

**GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA**

UNSTARRED QUESTION NO:1440
ANSWERED ON:14.08.2013
ISSUANCE OF IDENTITY CARDS TO ALL VOTERS
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Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether the Election Commission of India has requested the Government to make arrangements for issuance of identity card to all voters in the country;
- (b) if so, the names of the States where the voters identity cards have been issued to all the voters till December, 2012 along with the details of those States which have expressed their inabilities to do so, State- wise;
- (c) the details of those States where identity cards were made mandatory for casting votes in the elections along with the basis on which such a decision was taken;
- (d) the reaction of the Union Government thereto; and
- (e) the steps taken/proposed to be taken by the Government to implement the orders of the Election Commission and to make identity cards mandatory for casting of votes in each State?

Answer

MINISTER OF LAW AND JUSTICE AND COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI KAPIL SIBAL)

(a): The Election Commission has intimated that the process of issuing Electors' Photo Identity Card (EPIC) is a continuous exercise; names of new eligible electors are added every year and those of the persons who have shifted or died have to be deleted. Further, on account of migration of persons from one place to another, changes in EPIC need to be carried out based on their applications. It has been the Election Commission's endeavour to achieve the target of 100% EPIC-coverage and the Commission is making every possible effort to issue EPICs to all residual electors as expeditiously as possible.

(b) At present fourteen States/Union territories viz. Andhra Pradesh, Goa, Haryana, Himachal Pradesh, Kerala, Manipur, Meghalaya, Mizoram, Sikkim, Tamil Nadu, Tripura, Dadra & Nagar Haveli, Puducherry, Lakshdweep have near 100% EPIC coverage. A State-wise Statement showing the number of EPICs issued to the electors as per the rolls finally published w.r.t. 01/01/2013 as qualifying date is attached as Annexure.

(c)to (e): Section 61 of the Representation of the People Act, 1951 provides that with a view to preventing impersonation of electors, provisions be made in the Registration of Electors Rules, 1960 under the Representation of the People Act, 1950 to issue Electors Photo Identity Card to registered electors for establishing identity at the time of polling. Further, 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 EPIC under the said provisions of Rule 28 of the Registration of Electors Rules, 1960, the electors shall produce their EPIC at the polling station for proving their identity and failure or refusal on their part to produce those EPIC may result in the denial of permission to vote. A combined and harmonious reading of the aforesaid provisions of the 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 EPIC where provided by the Election Commission and that both are to be used together. However, in order to ensure that no genuine elector is deprived of his / her voting right the Election Commission specifies certain alternative photo documents besides EPIC for establishing identity by the elector before casting votes. The requirement of establishing identification through EPIC or other alternative documents is being followed in all States.