

# ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashok Road, New Delhi-110 001

No 3/ER/ECI/LET/FUNC/JUD/SDR/2016

Dated: 18<sup>th</sup> August, 2016

To,

The Chief Electoral Officers  
of all States & Union Territories.

Subject: - Period of retention of the Affidavits in Form 26 and the nomination papers filed by the candidates- regarding.

Sir,

Clause (c) of Rule 94 of the Conduct of the Elections Rules, 1961 provides that the election papers, other than those mentioned in clause (a), (aa) and (b) of the said Rule, shall be retained for such period as the Commission may direct.

2. In pursuance of clause (c) of Rule 94, the Commission has prescribed the retention period for various documents. Details in this regard have been given in the Handbook for Returning Officers.
3. In the case of nomination papers and Affidavits (Form 26 and the additional affidavit regarding Govt. Dues), the Commission has now directed that the same shall be retained for a period of six years after the completion of elections or till the disposal of election petition, if any, or any other Suit/Petition in any Court in which any of the declarations made in any of these documents is under challenge. All the supporting documents filed by the candidates along with their nomination papers shall also be likewise retained for the same period.
4. These directions may be communicated to all DEO's and RO's in the State, including RO's for Rajya Sabha elections and Leg. Council elections.

Yours faithfully,



(N.T. Bhutia)  
Under Secretary