

Bye-Election 2017/MOST URGENT

OFFICE OF THE CHIEF ELECTORAL OFFICER, DELHI
OLD ST.STEPHEN'S COLLEGE BUILDING, KASHMERE GATE, DELHI-110006

No.CEO/COE/102(23)/2017/ 12710-12954

Dated: 27-03-2017

To

1. The District Election Officer of West District
2. Returning Officer of 27-Rajouri Garden AC

Sub: Bye-Elections to 27-Rajouri Garden AC- Commission's Order regarding identification of electors-reg.

Sir,

I am directed to forward herewith a copy of ECI letter No. 3/4/ID/ECI/LET/FUNC /JUD/SDR/Vol.II/2017 dated 23rd March, 2017 on the subject cited above alongwith Commission's Order dated 23-03-2017 (Hindi and English) wherein Commission has given detailed instructions regarding identification of electors.

The directions of the Commission may kindly be intimated to all contesting candidates in writing. Beside this , special briefing to Presiding Officers be given by the Returning Officer and also to ensure that a copy of the ECI letter is available with the Presiding Officers at all polling stations/booths in the Constituency.

The Commission has also directed that wide publicity of the instructions may also be given through print/electronic media for information of the general public and electors.

The DEO may kindly ensure compliance of the ECI's order by all concerned.

[Yours faithfully,

Encl: As above

(CHARANJIT SINGH)
ELECTION OFFICER (COE)

No.CEO/COE/102(23)/2017/ 12710-12954

Dated: 27-03-2017

Copy to:

1. All Recognized National Political parties in Delhi
2. State Party (AAP) in Delhi
3. Registered Political parties having HQ in Delhi
4. PS to CEO/PA to Addl. CEO
5. E.O.(SVEEP/Media) for taking necessary action for giving wide publicity to Commission's Order.
6. Sr. System Analyst with the request to upload the ECI letter under Important ECI Instructions (Bye election-2017)
7. SDM(E) of District West, Rampura, New Delhi
8. All Election Officers at CEO office.

(CHARANJIT SINGH)
ELECTION OFFICER (COE)

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 3/4/ID/ECI/LET/FUNC/JUD/SDR/VOL.II/2017

Dated: 23rd March, 2017

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 a substantially large number of electors in the States of **Assam, Himachal Pradesh, Jharkhand, Jammu & Kashmir, Karnataka, Kerala, Madhya Pradesh, NCT of Delhi, Rajasthan, Sikkim, Tamil Nadu, West Bengal**; 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 bye 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 bye elections from **02-Srinagar Parliament Constituency & 03-Anantnag Parliament Constituency in Jammu & Kashmir, 06 – Malappuram Parliament Constituency in Kerala, 113- Dhemaji (ST) Assembly Constituency in Assam, 36 - Bhoranj(SC) Assembly Constituency in Himachal Pradesh, 09-Ater Assembly Constituency & 89-Bandhavgarh(ST) Assembly Constituency in Madhya Pradesh, 216 – Kanthi Dakshin Assembly Constituency in West Bengal, 79 – Dholpur Assembly Constituency in Rajasthan, 214 – Nanjangud(SC) Assembly Constituency & 224- Gundlupet Assembly Constituency in Karnataka, 11- Dr. Radhakrishnan Nagar Assembly Constituency in Tamil Nadu, 04 – Litipara (ST) Assembly Constituency in Jharkhand, 28-Upper Burtuk Assembly Constituency in Sikkim, 27 – Rajouri Garden Assembly Constituency in NCT of Delhi**, which have been notified on **14-03-2017, 16-03-2017 and 17-03-2017** 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;
- (iii) Service Identity Cards with photograph issued to employees by Central/State Govt. PSUs/Public Limited Companies;
- (iv) Passbooks with photograph issued by Bank/Post Office;
- (v) PAN Card;
- (vi) Smart Card issued by RGI under NPR;
- (vii) MNREGA Job Card;

- (viii) Health Insurance Smart Card issued under the scheme of Ministry of Labour;
- (ix) Pension document with photograph,
- (x) Authenticated Photo Voter Slip issued by the election machinery; and
- (xi) Official identity cards issued to MPs/MLAs/MLCs
- (xii) Aadhaar Card.

9. In the case of EPIC, clerical errors, spelling mistakes, etc. should be ignored provided the identity of the elector can be established by the EPIC. If an elector produces an Electors Photo Identity Card, which has been issued by the Electoral Registration Officer of another Assembly Constituency, such EPICs shall also be accepted for identification 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. If it is not possible to establish the identity of the elector on account of mismatch of photograph, etc. the elector shall have to produce one of the alternative photo documents mentioned in para 8 above.

10. 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,



(K F WILFRED)
PRINCIPAL SECRETARY

