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**STATUTORY NOTIFICATIONS OF THE ELECTION COMMISSION OF
INDIA AND OTHER ELECTION NOTIFICATIONS**

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NOTIFICATIONS BY GOVERNMENT

GENERAL ADMINISTRATION (ELECTIONS-F) DEPARTMENT

**ELECTION COMMISSION OF INDIA ORDER REGARDING USE OF ELECTOR'S PHOTO
IDENTITY CARDS FOR BYE-ELECTIONS TO 7 ASSEMBLY CONSTITUENCIES.**

[Memo. No. 535/Elections.F/2012-71, General Administration (Elections.F) Department, Dated 09-03-2012.]

The following Order of the Election Commission of India, New Delhi, No. 3/4/ID/2012/SDR/(BYE-AP), dated : 7th March, 2012 is published :-

ORDER

1. Whereas, Section 61 of the Representation of the People Act, 1951 provides that with a view to preventing impersonation of electors, so as to make the right of genuine electors to vote under section 62 of that Act more effective, provisions may be made by rules under that Act for use of Elector's Identity Cards for electors as the means of establishing their identity at the time of polling; and
2. Whereas, Rule 28 of the Registration of Electors Rules, 1960, empowers the Election Commission to direct, with a view to preventing impersonation of electors and facilitating their identification at the time of poll, the issue of Elector's Photo Identity Cards to electors bearing their photographs at State cost; and
3. Whereas, Rules 49H (3) and 49K (2) (b) of the Conduct of Elections Rules, 1961, stipulate that where the electors of a constituency have been supplied with Elector's Photo Identity Cards under the said provisions of Rule 28 of the Registration of Electors Rules, 1960, the electors shall produce their Elector's Photo Identity Cards at the polling station and failure or refusal on their part to produce those Elector's Photo Identity Cards may result in the denial of permission to vote; and
4. Whereas, a combined and harmonious reading of the aforesaid provisions of the said Act and the Rules, makes it clear that although the right to vote arises by the existence of the name in the electoral roll, it is also

dependent upon the use of the Elector's Photo Identity Card, where provided by the Election Commission at State cost, and that both are to be used together; and

5. Whereas, the Election Commission made an Order on the 28th August, 1993, directing the issue of Elector's Photo Identity Cards (EPICs) to all electors, according to a time bound programme; and

6. Whereas, the Commission has taken note of the fact that over the last few years since the implementation of the programme of issue of EPICs was taken up, the election machinery of Andhra Pradesh, have issued these cards to a very high number of electors and made all possible efforts, by way of repeated rounds of the constituencies and areas, with a view to issuing cards to the left-out electors; and

7. Whereas, at the general election to the Legislative Assembly of Haryana held in January – March, 2000, and at all general and bye-elections held since then, the Commission had directed that all electors who were issued with EPICs should produce those cards to exercise their franchise at the said elections, and that it would permit those electors who have not obtained their EPICs to vote at the said elections, provided their identity is otherwise established by production of one of the alternative documents prescribed by the Commission; and

8. Whereas, the Commission has instructed that Authenticated Voters Slips be issued to the electors of 7-Adilabad, 16-Kamareddy, 74-Mahabubnagar, 81-Nagarkurnool, 85- Kollapur, 99-Ghanpur (Station) (SC), and 235-Kovur, Assembly Constituencies in Andhra Pradesh.

9. Now, therefore, after taking into account all relevant factors and the legal and factual position, the Election Commission hereby directs that all electors in 7-Adilabad, 16-Kamareddy, 74-Mahabubnagar, 81-Nagarkurnool, 85- Kollapur, 99-Ghanpur (Station) (SC), and 235-Kovur, Assembly Constituencies in Andhra Pradesh, for the bye election notified on 22-2-2012, shall produce their EPICs for establishing their identity before casting their votes. If any elector fails to produce his/her EPIC or Authenticated Photo Voter Slip, such elector shall have to produce any of the following alternative photo documents for establishing his/her identity.

- (i) Passport,
- (ii) Driving License,
- (iii) Income Tax Identity (PAN) Card,
- (iv) Service Identity Cards with photograph issued to its employees by State/Central Government, Public Sector Undertakings, Local Bodies or Public Limited Companies,
- (v) Passbooks containing photographs issued by Public Sector Banks/Post Office and Kisan Passbook (Accounts opened on or before 29.2.2012),
- (vi) SC/ST/OBC certificate with photograph issued by competent authority on or before 29.2.2012,
- (vii) Pension Document such as ex-servicemen's Pension Book/Pension Payment Order, ex-servicemen's Widow/Dependent Certificates, Old Age Pension Order, Widow Pension Order with photograph issued up to 29.2.2012,
- (viii) Freedom Fighter Identity Cards with photograph,
- (ix) Arms License with photograph, issued up to 29.2.2012.
- (x) Certificate of physical handicap having photograph issued by the competent authority on or before 29.2.2012,
- (xi) Health Insurance Scheme Smart Card with photograph (Ministry of Labour's Scheme, issued up to 29.2.2012),
- (xii) Property documents with photograph such as Pattas, Registered Deeds, etc.,
- (xiii) Job Cards issued under NREGA scheme with photograph issued up to 29.2.2012,

- (xiv) Ration Cards with photographs issued on or before 29.2.2012,
- (xv) ATM Cards with photographs issued by Banks on or before 29.2.2012,
- (xvi) Pattadar Pass Books containing photograph issued on or before 29.2.2012,

10. Any of the abovementioned documents that is available only to the head of the family may be used for identifying the other members of the family provided all members come together and are identified by the head of the family.

11. Notwithstanding anything in Para 9 above, Overseas electors who are registered in the electoral rolls under Section 20A of the Representation of the People Act, 1950 based on the particulars in their passport, shall be identified on the basis of their original passport only (no other identity document) in the polling station.

By order,

ASHISH CHAKRABORTY,
Secretary,
Election Commission of India.

BHANWAR LAL,
Chief Electoral Officer &
E.O. Principal Secretary to Government.

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