council of States or election to Legislative Council by MLAs, mention the election concerned in place of name of constituency.

Note: (i) Details should be given separately for each case in separate rows.  
(ii) The matter in newspapers should be in font size of atleast 12.

Office of Returning Officer

Name of Constituency \_\_\_\_\_  
 Name of State \_\_\_\_\_  
 Name of Election \_\_\_\_\_

It is informed that as per the judgment dated 25<sup>th</sup> September, 2018 of Hon'ble Supreme Court in WP (Civil) No. 536 of 2011 (Public Interest Foundation & Ors. Vs. Union of India & Anr., and the directions in the Commission's letter No. 3/ER/2018/SDR dated 10-10-2018, all candidates with criminal cases - either pending cases or cases of conviction in the past, are required to publish declaration regarding such criminal cases in newspapers and TV channels on three occasions during the period from the day following the last date for withdrawal of candidature and two days before the date of poll. Publishing declaration in TV channels should be completed before the period of 48 hours ending with the hour fixed for conclusion of poll.

Since you/ Sh/Smt./Ms. \_\_\_\_\_ (mention the name of the candidate), a candidate nominated for the abovementioned election, have declared information about criminal cases in items 5/6 of Form-26, you are required to publish information in newspapers having wide circulation in the constituency area and on TV channels on at least three occasions each as mentioned above. The Format for publishing the information is enclosed herewith. It is also informed that copies of the newspapers publishing the information about criminal cases should be submitted to the District Election Officer along with the account of election expenses under Section 78 of Representation of the People Act, 1951.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Name of the RO/ARO \_\_\_\_\_

Signature of Candidate \_\_\_\_\_

Note: One copy of this should be given to candidate and one copy retained with RO.

Format C-2

(For political party to publish in website, newspapers, TV)

Declaration about criminal antecedents of candidates set up by the party

(As per the judgment dated 25<sup>th</sup> September, 2018 of Hon'ble Supreme Court in WP (Civil) No. 536 of 2011 (Public Interest Foundation & Ors. Vs. Union of India & Anr.)

Name of Political Party: \_\_\_\_\_

Name of Election \_\_\_\_\_

Name of state/ UT \_\_\_\_\_

Sl. No.	1. Name of Candidate	2. Name of constituency	3. Pending criminal cases	4. Details about cases of conviction for criminal offences	5. Name of Court & offence(s) & date(s) of punishment order(s) imposed

\*In the case of election to Council of States or election to Legislative Council by MLAs, mention the election concerned in place of name of constituency.

Note:- (i) The above information shall be published State wise for each State/UT.

(ii) The matter in newspapers should be published in font size of at least 12.

# ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashok Road, New Delhi-110 001

No. 576/3/EC/L/ET/FUNC/JUD/SDR/2013  
Dated: 7<sup>th</sup> February, 2019

To,  
The Chief Electoral Officers of  
All states and Union Territories

Subject: The CHECK LIST of documents required to be filed by a candidate along with the nomination paper-regarding

Sir/Madam,

I am directed to refer to the Commission's letter of even No. dated 12<sup>th</sup> January 2017, on the subject cited, circulating therewith the **Check list of documents in connection with filing of nomination by candidates**. Reference is also invited to the Commission's letter No. 3/4/2017/SDR/Vol.II, dated 10.10.2018, with which the amended format of Form 26 was circulated. It would be seen that the provisions of the additional affidavit regarding dues in respect of Government accommodation have now been incorporated in the amended Form 26, and therefore, the said additional affidavit is not required to be filed by candidates.

2. In view of the amendment in Form 26, the Checklist of documents has been amended. A format of amended Check list is enclosed herewith.
  3. Please replace the existing format of Check List in the ROs Handbook as well as in other relevant records by this amended Check List.
  4. The revised format of the CHECK LIST should be brought to the notice of the all Returning Officers for all elections conducted by the Commission, including elections to Rajya Sabha and Legislative Councils (in the States having Legislative Council). You may kindly ensure that all the Returning Officers, receive a copy of this letter along with the revised CHECK LIST and acknowledgement of receipt be obtained from all to ensure that they have received the same.
- Kindly acknowledge receipt.

Yours faithfully,

(Binod Kumar)  
Under Secretary

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 all columns filled up. (b) If not, which are blank column(s) (Please specify) (c) Whether the affidavit is sworn before an Oath Commissioner or Magistrate of First Class or before a Notary Public.	
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 certificates (if the candidate claims to belong to SC/ST)	
5.	Security deposit (whether made)	
6.	Oath and affirmation (whether taken)	

Contd.

# 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

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 \_\_\_\_\_

**Received**

.....  
(Signature of candidate)

.....  
(Signature of RO/ARO)

Date & time:  
Place:

- N.B.**
1. The Affidavit in Form 26 and Form A & B have to be filed latest by 3.00 P.M. on the last date of filing nominations.
  2. If columns have been left blank in the affidavit in Form 26, this should be specified against item 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.
  3. Oath has to be taken after filing nomination paper and before the date fixed for scrutiny.
  4. Certified extract of electoral roll can be filed up to the time of scrutiny.

Please affix your recent passport size photograph here

AFIDAVIT 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) _____

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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

(a)	FIR No. with name and address of Police Station concerned		
-----	---	--	--

(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)			

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 (FDs, 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

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>Agricultural Land</b> Location(s) Survey number(s) Area (total measurement in acres)						

(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

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

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

(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).  
 (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.

