

**SPEED POST**

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

No. 3/4/ID/2012/SDR(HP)

Dated: 18<sup>th</sup> October, 2012.

To,

The Chief Electoral Officer  
Himachal Pradesh,  
Shimla.

Subject:- General Election to the State Legislative Assembly of Himachal Pradesh-  
Commission's Order regarding use of Electoral Photo Identity Cards.

Sir,

I am directed to enclose herewith Order dated 18th October 2012, regarding identification of electors at the general election to Himachal Pradesh Legislative Assembly. The Election Commission has directed that all electors in each of the 68 Assembly Constituencies, in Himachal Pradesh, for the general election notified on 10<sup>th</sup> October 2012, shall produce their EPIC for establishing their identity before casting their votes. Electors who do not have EPIC shall have to produce the 'Authenticated Photo Voter Slip' issued by the election machinery for identification in the polling stations. If any elector fails to produce his/her EPIC or the photo in the EPIC/Authenticated Photo Voter Slip does not match, they shall have to produce any of the alternative photo documents mentioned in the Order for establishing their identity. Kindly note that the "Smart Card" being issued under NPR Scheme by RGI has also been included as one of the alternative identity document. 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 constituency.

3. If an elector produces an Electoral Identity Card, which has been issued by the Electoral Registration Officer of another Assembly Constituency, such cards shall also be taken into account provided the name of that elector finds place in the electoral roll pertaining to the polling station where the elector has turned up for voting. Minor discrepancies in the entries in the EPIC should be ignored and the elector allowed to vote provided the identity of the elector can be established by means of the EPIC.

4. The Commission's Order dated 18<sup>th</sup> October, 2012, 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 general election may also be informed, in writing, of this direction of the Commission.

5. 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.

6. Kindly acknowledge receipt and confirm action taken.

Yours faithfully,

**(Harjeet Kaur)**  
**Section Officer**

Copy to Secretary/Under Secretary/Zonal Section.

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

No. 3/4/ID/2012/SDR(HP)

Dated : 18<sup>th</sup> October, 2012.

**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, and that both are to be used together; and
5. Whereas, the Election Commission made an Order on the 28<sup>th</sup> 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 taken note of the fact that over the last few years since the implementation of the programme of issue of EPIC was taken up, the

election machinery of Himachal Pradesh, have issued these cards to all the electors (100%) in the State; and

7. Whereas, the Commission has introduced distribution of 'Authenticated Photo Voters Slip' to the electors in Himachal Pradesh.

8. Now, therefore, after taking into account all relevant factors and the legal and factual position, the Election Commission hereby directs that all electors in each of the 68 Assembly Constituencies, in Himachal Pradesh for the general election notified on 10<sup>th</sup> October, 2012, shall produce their EPIC for establishing their identity before casting their votes. Electors who do not have EPIC shall have to produce the 'Authenticated Photo Voter Slip' issued by the election machinery for identification in the polling stations. If any elector fails to produce his/her EPIC or the photo in the EPIC/Authenticated Photo Voter Slip does not match, they shall have to produce any of the following photo documents for establishing their identity:-

- (i) Passports,
- (ii) Driving Licence,
- (iii) Income Tax Identity ( PAN ) Cards,
- (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 with photograph issued by Public Sector Banks/Post Office and Kisan Passbooks (accounts opened on or before 30-9-2012),
- (vi) Freedom Fighter Identity Card, with photograph,
- (vii) SC/ST/OBC Certificates with photograph issued by competent authority on or before 30-9-2012,
- (viii) Certificate of Physical Handicap having photograph issued by the competent authority on or before 30-9-2012,
- (ix) Arms Licenses having photograph issued on or before 30-9-2012,
- (x) Job Cards issued under the NREGA scheme with photograph issued upto 30-9-2012,

- (xi) Property Documents such as Pattas, Registered Deeds, etc. with photograph,
- (xii) Pension Documents 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 on or before 30-9-2012,
- (xiii) Health Insurance Scheme Smart Cards with photograph (Ministry of Labour's Scheme, issued upto 30-9-2012,
- (xiv) Smart Cards issued by RGI under the scheme of National Population Register (NPR).

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