

SPEED POST

ELECTION COMMISSION OF INDIA
Nirvachan Sadan, Ashoka Road, New Delhi-110 001.

No. 3/4/ID/2013/SDR(KT)

Dated: 8th August, 2013.

To

The Chief Electoral Officer
Karnataka,
Bangalore.

Subject:- Bye-Elections to the House of the People, 2013- Commission's Order regarding use of Electors Photo Identity Card.

Sir,

I am directed to enclose herewith Order dated 8th August, 2013, regarding identification of electors at the bye-election to Karnataka Parliamentary Constituency. The Election Commission has directed that all electors in 20-Mandya and 23-Bangalore Rural Parliamentary Constituencies in Karnataka, for the bye-elections notified on 27-7-2013, shall produce their EPIC for establishing their identity before casting their votes. Electors who do not have EPIC shall have to produce any of the alternative photo documents mentioned in the Order for establishing their identity. The overseas electors shall have to produce their original passport only for identification.

2. The Order may be brought to the notice of the Returning Officers and all Presiding Officers of the said constituencies.

3. The Commission's Order dated 8th August, 2013, may be got published in the state Gazette immediately. This Order may be given wide publicity through print/electronic media for information of the general public and electors. All contesting candidates at the said bye-elections may also be informed, in writing, of this direction of the Commission.

4. The Returning Officers shall be instructed to note the implications of this Order and explain the contents thereof to all Presiding Officers through special briefings.

They should also ensure that a copy of this letter is available with the Presiding Officers at all polling stations / booths in the constituency.

5. Kindly acknowledge receipt and confirm action taken.

Yours faithfully,

(N.T. Bhutia)
Under Secretary

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

No. 3/4/ID/2013/SDR(KT)

Dated :8th August, 2013.

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, the Commission has revised the format of the electoral roll in the State of Karnataka to incorporate the photo of the elector alongside the other particulars of the elector and the photo electoral roll with photos of registered electors will be used during the current bye-elections to the Parliamentary Constituencies of Karnataka; and

7. Whereas, the Commission has further directed preparation of **‘Authenticated Photo Voters Slip’** from the database of photo electoral roll and to distribute these ‘Authenticated Photo Voters Slips’ to the electors before the date of poll for the current bye-elections to the Parliamentary Constituencies of Karnataka for identification at the polling station on the day of poll;

8. Now, therefore, after taking into account all relevant factors and the legal and factual position, the Election Commission hereby directs that for the bye-election to the Karnataka Parliamentary Constituencies notified on 27-7-2013 all electors in 20-Mandya and 23-Bangalore Rural Parliamentary Constituencies in Karnataka shall produce their electors Photo Identity card for establishing their identity before casting their votes. Electors who do not have EPIC shall have to produce, any one of the following photo documents for establishing their identity:-

- (1) Authenticated photo voter slip
- (2) Passports,
- (3) Driving License,
- (4) Income Tax Identity (PAN) Cards
- (5) Smart Cards issued by RGI under the scheme of National Population Register (NPR),
- (6) Aadhaar Card issued by UIDAI.
- (7) Service Identity Cards with photograph issued to its employees by State/Central Government, Public Sector \undertakings or Public Limited Companies,
- (8) Passbooks with photograph issued by Public Sector Banks/Post Office and Kisan Passbook (accounts opened on or before 30-6-2013

- (9) Student Identity Card with Photograph issued by Recognized Educational Institutions on or before 30-6-2013
- (10) Property Documents with Photograph such as pattas, Registered Deeds, etc.,
- (11) Ration Card with photograph issued upto 30-6-2013
- (12) SC/ST/OBC Certificates with photograph issued by competent authority on or before 30-6-2013
- (13) Pension Document with photograph, 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 30-6-2013)
- (14) Freedom Fighter Identity Card with photograph,
- (15) Arms License with photograph, issued on or before 30-6-2013
- (16) Certificate of physical handicap with photograph issued by the competent authority on or before 30-6-2013,
- (17) Ex-servicemen C S D Canteen Card with photograph,
- (18) Sandhya Suraksha Scheme card with photograph issued upto 30-6-2013
- (19) Job Card with photograph issued under the National Rural Employment Guarantee Scheme up to 30-6-2013
- (20) Yashaswini Card with photograph issued upto 30-6-2013
- (21) The service identity cards with photographs issued by the local bodies namely Municipal corporation, CMC, TMC, village Panchayat etc.,
- (22) Senior citizens cards bearing photographs of the holder of the card, issued by the Government Department,
- (23) Health Insurance Scheme Smart Card with photograph (Ministry of Labour's Scheme, issued upto 30-6-2013

9. Notwithstanding anything in Para 8 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 (and no other identity document) in the polling station.

By Order,

(Ashish Chakraborty)
Secretary