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						
<b>Non-Agricultural Land</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										
<b>Commercial Buildings</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					
<b>Residential Buildings (including apartments):</b>											
-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											

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(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)	Loan or dues to Bank/Financial Institution(s) Name of Bank or Financial Institution, Amount outstanding, Nature of loan						
	Loan or dues to any individuals/ other entity than mentioned above. Name(s), Amount outstanding, nature of loan						
	Any other liability						
	<b>Grand total of liabilities</b>						

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

	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.	PAN of	Total Income Shown
	Year for which last Income Tax Return filed	
	(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.	Moveable Assets (Total value)	
B.	Immovable Assets	
	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.

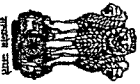
Note: 3. All columns should be filled up and no column to be left blank. If there is no information to furnish in respect of any item, either "Nil" or "Not applicable", as the case may be, should be mentioned.

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.

राजपत्र सं. सी. सं. 33004/99

REGD. NO. D. L-33004/99



भारत का राजपत्र  
The Gazette of India

सामान्य

EXTRAORDINARY

भाग II—खण्ड 3—अ-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्रकाशित से प्रमाणित

PUBLISHED BY AUTHORITY

नई दिल्ली, मंगलवार, फरवरी 26, 2019/कानून 7, 1940  
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विधि और न्याय मंत्रालय

(विभागीय विभाग)

अधिसूचना

नई दिल्ली, 26 फरवरी, 2019

- का.क्रा. 1022(अ) - केन्द्रीय सरकार, लोक प्रतिनिधित्व अधिनियम, 1951 (1951 का 43) की धारा 33 के साथ धारा 169 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निर्वाचन आयोग से परामर्श करने के पश्चात्, विधान सभा निर्वाचनों का संचालन (सिद्धि) नियम, 1979 का और संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात्:-
- इन नियमों -ज संक्षिप्त नाम विधान सभा निर्वाचनों का संचालन (सिद्धि) (संशोधन) नियम, 2019 है।  
(2) ये उनके राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।
  - विधान सभा निर्वाचनों का संचालन (सिद्धि) नियम, 1979 में (जिसे इसमें इसके पश्चात् उक्त नियम कहा गया है) के प्रत्येक 2वें में -  
(क) धारा 3 से "के" यह भी जोड़ा जाता है "से संबंधित धारा के पश्चात् और "अध्यायी के दस्तावेज" के पूर्व निम्नलिखित धारा अंतःस्थापित किया जाएगा:-  
"के" यह भी जोड़ा जाता है कि नये वर्तमान आम निर्वाचन या माध्यम से नाम सिद्धि विधान सभा के लिए होने वाले उप-निर्वाचन में दो से अधिक विधान सभा निर्वाचन क्षेत्रों से अध्यायी के रूप में नाम निर्देशित नहीं किया गया है और न ही किया जाएगा।

(ख) भाग 4 में विद्यमान पैरा को उसके पैरा 1 के रूप में पुनःसंख्यांकित किया जाएगा और इस प्रकार पुनःसंख्यांकित पैरा के पश्चात् और "अभ्यर्थी के हस्ताक्षर" के पूर्व निम्नलिखित अंतःस्थापित किए जाएंगे, अर्थात्:-

"2. क्या अभ्यर्थी भारत सरकार या राज्य सरकार के अधीन नाम का कोई पद धारण किया हुआ है?..... (हां/नहीं)

- यदि हां, तो धारण किए गए पद के ब्यौरे.....

3. क्या अभ्यर्थी को किसी न्यायालय द्वारा दिवालिया घोषित किया गया है?..... (हां/नहीं)

- यदि हां तो क्या वह दिवालियापन से उन्मोचित हो चुका है.....

4. क्या अभ्यर्थी किसी विदेश के प्रति राज्यनिष्ठा या अनुपत्ति के अधीन है?..... (हां/नहीं)

- यदि हां तो उसके ब्यौरे हैं.....

5. क्या अभ्यर्थी को लोक प्रतिनिधित्व अधिनियम, 1951 की धारा 8क के अधीन राष्ट्रपति के आदेश द्वारा निरहित किया गया है?..... (हां/नहीं)

- यदि हां, तो वह अवधि जिसके लिए अभ्यर्थी को निरहित किया गया है.....

6. क्या अभ्यर्थी को भारत सरकार या किसी राज्य सरकार के अधीन पदधारण करने के दौरान भ्रष्टाचार के कारण या अप्रति के लिए पदच्युत किया गया था?..... (हां/नहीं)

- यदि हां तो ऐसी पदच्युति की तारीख.....

7. क्या अभ्यर्थी की, सरकार के साथ व्यक्तिगत हैसियत में या ऐसे न्यास या भागीदारी द्वारा, जिसमें अभ्यर्थी का, उस सरकार को किसी मान के प्रदाय के लिए या उस सरकार द्वारा किए गए संकर्मों के निष्पादन के लिए कोई शेर है, कोई विद्यमान संविदा (संविदाएं) हैं?..... (हां/नहीं)

- यदि हां तो किसी सरकार के साथ और विद्यमान संविदा (संविदाओं) के ब्यौरे.....

