

ELECTION COMMISSION OF INDIA
Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.576/3/2009/SDR

Dated : 10th February, 2009

To

The Chief Electoral Officer of
All States/Union Territories.

Sub: Filing of nominations and scrutiny of nomination papers – Additional measures to ensure transparency/accountability.

Sir/Madam,

When a candidate files nomination paper, he/she is required to submit certain documents, make security deposit, and also take oath/affirmation after filing nomination paper. A list of the documents required to be filed by the candidates, and the other requirements to be fulfilled are mentioned in the list enclosed herewith.

2. There is no standard procedure of acknowledging receipt of the documents filed by the candidates. There have been some past instances of claims and counter-claims of submission of the documents by the candidates, leading to dispute and confusion. In order to bring in more transparency, and to prevent cases of any mischief at any level, with regard to the documents filed by the candidates, the Commission has decided to streamline the procedure as follows:

- (a) In respect of each candidate, the RO should maintain, in duplicate, the check list of the documents/requirements to be fulfilled by the candidates, as per the enclosed list.

- (b) When a candidate files nomination paper, the RO/ARO shall indicate in the second column of the check list whether the documents concerned have been filed or the other /requirements fulfilled.
- (c) If any of the documents has not been filed, the same should be clearly mentioned in the bottom of the check list, indicating the time limit by which this can be submitted.
- (d) Both the copies of the check list with all requirements indicated therein as in (b) & (c) above shall be signed by the RO as well as the candidate. The duplicate copy of the check list shall be handed over to the candidate/proposer who files nomination paper, while retaining the original with the nomination paper filed by the candidate.
- (e) The copy of the check list handed over as above, will serve the dual purpose of acknowledging the receipt of the documents submitted as well as of notices as directed in the Handbook of ROs. Therefore, no separate notice is required to be given to the candidates in respect of the items mentioned in this check list. However, acknowledgment of Nomination Paper will continue to be given as per the format in the last Part of the prescribed Nomination Paper .
- (f) If and when a document is filed subsequent to filing of nomination, an acknowledgement to that effect should be issued to the candidates, clearly mentioning the date and time at which it is filed. This should also be

indicated in the appropriate place in the original check list retained by the Returning Officer as mentioned in para 2(d) above.

3. For bringing about more transparency in the scrutiny of nomination papers, **the Commission has directed that the whole process of scrutiny of nomination papers should be videographed in all cases.**

4. These instructions may be communicated to all DEOs/ROs and a copy of this may also be handed over to all political parties (both recognized and un-recognized) in the State/UT.

Yours faithfully,

(K.F.WILFRED)
SECRETARY

Copy to all recognized National and State political parties.

(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)
1.	Affidavit in Form 26	
2.	Affidavit as per the Commission's order dated 27-03-03	
3.	Certified extract of electoral roll (when candidate is an elector of a different constituency)	
4.	Forms A and B (applicable in the case of candidates set up by political parties.	
5.	Copy of caste certificate(if the candidate claims to belong to SC/ST).	
6.	Security deposit (whether made)	
7.	Oath/affirmation (whether taken)	

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

- (a) _____ should be filed latest by _____.
- (b) _____ should be filed latest by _____.

Received.

.....
(Signature of candidate)

.....
RO/ARO
(Signature)

Date & time :
Place:

N.B.

- 1. The two Affidavits and Forms A & B have to be filed latest by 3.00 P.M. on the last date of filing nominations.**
- 2. Oath has to be taken after filing nomination paper and before the date fixed for scrutiny.**
- 3. Certified extract of electoral roll can be filed upto the time of scrutiny.**
- 4. Security deposit should be made either before filing of nomination paper or at the time of filing of nomination paper. Therefore, there is no question of issuing notice for making the security deposit.**