

**STATE ELECTION COMMISSION, HARYANA
NIRVACHAN SADAN, PLOT NO.-2, SECTOR-17
PANCHKULA**

ORDER

NO. SEC/3E-II/2010/7899

Dated 26.11.2010

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 and rules made there under for use of Identity Cards 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 Cards to electors bearing their photographs at the expense of the Government; 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 Cards under the said provisions of Rule 28 of the Registration of Electors Rules, 1960, the electors shall produce their Electoral Identity Cards at the polling station and failure or refusal on their part to produce those Electoral Identity Cards may result in the denial of permission to vote; and

4. Whereas, free and fair elections not only require that the elector should be free to exercise their votes in favour of the candidates of their choice according to their own free will, but also make it a pre-condition for a clean election so that the genuine voters exercise their franchise and their right to vote is not defeated by unscrupulous and anti-social elements by resorting to impersonation or through bogus voting; and

5. Whereas, although, the right to vote arises by the existence of name in the electoral roll, it is the use of Electoral Photo Identity Cards for Lok Sabha and Assembly Elections where provided by the Election Commission; and

6. Whereas, the Election Commission of India has issued directions that all electors in the State of Haryana who have been issued with their Electoral Photo Identity Cards, shall have to produce these Cards to exercise their franchise when they come to the polling stations for voting at the General Elections to the Member of Parliament and Member of Haryana Legislative Assembly; and

7. Now, therefore, after taking into account all relevant and the legal and factual position, in exercise of powers vested in it under Article 243K(1) of the Constitution of India read with section 212 of the Haryana Panchayati Raj Act, 1994 and all other powers enabling it in this behalf, directs that all electors of Panchayati Raj Institutions who have been issued the Electoral Photo Identity Cards for Assembly and Lok Sabha Elections and the Electoral Photo Identity Card numbers have been mentioned in case of the Panchayat Voters list also, shall have to produce these cards to exercise their franchise when they come to the polling stations for voting at the Bye election of Panchayati Raj Institution elections, the polling for which is scheduled to take place on 15.12.2010 .

8. If any elector has not been issued Electoral Photo Identity Cards by the Election Commission of India, he/she will have to produce any one out of the following documentary evidence to establish his/her identity:--

- i) Passport,
- ii) Driving License,
- iii) Income Tax Identity (PAN) Card,
- iv) Service Identity Card issued to employees by Central/State Government Offices, Public Sector Undertakings, Local Bodies or other public Limited Company,
- v) Pass Book of accounts, having photograph, opened in a scheduled bank or post office,
- vi) Freedom Fighter Identity Card having photograph,
- vii) SC/ST/OBC certificate having photograph, issued by competent authority,
- viii) Certificate of Physical Handicap having photograph issued by the Competent Authority,
- ix) Arms License having photograph,
- x) Job Cards with photograph issued under the National Rural Employment Guarantee Scheme,
- xi) Property documents with photographs such as Pattas, Registered Deeds etc,
- xii) Pension Documents such as Ex-Servicemen Pension Book/Pension Payment Order, Ex-Servicemen's Widow/Dependent Certificate, Old Age Pension Order, Widow Pension Order, with photograph,
- xiii) Health Insurance Scheme Smart Cards with Photograph,
- xiv) Ration Cards or any other similar documents establishing the identity of the electors to the satisfaction of the Presiding Officer, having photograph.

In case of an odd elector, who does not have any of the above cards would be allowed to vote, if he/she is able to establish his/her identity to the satisfaction of the Presiding Officer and such other Polling Officer authorized by the Presiding Officer in this behalf.

By Order

The Panchkula
Dated, 26th November, 2010

Puran Mal
Secretary
State Election Commission, Haryana

A copy is forwarded to the following for information and immediate compliance of above orders:-

1. Chief Secretary to Government of Haryana, Chandigarh.
2. Financial Commissioner & Principal Secretary to Govt. of Haryana, Development and Panchayat Department, Chandigarh.
3. Director-General, Police, Haryana, Panchkula.
4. Divisional Commissioners, Gurgaon, Hisar, Ambala and Rohtak.
5. Director, Development and Panchayat, Haryana, Chandigarh.
6. Director, Public Relation, Haryana, Chandigarh.
7. All Inspector Generals of Police Ranges of Haryana and Police Commissioners, Gurgaon and Faridabad.
8. All the Deputy Commissioners-cum-District Election Officer (Panchayat) in the State for information and further necessary action.
9. The Controller, Printing & Stationery Department, Haryana for publication in the Haryana Government Gazette. He is requested to supply 10 copies of the order to this Commission for information and record.
10. All the District Development and Panchayat Officers in the State.

Sd/-
(Parmal Singh)
Asstt. State Election Commissioner, Haryana
Email Id: asec.sec@hry.nic.in