8. क्या अभ्यर्थी किसी ऐसी कंपनी या निगम का (सहकारी सोसाइटी से भिन्न) जिसकी पूंजी में केन्द्रीय सरकार या राज्य सरकार का कम से कम पच्चीस प्रतिशत अंश है, प्रबंध अधिकर्ता या प्रबंधक या सचिव है?..... (हां/नहीं)

- यदि हां तो किस सरकार के साथ और उसके ब्यौरे.....

9. क्या अभ्यर्थी को लोक प्रतिनिधित्व अधिनियम, 1951 की धारा 10क के अधीन आयोग द्वारा निरहित किया गया है?..... (हां/नहीं)

- यदि हां तो निरहंता की तारीख.....

3. मूल नियमों के प्ररूप 2ख में:-

(क) भाग 3 में "भैं यह भी घोषणा करता हूं" से संबंधित पैरा के पश्चात् और "अभ्यर्थी के हस्ताक्षर" के पूर्व निम्नलिखित पैरा अंतःस्थापित किया जाएगा:-

"भैं यह भी घोषणा करता हूं कि मुझे वर्तमान आम निर्वाचन या साथ ही साथ सिद्धिम विधान सभा के लिए होने वाले उप-निर्वाचन में दो से अधिक विधान सभा निर्वाचन क्षेत्रों से अभ्यर्थी के रूप में नाम निर्देशित नहीं किया गया है और न ही किया जाएगा।"

4

(ख) भाग 4 में विद्यमान पैरा को उसके पैरा 1 के रूप में पुनःसंख्यांकित किया जाएगा और इस प्रकार पुनःसंख्यांकित पैरा के पश्चात् और "अभ्यर्थी के हस्ताक्षर" के पूर्व निम्नलिखित अंतःस्थापित किए जाएंगे, अर्थात्:-

"2. क्या अभ्यर्थी भारत सरकार या राज्य सरकार के अधीन नाम के पद पर है?..... (हां/नहीं)

- यदि हां, तो धारण किए गए पद के ब्यौरे.....

3. क्या अभ्यर्थी को किसी न्यायालय द्वारा दिवालिया घोषित किया गया है?..... (हां/नहीं)

- यदि हां तो क्या वह दिवालियापन से उन्मोचित हो चुका है

4. क्या अभ्यर्थी किसी विदेश के प्रति राज्यनिष्ठा या अनुपत्ति के अधीन है?..... (हां/नहीं)

- यदि हां तो उसके ब्यौरे हैं.....

5. क्या अभ्यर्थी को लोक प्रतिनिधित्व अधिनियम, 1951 की धारा 8क के अधीन राष्ट्रपति के आदेश द्वारा निरहित किया गया है?..... (हां/नहीं)

- यदि हां, तो वह अवधि जिसके लिए अभ्यर्थी को निरहित किया गया है.....

6. क्या अभ्यर्थी को भारत सरकार या किसी राज्य सरकार के अधीन पदधारण करने के दौरान भ्रष्टाचार के कारण या अप्रति के पदच्युत किया गया था?..... (हां/नहीं)

- यदि हां तो ऐसी पदच्युति की तारीख.....

7. क्या अभ्यर्थी की, सरकार के साथ व्यक्तिगत हैसियत में या ऐसे न्यास या भागीदारी द्वारा, जिसमें अभ्यर्थी का, उस सरकार को किसी मान के प्रदाय के लिए या उस सरकार द्वारा किए गए संकर्मों के निष्पादन के लिए कोई शेर है, कोई विद्यमान संविदा (संविदाएं) हैं?..... (हां/नहीं)

- यदि हां तो किसी सरकार के साथ और विद्यमान संविदा (संविदाओं) के ब्यौरे.....

8. क्या अभ्यर्थी किसी ऐसी कंपनी या निगम का (सहकारी सोसाइटी से भिन्न) जो जिसकी पूंजी में केन्द्रीय सरकार या राज्य सरकार का कम से कम पच्चीस प्रतिशत अंश है प्रबंध अधिकर्ता या प्रबंधक या सचिव है?..... (हां/नहीं)

- यदि हां तो किस सरकार के साथ और उसके ब्यौरे.....

9. क्या अभ्यर्थी को लोक प्रतिनिधित्व अधिनियम, 1951 की धारा 10क के अधीन आयोग द्वारा निरहित किया गया है?..... (हां/नहीं)

- यदि हां तो निरहंता की तारीख.....

4. मूल नियमों के प्ररूप 2ख में:-

(क) भाग 3 में "भैं यह भी घोषणा करता हूं" से संबंधित पैरा के पश्चात् और "अभ्यर्थी के हस्ताक्षर" के पूर्व निम्नलिखित पैरा अंतःस्थापित किया जाएगा:-

"भैं यह भी घोषणा करता हूं कि मुझे वर्तमान आम निर्वाचन या साथ ही साथ सिद्धिम विधान सभा के लिए होने वाले उप-निर्वाचन में दो से अधिक विधान सभा निर्वाचन क्षेत्रों से अभ्यर्थी के रूप में नाम निर्देशित नहीं किया गया है और न ही किया जाएगा।"

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(ख) भाग 4 में विद्यमान पैरा को उसके पैरा 1 के रूप में पुनःसंख्यांकित किया जाएगा और उस प्रकार पुनःसंख्यांकित पैरा के पश्चात् और "अभ्यर्थी के दस्तावेज़" के पूर्व निम्नलिखित अंतःस्थापित किए जाएंगे, अर्थात्:-

"2. क्या अभ्यर्थी भारत सरकार या राज्य सरकार के अधीन नाम का कोई पदधारण किया हुआ है?.....(हां/नहीं)

- यदि हां, तो धारण किए गए पद के ब्यौरे.....

