

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 3/ER/2014/SDR-Vol.-I

Dated: 22nd February, 2014

To,

The President/General Secretary/Chairperson
of all recognized National and State Political Parties.

Subject:- Affidavit filed by the Candidates with their nomination paper-disclosure of assets and liabilities by candidate - assets and liabilities in Foreign Countries – clarification- regarding.

Sir/Madam,

You are aware that the candidates at elections to the Parliament and State Legislatures are required to file an Affidavit in statutory Form 26 appended to the Conduct of Elections Rules 1961, to disclose, among others, the details of deposit/ investments in bank / financial institutions/non-banking financial institutions etc. and the details of movable and immovable assets and liabilities/dues to public financial institutions and government, in the name of the candidate, spouse and dependent children along with the nomination paper. The format of the said Affidavit in Form 26 was notified by the Ministry of Law & Justice in the Gazette of India Extraordinary issue No.1433 dated 01/08/2012. A copy of the amended Form-26 was forwarded to your party by the Commission vide its letter dated 24th August, 2012 and also communicated to the State units through the Chief Electoral Officer of State/UT concerned.

2. It has been brought to the notice of the Commission by some NGOs and individuals that some candidates do not disclose details of their accounts in foreign banks, possession of properties or investment overseas alongwith loans and liabilities outside the country in the Affidavit.
3. The Commission has taken note of the issue and has decided to clarify the matter for the benefit of all stakeholders and to remove any misgivings in the minds of the people. It is accordingly clarified that the “details of Bank accounts, assets and liabilities” to be furnished in the affidavit should in variably include the “details of all deposit/ investments in Foreign banks and any other body / institution abroad, and details of all, assets and liabilities in foreign countries. Hence, the candidates, should ensure that the furnished full and complete information in this regard in their affidavit.
4. The above position may please be noted and brought to the notice of all candidates sponsored by your party for any election to Parliament and State Legislature.

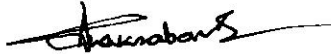
The receipt of the letter must be acknowledged.

Yours faithfully,


(Ashish Chakraborty)
Secretary

By Speed Post/ E-mail

Copy to: The Chief Electoral Officers of all States/UTs. They are requested to furnish a copy of this letter to every political party (including registered unrecognized parties) having headquarters in their State/UT, including the State Units of recognized National and State political parties. This may also be brought to the notice of all, Returning Officers and other election officials in the State. This has been issued with the approval of the Commission.


(Ashish Chakraborty)
Secretary