

SPEED POST

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

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

Dated: 8th August, 2013.

To,

The Chief Electoral Officer
Andhra Pradesh,
Hyderabad.

Subject:- Bye-Elections to the State Legislative Assembly 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 Andhra Pradesh Legislative Assembly. The Election Commission has directed that all electors in 195- Avanigadda Assembly Constituency in Andhra Pradesh, 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(AP)

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 Andhra Pradesh 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-election to the Legislative Assembly of Andhra Pradesh; 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-election to the Legislative Assembly of Andhra Pradesh 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 Andhra Pradesh Legislative Assembly notified on 27-7-2013 all electors in 195-Avanigadda Assembly Constituency in Andhra Pradesh 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) Passport
- (3) Driving License
- (4) Income Tax Identity (PAN) Card
- (5) Smarat 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, Local Bodies or Public Limited Companies
- (8) Passbooks with photograph issued by Public Sector Banks/Post Office and Kisan Passbooks(Accounts opened on or before 30-6-2013)
- (9) SC/ST/OBC Certificates with photograph issued by competent authority on or before 30-6-2013

- (10) 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 30-6-2013
- (11) Freedom Fighter Identity Cards with photograph
- (12) Arms Licenses having photograph issued on or before 30-6-2013
- (13) Certificate of Physical Handicap having photograph issued by the Competent Authority on or before 30-6-2013
- (14) Health Insurance Scheme Smart Cards with photograph (Ministry of Labour's Scheme), issued up to 30-6-2013
- (15) Property Documents such as Pattas Registered Deeds etc. with photograph
- (16) Job Cards issued under NREGA scheme with photograph issued up to 30-6-2013
- (17) Ration Cards with photographs issued on or before 30-6-2013
- (18) ATM Cards with name and photograph issued by Banks on or before 30-6-2013
- (19) Pattadar Pass Books containing photograph issued on or before 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