3. क्या अभ्यर्थी को किसी न्यायालय द्वारा हिकालिया घोषित किया गया है?.....(हां/नहीं)

- यदि हां, तो क्या वह हिकालियापन से जमनीय है?.....

4. क्या अभ्यर्थी किसी विदेश के प्रति राज्यनिष्ठा था भवुक्तिक के अधीन है?.....(हां/नहीं)

- यदि हां तो उसके ब्यौरे हैं .....

5. क्या अभ्यर्थी को लोक प्रतिनिधित्व अधिनियम, 1951 की धारा 8क के अधीन राष्ट्रपति के आदेश द्वारा निरहित किया गया है?.....(हां/नहीं)

- यदि हां, तो वह अवधि जिसके लिए अभ्यर्थी को निरहित किया गया है.....

6. क्या अभ्यर्थी को भारत सरकार या किसी राज्य सरकार के अधीन पदधारण करने के दौरान प्रशासन के कारण या अपात्ति के लिए पदच्युत किया गया था?.....(हां/नहीं)

- यदि हां तो ऐसी पदच्युति की तारीख .....

7. क्या अभ्यर्थी को सरकार के साथ ब्यक्तिगत हिसियत में या ऐसे न्याय या प्राप्तिवारी द्वारा, जिसमें अभ्यर्थी को, उस सरकार को किसी भाग के प्रदाय के लिए या उस सरकार द्वारा किए गए संकर्मों के निष्पादन के लिए कोई अंश है, कोई विद्यमान संचिदा (संचिदाएं) हैं?.....(हां/नहीं)

- यदि हां तो किसी सरकार के साथ और विद्यमान संचिदा (संचिदाओं) के ब्यौरे.....

8. क्या अभ्यर्थी किसी ऐसी कंपनी या निगम का (सहकारी सोसाइटी से मिक) जिसकी पूंजी में केन्द्रीय सरकार या राज्य सरकार का कम से कम पचीस प्रतिशत अंश है प्रबंध अधिकर्ता या प्रबंधक या संचिदा है?.....(हां/नहीं)

- यदि हां तो किस सरकार के साथ और उसके ब्यौरे.....

9. क्या अभ्यर्थी को लोक प्रतिनिधित्व अधिनियम, 1951 की धारा 10क ने अधीन आयोग द्वारा निरहित किया गया है?.....(हां/नहीं)

- यदि हां तो निरहता की तारीख .....

[फा.सं.एफ-11019/13/2016-वि.2]

डॉ. रीटा वशिष्ठ, अवर सचिव

दिपण : मूल नियम भारत के राजपत्र, प्रकाशरण में का.अ.सं.ख्यांक 519, तारीख 7 सितंबर, 1979 द्वारा प्रकाशित किए गए थे और का.अ.सं. 3263(अ), तारीख 16 सितंबर, 2016 द्वारा उनका अंतिम संशोधन किया गया।

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[भाग II-खण्ड 3(iii)]

भारत का राजपत्र : असाधारण

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

NOTIFICATION

New Delhi, the 26<sup>th</sup> February, 2019

S.O. 1022(E).—In exercise of the powers conferred by section 169 read with section 23 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 Assembly Elections (Sikkim) Rules, 1979, namely:—

1. (1) These rules may be called the Conduct of Assembly Elections (Sikkim) Amendment Rules, 2019.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Conduct of Assembly Elections (Sikkim) Rules, 1979 (hereinafter referred to as the principal rules), in Form 2F,—

(a) in Part III, after the Paragraph relating to "further declaration" and before the "(Signature of the Candidate)", the following Paragraph shall be inserted, namely:—

"I also declare that I have not been, and shall not be nominated as a candidate at the present general election or the bye-elections being held simultaneously, to the Legislative Assembly of Sikkim from more than two Assembly constituencies."

(b) in Part IV, the existing Paragraph shall be numbered as Paragraph 1 thereof and after the Paragraph 1 as so numbered and before the "(Signature of the Candidate)", the following Paragraphs shall be inserted, namely:—

"2. Whether the candidate is holding any office of profit under the Government of India or the State Government?..... (Yes/No).

- If Yes, details of the office held.....

3. Whether the candidate has been declared as an insolvent by any court?..... (Yes/No).

- If Yes, has he been discharged from the insolvency.....

4. Whether the candidate is under allegiance or adherence to any foreign country?..... (Yes/No).

- If Yes, give details.....

5. Whether the candidate has been disqualified under section 8A of the Representation of the People Act, 1951, by an order of the President?..... (Yes/No).

- If Yes, the period for which the candidate has been disqualified.....

6. Whether the candidate was dismissed for corruption or for disloyalty while holding office under the Government of India or the Government of any State?..... (Yes/No).

- If Yes, the date of such dismissal.....

7. Whether the candidate has any subsisting contract(s) with the Government either in individual capacity or by trust or partnership in which the candidate has a share for supply of any goods to that Government or for execution of works undertaken by that Government?..... (Yes/No).

- If Yes, with which Government and the details of subsisting contract(s).....

8. Whether the candidate is a managing agent, or manager or secretary of any company or Corporation (other than a co-operative society) in the capital of which the Central Government or the State Government has not less than twenty-five per cent. share?..... (Yes/No).

