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

No. 3/4/ID/2008/SDR/(RJ)

Dated : 19<sup>th</sup> November, 2008.

**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 Cards (EPICs) 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 of India to direct, with a view to preventing impersonation of electors and facilitating their identification at the time of poll, the issue of EPICs 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 EPICs under the said provisions of Rule 28 of the Registration of Electors Rules, 1960, the electors shall produce their EPICs at the polling station and failure or refusal on their part to produce those EPICs 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 Electoral Photo Identity Cards, where provided by the Election Commission of India at State cost, and that both are to be used together; and
5. Whereas, the Election Commission of India made an Order on the 28<sup>th</sup> August, 1993, directing the issue of 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 Rajasthan, have issued these cards to a substantially 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, electoral rolls containing photographs of the electors have been prepared and issued in Rajasthan; and

8. 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 the odd 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.

9. Now, therefore, after taking into account all relevant factors and the legal and factual position, the Election Commission of India hereby directs that all electors in each of the 200 Assembly Constituencies in the current general election to the Legislative Assembly of Rajasthan, notified on 10<sup>th</sup> November, 2008, shall produce their EPICs for establishing their identity before casting their votes. If any elector fails to produce his/her EPIC, the photograph on the electoral roll shall be taken into consideration for establishing his/her identity. If, in the case of any such elector, the identity cannot be established by means of the photograph in electoral roll, on account of the photograph being not available in the roll, or not being clear, such electors shall have to produce any of the following alternative documents for establishing their identity:-

- (i) Passports,
- (ii) Driving Licences,
- (iii) Income Tax Identity ( PAN ) Cards,

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- (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 30-9-2008 ),
- (vi) Student Identity Cards with photograph issued by Recognised Educational Institutions on or before 30-9-2008,
- (vii) Property Documents such as Pattas, Registered Deeds, etc., with photograph,
- (viii) Ration Cards with photograph issued on or before 30-9-2008,
- (ix) SC/ST/OBC Certificates with photograph issued by competent authority on or before 30-9-2008,
- (x) Pension Documents 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,
- (xi) Freedom Fighter Identity Cards with photograph,
- (xii) Arms Licenses with photograph issued on or before 30-9-2008,
- (xiii) Certificate of Physical Handicap with photograph issued by Competent Authority on or before 30-9-2008,
- (xiv) Job Cards under " National Rural Employment Guarante Scheme Rajasthan" (Rajasthan Gramin Rojgar Guiarantee Yojana) issued by the competent authorities on or before 30-9-2008,
- (xv) Domicile Certificate with photograph issued on or before 30-9-2008.

10. It is clarified that any of the abovementioned alternative identification documents issued only to the head of the family shall be permitted for identification of other members of his/her family provided all such members come together and are identified by the head of the family.

By Order



(K.F. WILFRED)  
SECRETARY