

Date: 11 November, 2020

To,

Shri Sunil Arora

Chief Election Commissioner
Election Commission of India

Shri Sushil Chandra

Election Commissioner
Election Commission of India

Shri Rajiv Kumar

Election Commissioner
Election Commission of India

Subject: Issues regarding the candidate affidavits uploaded by ECI and the suggestions for the same

Dear Sir (s),

Greeting from ADR!

We are writing to you on behalf of the **Association for Democratic Reforms (ADR) and National Election Watch (NEW)**. As you are aware, ADR & NEW have been working on electoral and political reforms for 20 years. Over this period, we have analyzed the affidavits of candidates for various assembly and parliamentary elections.

We want to thank you for being supportive of our Election Watch activities in the past elections. The Election Commission at the center and the state has done exemplary work in streamlining and improving the electoral processes with every election. It has been with your support that we have been able to process candidate's information quickly and disseminate this information within a few days to help voters make an informed choice.

Please do accept our best wishes for the successful conduct of this important State Assembly election, first election to be organized under the challenging circumstances amid the coronavirus pandemic. ADR congratulates Election Commission of India for putting up elaborate arrangements in place and efficaciously managing the three-phase polls that saw over 4 crore votes being cast.

However, while analyzing the affidavits during the Bihar Assembly elections this time, we faced several issues such as:

1. **Incomplete and illegible affidavits:** Some of the uploaded affidavits were incomplete. Moreover, handwritten affidavits were incomprehensible for the analysis.

2. **Availability of multiple affidavits of same candidate:** There were multiple affidavits available for the same candidate, however, containing different information pertaining to their criminal charges and assets.
3. **Old affidavit uploaded in contesting section:** Among the multiple affidavits available for the same candidate, the latest affidavit was not uploaded in the contesting section.
4. **Different information provided in part A and part B:** Some candidates have provided different details in the affidavit (Form 26 Part A) and abstract (Form 26 Part B) for their criminal charges and assets.
5. **Affidavits filed in old format:** Some of the candidates have submitted information in the old format.
6. Though we are aware that Election Commission conducts training session of the Returning Officers and other poll staff prior to the elections. However, during our interaction with the **ROs and their staff** for timely uploading of candidates' affidavits, it appeared that they were **inadequately trained for scrutinizing the affidavits and uploading the same in the right manner**. As outlined above, incomplete affidavits, or multiple affidavits were being uploaded for the same candidate and in some cases, affidavits were uploaded without annexures.

In view of the above issues, we propose the following suggestions:

1. Affidavits to be preferably typed and if handwritten, should be clear and legible.
2. All pages of affidavits to be scanned properly while uploading them online along with all annexure pages of Form 26.
3. If a clear copy of the affidavit is not uploaded, then the concerned authorities should cooperate to re-upload them upon request.
4. None of the columns in the affidavits should be left blank such as columns for sources of income, details of spouse and dependents etc.
5. Ensuring the candidates have provided the same details in the affidavit (Form 26 Part A) and abstract (Form 26 Part B).
6. Ensuring that the latest version of the affidavit submitted by the candidate is uploaded on the website.
7. Final and latest affidavit of the candidate should be uploaded in the contesting section.
8. Steps must be taken to ensure that the ROs and their staff are trained to upload the complete and latest affidavits in a suitable manner.

We hope that you will take the necessary actions to resolve the aforementioned issues. We look forward to your continuous support towards improving governance and strengthening democracy in our country.

Warm Regards and Best Wishes,



Maj. Gen. Anil Verma
(Retd.),
Head - NEW & ADR
011-41654200,
+91 8826479910;
anilverma@adrindia.org



Prof. Jagdeep Chhokar
IIM Ahmedabad (Retd.)
Founder Member –
NEW & ADR
+91 9999620944;
jchhokar@gmail.com



Prof. Trilochan Sastry
IIM Bangalore
Founder Member –
NEW & ADR
+91 9448353285;
tsastry@gmail.com

CC: Sh. Umesh Sinha

Secretary General, Election Commission of India