- If Yes, with which Government and the details thereof.....

9. Whether the candidate has been disqualified by the Election Commission under section 10A of the Representation of the People Act, 1951..... (Yes/No).

- If yes, the date of disqualification.....

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In the principal rules, in Form 2G,—

- (a) in Part III, after the Paragraph relating to "further declaration" and before the "Signature of the Candidate", the following Paragraph shall be inserted, namely—

"I also declare that I have not been, and shall not be nominated as a candidate at the present general election or the bye-elections being held simultaneously, to the Legislative Assembly of Sikkim from more than two Assembly constituencies."

- (b) in Part IV, the existing Paragraph shall be numbered as Paragraph 1 thereof and after the Paragraph 1 as so numbered and before the "(Signature of the Candidate)", the following Paragraphs shall be inserted, namely—

"2. Whether the candidate is holding any office of profit under the Government of India or the State Government?----- (Yes/No).

—If Yes, details of the office held-----

3. Whether the candidate has been declared as an insolvent by any court?----- (Yes/No).

—If Yes, has he been discharged from the insolvency-----

4. Whether the candidate is under allegiance or adherence to any foreign country?----- (Yes/No).

—If Yes, give details-----

5. Whether the candidate has been disqualified under section 8A of the Representation of the People Act, 1951, by an order of the President?----- (Yes/No).

—If Yes, the period for which the candidate has been disqualified-----

6. Whether the candidate was dismissed for corruption or for disloyalty while holding office under the Government of India or the Government of any State?----- (Yes/No).

—If Yes, the date of such dismissal-----

7. Whether the candidate has any subsisting contract(s) with the Government either in individual capacity or by trust or partnership in which the candidate has a share for supply of any goods to that Government or for execution of works undertaken by that Government?----- (Yes/No).

—If Yes, with which Government and the details of subsisting contract(s)-----

8. Whether the candidate is a managing agent, or manager or secretary of any company or Corporation (other than a co-operative society) in the capital of which the Central Government or the State Government has not less than twenty-five per cent. share?----- (Yes/No).

—If Yes, with which Government and the details thereof-----

9. Whether the candidate has been disqualified by the Election Commission under section 10A of the Representation of the People Act, 1951?----- (Yes/No).

—If yes, the date of disqualification-----

4. In the principal rules, in Form 2H,—

- (a) in Part III, after the Paragraph relating to "further declaration" and before the "Signature of the Candidate", the following Paragraph shall be inserted, namely—

"I also declare that I have not been, and shall not be nominated as a candidate at the present general election or the bye-elections being held simultaneously, to the Legislative Assembly of Sikkim from more than two Assembly constituencies."

- (b) in Part IV, the existing Paragraph shall be numbered as Paragraph 1 thereof and after the Paragraph 1 as so numbered and before the "(Signature of the Candidate)", the following Paragraphs shall be inserted, namely—

"2. Whether the candidate is holding any office of profit under the Government of India or the State Government?----- (Yes/No).

—If Yes, details of the office held-----

3. Whether the candidate has been declared as an insolvent by any court?----- (Yes/No).

—If Yes, has he been discharged from the insolvency-----

4. Whether the candidate is under allegiance or adherence to any foreign country?----- (Yes/No).

—If Yes, give details-----

5. Whether the candidate has been disqualified under section 8A of the Representation of the People Act, 1951, by an order of the President?----- (Yes/No).

—If Yes, the period for which the candidate has been disqualified-----

6. Whether the candidate was dismissed for corruption or for disloyalty while holding office under the Government of India or the Government of any State?----- (Yes/No).

—If Yes, the date of such dismissal-----

7. Whether the candidate has any subsisting contract(s) with the Government either in individual capacity or by trust or partnership in which the candidate has a share for supply of any goods to that Government or for execution of works undertaken by that Government?----- (Yes/No).

—If Yes, with which Government and the details of subsisting contract(s)-----

8. Whether the candidate is a managing agent, or manager or secretary of any company or Corporation (other than a co-operative society) in the capital of which the Central Government or the State Government has not less than twenty-five per cent. share?----- (Yes/No).

—If Yes, with which Government and the details thereof-----

9. Whether the candidate has been disqualified by the Election Commission under section 10A of the Representation of the People Act, 1951?----- (Yes/No).

—If Yes, the date of disqualification-----

[F.No. H-11019/13/2016-Leg. II]

Dr. REETA VASISHTA, Addl. Secy.

Foot Note : The principal rules were published in the Gazette of India, Extraordinary, vide number S.O. 519, dated the 7<sup>th</sup> September, 1979 and were last amended vide number S.O. 3263 (E), dated the 16<sup>th</sup> September, 2016.

अभिप्रेतना

नई दिल्ली, 26 फरवरी, 2019

का.आ. 1023(क),—केन्द्रीय सरकार, लोक प्रतिनिधित्व अधिनियम, 1951 (1951 का 43) की धारा 33 के साथ पठित धारा 169 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निर्वाचन आयोग से परामर्श करते के पश्चात् निर्वाचनों का संचालन नियम, 1961 का और संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात्—

1. (1) इन नियमों का संक्षिप्त नाम निर्वाचनों का संचालन (संशोधन) नियम, 2019 है।

(2) ये राजपत्र में उनके प्रकाशन की तारीख की प्रवृत्त होंगे।

2. निर्वाचनों का संचालन नियम, 1961 के प्रखण्ड 26 में.

