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HOME (ELECTIONS) DEPARTMENT

NOTIFICATION

The 6th October, 2014

No.12290-VE(A)196/2014/Elec.—The following order issued by the Election Commission of India, New Delhi is hereby republished for general information.

By Order,

Dr. MONA SHARMA

Chief Electoral Officer & *Ex Officio*,
Principal Secretary to Government

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 3/4/ID/2014/SDR-Vol.I

Dated the 29th September, 2014

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 Electors Photo Identity Card 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 Electors Photo Identity Card 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 Electors Photo Identity Card under the said provisions of Rule 28 of the Registration of Electors Rules, 1960, the electors shall produce their Electors Photo Identity Card at the polling station and failure or refusal on their part to produce those Electors Photo Identity Card 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 Electors Photo Identity Card, where provided by the Election Commission at State cost, as the means of establishing their identity at the time of polling 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 Electors Photo Identity Card (EPIC) to all electors, according to a time bound programme; and

6. Whereas, Electors Photo Identity Card have been issued to all registered electors in the State of Haryana and to substantially high percentage of electors in the States of Maharashtra, Arunachal Pradesh, Gujarat, Manipur, Nagaland, Orissa and Uttar Pradesh, and ;

7. Whereas, in addition the Commission has directed that '**Authenticated Photo Voters Slip**' shall be distributed to the electors before the date of poll for the current General and by-elections;

8. Now, therefore, after taking into account all relevant factors and the legal and factual position, the Election Commission hereby directs that for **current General Elections to the State Legislative Assemblies of Haryana and Maharashtra and by elections from 39-Beed Parliamentary Constituency of Maharashtra, 13-Kandhamal Parliamentary Constituency of Odisha, 58-Kanubari (ST) Assembly Constituency of Arunachal Pradesh, 38-Hiyanglam Assembly Constituency of Manipur, 11-Northern Angami-II (ST) Assembly Constituency of Nagaland, 8-Kairana Assembly Constituency of Uttar Pradesh and 69-Rajkot West Assembly Constituency of Gujarat** being held simultaneously, which have been notified on 19th September, 2014 & 20th September, 2014, all electors who have been issued EPIC shall produce the EPIC for their identification at the polling station before casting their votes. Those electors who are not able to produce the EPIC shall produce one of the following alternative photo identity documents for establishing their identity:—

- (i) Passport;
- (ii) Driving License;