1. भाग अ में.

(1) धारा 4 और उसके नीचे की सारणी के स्थान पर निम्नलिखित रखा जाएगा, अर्थात्—

"(4) स्थायी खाता संख्या (पीन) और आयकर विवरणी फाइल करने की प्राप्ति:

क्र. सं.	नाम	पीएन (स्थायी खाता संख्या)	वह वित्तीय वर्ष जिसके लिए अंतिम आय-कर विवरणी फाइल की गई है	पिछले पांच वित्तीय वर्षों (31 मार्च को) के लिए आय-कर विवरणी में दर्शाए गए कुल आय (रुपये में)
1.	स्वयं			(i)
				(ii)
				(iii)
				(iv)
2.	पति/पत्नी			(v)
				(vi)
				(vii)
				(viii)
				(ix)
				(x)
3.	हिंदू अभिभावक कुटुंब (यदि अभिभावक की या सहव्यवस्था है)			(i)
				(ii)
				(iii)
				(iv)
				(v)
4.	आश्रित-1			(i)
				(ii)
				(iii)
				(iv)
				(v)
5.	आश्रित-2			(i)
				(ii)
				(iii)
				(iv)
				(v)
6.	आश्रित-3			(i)

			(ii)
			(iii)
			(iv)
			(v)

टिप्पण: स्थायी खाता संख्या (पीन) धारक के लिए स्थायी खाता संख्या (पीन) का उल्लेख करना आवश्यक होगा और कोई स्थायी खाता संख्या (पीन) न होने की वशा में यह स्पष्ट रूप से कथन करना चाहिए कि "कोई स्थायी खाता संख्या (पीन) आर्वाइव नहीं हुआ है"।

(ii) धारा 7 में.

(क) "क, कर्म संस्थितों का ब्यौरे" शीर्षक के नीचे "टिप्पण 5" के पश्चात् निम्नलिखित टिप्पण अंत:स्थापित किया जाएगा, अर्थात्-

"टिप्पण 6. ब्यौरे में अपवाद आस्थितों का स्थापित या उनमें हित सम्मिलित होना चाहिए।

स्पष्टीकरण. इस टिप्पण के प्रयोजन के लिए "अपवाद आस्थितों" पद में विदेशी बैंकों और किसी अन्य विदेशी निगरक या संस्था में सभी जमा राशियों या विनिधानों के ब्यौरे और विदेशों में सभी आस्थितों और राशियों के ब्यौरे शामिल हैं;

(ख) सारणी में "पति/पत्नी" स्तंभ शीर्षक के पश्चात् "हिंदू अभिभावक कुटुंब" शीर्षक के साथ एक नया स्तंभ अंत:स्थापित किया जाएगा;

(ग) "ब. स्वातंत्र आस्थितों के ब्यौरे" शीर्षक के नीचे-

(अ) "टिप्पण 2" के पश्चात् निम्नलिखित टिप्पण अंत:स्थापित किया जाएगा, अर्थात्-

"टिप्पण: 2. ब्यौरे में अपवाद आस्थितों का स्थापित या उनमें हित सम्मिलित होना चाहिए।"

(आ) सारणी में "पति/पत्नी" स्तंभ शीर्षक के पश्चात् "हिंदू अभिभावक कुटुंब" शीर्षक के साथ एक नया स्तंभ अंत:स्थापित किया जाएगा।

(iii) धारा (9) की सारणी में, दोनों स्थानों पर आने वाले "पति/पत्नी" स्तंभ के पश्चात् "हिंदू अभिभावक कुटुंब" शीर्षक के साथ एक नया स्तंभ अंत:स्थापित किया जाएगा।

II. भाग ख में, धारा (11) के नीचे सारणी में-

(i) क्रम संख्या 7 में, प्रविष्टि (ग) के स्थान पर निम्नलिखित प्रविष्टियां रखी जाएंगी, अर्थात् :-

"(ग) हिंदू अभिभावक कुटुंब

(घ) आश्रित";

(ii) क्रम संख्या 8 में,

(क) विद्यमान शीर्षक के स्थान पर निम्नलिखित शीर्षक रखा जाएगा, अर्थात् :-

"आस्थितों और राशियों (अपवाद आस्थितों सहित) के रूपों में ब्यौरे";

(ख) सारणी में, "पति/पत्नी" स्तंभ के पश्चात् "हिंदू अभिमत सुदृढ" शीर्षक के साथ एक नया स्तंभ अंतःस्थापित किया जाएगा;

III. उक्त प्रत्येक के अंत में सत्यापन के पश्चात् आने वाले "टिप्पण-4" के पश्चात् निम्नलिखित टिप्पण अंतःस्थापित किया जाएगा, अर्थात्:-

"टिप्पण-5. शपथ पत्र का प्रत्येक पृष्ठ अभिसारी द्वारा हस्ताक्षरित होना चाहिए। इसके अतिरिक्त, शपथ पत्र के प्रत्येक पृष्ठ पर ऐसे नोटरी या शपथ आयुक्त या मजिस्ट्रेट जिसके समक्ष शपथ पत्र सत्यापित किया जाता है, की स्टांप होनी चाहिए।"

[क्र. सं. एच-11019/13/2016-विधायी-2]  
श्री. रीटा बशिष्ठ, अपर सचिव

पाद टिप्पण: मूल नियम भारत के राजपत्र, असाधारण में का.आ. संख्यांक 859, तारीख 15 अप्रैल, 1961 द्वारा प्रकाशित किए गए थे और का.आ. संख्यांक 5196(अ), तारीख 10 अक्टूबर, 2018 द्वारा अंतिम संशोधन किया गया था।

#### NOTIFICATION

New Delhi, the 26<sup>th</sup> February, 2019

S.O. 1023(E).—In exercise of the powers conferred by section 169 read with section 33 of the Representation of 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) These rules may be called the Conduct of Elections (Amendment) Rules, 2019.
- (2) They shall come into force on the date of their publication in the Official Gazette.
- In the Conduct of Elections Rules, 1961 in FORM 26,—

I. in PART A—

(f) for paragraph (4) and the Table thereunder, the following shall be substituted, namely:—

(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 (as on the 31 <sup>st</sup> March).
1.	Self			(i) (ii) (iii) (iv) (v)
2.	Spouse			(i) (ii) (iii) (iv) (v)
3.	HUF (if the Candidate is Karia			(i)

	or Coparcener)		(ii) (iii) (iv) (v) (i) (ii) (iii) (iv) (v) (i) (ii) (iii) (iv) (v)
4.	Dependent-1		(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".  
(ii) in paragraph (7). —

(e) under the heading "A. Details of movable assets"; after "Note 5", the following Note shall be inserted, namely:—

"Note 5.6. 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;

(b) in the Table, after the column heading "Spouse", a new column with heading "HUF" shall be inserted.

(c) under the heading "B. Details of Immovable Assets"—

(A) after the "Note 2", the following Note shall be inserted, namely:—

"Note: 3. Details should include the interest in or ownership of offshore assets."

(B) in the Table, after the column heading "Spouse", a new column with heading "HUF" shall be inserted."

(iii) in paragraph (8), in the table, after the column "Spouse" occurring at both the places, a new column with heading "HUF" shall be inserted."

II. in PART B, in paragraph(11), in the Table thereunder—

(i) in serial No. 7, for entry (c), the following entries shall be substituted, namely:—

"(c) HUF

(d) Dependent";

(ii) in serial No. 8, —

(a) for the existing heading, the following heading shall be substituted, namely:—  
"Details of Assets and Liabilities (including offshore assets) in rupees";

(b) in the Table, after the column "Spouse", a new column with heading "HUF" shall be inserted;  
III. at the end of the said FORM, after the "Note: 4", occurring below the heading "Verification", the following Note shall be inserted, namely:—

"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."

[F. No. H-11019/13/2016-Leg. III]  
Dr. REETA VASISHTA, Addl. Secy.

Footnote : The principal rules were published in the Gazette of India, Extraordinary, vide number S.O. 859, dated the 15<sup>th</sup> April, 1961 and has been amended vide number S.O. 5196(E), dated the 10<sup>th</sup> October, 2018.

FORM 2A  
(See rule 4)  
NOMINATION PAPER  
Election to the House of the People

Recent stamp size  
(2cm X 2.5cm)  
Photograph in  
white/golf white  
background with  
full face view to  
be attached.

~~STRIKE OFF PART I OR PART II BELOW WHICHEVER IS NOT APPLICABLE~~

(To be used by candidate set up by recognised political party)

~~PART I~~

~~I nominate as a candidate for election to the House of the People from~~

~~the.....Parliamentary constituency.....  
Candidate name..... Father's/mother's/husband's name.....~~

~~His name is entered at S.No..... in Part No..... of the electoral roll  
for..... (Assembly constituency comprised within)..... Parliamentary  
Constituency.....~~

~~My name is..... and it is entered at S.No..... in Part  
No..... of the electoral roll for..... (Assembly constituency,  
comprised within)..... Parliamentary constituency.....~~

~~Date .....  
Signature of Proposer.....~~

~~PART II~~

~~(To be used by candidate NOT set up by recognised political party)~~

~~We hereby nominate as candidate for election to the House of the People from  
the..... Parliamentary Constituency.....  
Candidate's name..... Father's/mother's/husband's  
name..... His postal address.....~~

Digitally signed  
by ALOK KUMAR  
Date: 20/9/2025  
17:10:35 +05'30'

His name is entered at S.No. .... in Part No. .... of the electoral roll for  
 ..... (Assembly constituency comprised within)  
 ..... Parliamentary constituency.

We declare that we are electors of the above Parliamentary Constituency and our names are  
 entered in the electoral roll for that Parliamentary Constituency as indicated below and we  
 append our signatures below in token of subscribing to this nomination:—

Particulars of the proposers and their signatures

Sl.no.	Name of component Assembly Constituency	Elector Roll No. of Proposer		Full Name	Signature	Date
		Part No. of Electoral Roll	S.No. in that part			
1	2	3	4	5	6	7
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						

N.B.- There should be ten electors of the constituency as proposers.

**PART III**

I, the candidate mentioned in Part I/Part II (Strike out which is not applicable) assent to  
 this nomination and hereby declare—

- (a) that I am a citizen of India and have not acquired the citizenship of any foreign State/country.
- (b) that I have completed.....years of age;  
 [STRIKE OUT c(i) or c(ii) BELOW WHICHEVER IS NOT APPLICABLE]
- (c) (i) that I am set up at this election by the.....  
 party, which is a recognised National Party/State Party in this State and that the  
 symbol reserved for the above party be allotted to me.

OR

(c) (i) that I am set up at this election by the .....  
 party, which is a registered-unrecognised political party/that I am contesting this  
 election as an independent candidate. (Strike out which is not applicable) and that  
 the symbols I have chosen, in order of preference, are:—

- (i)..... (ii)..... (iii).....
- (d) that my name and my father's/mother's/husband's name have been correctly spelt out  
 above in..... (name of the language);
- (e) that to the best of my knowledge and belief, I am qualified and not also disqualified  
 for being chosen to fill the seat in the House of the People.

\*I further declare that I am a member of the.....\*\*Caste/tribe  
 which is a scheduled \*\*caste/tribe of the State of.....in relation  
 to.....(area) in that State.

I also declare that I have not been, and shall not be nominated as a candidate at the present  
 general election/the bye-elections being held simultaneously, to the House of the People from  
 more than two Parliamentary Constituencies.

Date.....

Signature of Candidate

\*Score out the words "assembly constituency comprised within" in the case of Jammu and  
 Kashmir, Andaman and Nicobar Islands, Chandigarh, Dadra and Nagar Haveli, Daman and Diu  
 and Lakshadweep.

\*Score out this paragraph, if not applicable.

\*\*Score out the words not applicable.

N.B.—A "recognised political party" means a political party recognised by the Election  
 Commission under the Election Symbols (Reservation and Allotment) Order, 1968 in the State  
 concerned.

**PART IIIA**

(To be filled by the candidate)

(1) Whether the candidate—

- (i) has been convicted—
- (a) of any offence(s) under sub-section (1); or
- (b) for contravention of any law specified in sub-section (2),  
 of section 8 of the Representation of the People Act, 1951 (43 of 1951); or
- (ii) has been convicted for any other offence(s) for which he has been  
 sentenced to imprisonment for two years or more.

If the answer is "Yes", the candidate shall furnish the following information:

- (i) Case/first information report No./Nos. ....
- (ii) Police station(s) ..... State(s) .....
- (iii) Section(s) of the concerned Act(s) and brief description of the offence(s) for which he has been convicted.....
- (iv) Date(s) of conviction(s) .....
- (v) Court(s) which convicted the candidate.....
- (vi) Punishment(s) imposed [indicate period of imprisonment(s) and/or quantum of fine(s)].....
- (vii) Date(s) of release from prison.....
- (viii) Was/were any appeal(s)/revision(s) filed against above conviction(s).....  
Yes/No .....
- (ix) Date and particulars of appeal(s)/application(s) for revision filed.....
- (x) Name of the court(s) before which the appeal(s)/application(s) for revision filed.....
- (xi) Whether the said appeal(s)/application(s) for revision has/have been disposed of or is/are pending.....
- (xii) If the said appeal(s)/application(s) for revision has/have been disposed of—
  - (a) Date(s) of disposal.....
  - (b) Nature of order(s) passed.....
- (2) Whether the candidate is holding any office of profit under the Government of India or State Government?..... (Yes/No)
  - If Yes, details of the office held.....
- (3) Whether the candidate has been declared insolvent by any Court?..... (Yes/No)
  - If Yes, has he been discharged from insolvency.....
- (4) Whether the candidate is under allegiance or adherence to any foreign country?.....(Yes/No)
  - If Yes, give details.....
- (5) Whether the candidate has been disqualified under section 8A of the said Act by an order of the President?..... (Yes/No)
  - If Yes, the period for which disqualified.....
- (6) Whether the candidate was dismissed for corruption or for disloyalty while holding office under the Government of India or the Government of any State? ..... (Yes/No)
  - If Yes, the date of such dismissal.....
- (7) Whether the candidate has any subsisting contract(s) with the Government either in individual capacity or by trust or partnership in which the candidate has a share for supply

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of any goods to that Government or for execution of works undertaken by that Government?..... (Yes/No)

-If Yes, with which Government and details of subsisting contract(s).....

(8) Whether the candidate is a managing agent, or manager or Secretary of any company or Corporation (other than a cooperative society) in the capital of which the Central Government or State Government has not less than twenty-five percent share?..... (Yes/No)

-If Yes, with which Government and the details thereof .....

(9) Whether the candidate has been disqualified by the Commission under section 10A of the said Act..... (Yes/No)

-If yes, the date of disqualification.....

Place: .....  
Date: .....

Signature of Candidate

**PART IV**

(To be filled by the Returning Officer)

Serial No. of nomination paper .....  
This nomination was delivered to me at my office at.....(hour) on.....(date) by the \*candidate/proposer. (name of proposer.....)

Date.....

Returning Officer

**PART V**

**Decision of Returning Officer Accepting or Rejecting the Nomination Paper**

I have examined this nomination paper in accordance with section 36 of the Representation of the People Act, 1951(43 of 1951) and decide as follows:—

.....  
Date.....  
..... (Perforation).....  
Returning Officer

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**PART VI**

**Receipt for Nomination Paper and Notice of Scrutiny**

(To be handed over to the person presenting the Nomination Paper)

Serial No. of nomination paper.....  
The nomination paper of.....a candidate for election from  
the..... Parliamentary constituency was delivered to me at my office  
at.....(hour) on.....(date) by the \*candidate/proposer. All nomination papers  
will be taken up for scrutiny at.....(hour) on.....(date) at.....  
.....(Place).

Date..... Returning Officer

\*Score out the word not applicable.

अज्ञेय प्रसाद

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