

Voters Identity Card Rules, 2053 (1996)

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Amendments:

1. Voters Identity Card(First Amendment)
Rule, 2053 (1996) 2053.4.10 (25 July. 1996)
2. Voters Identity Card(Second
Amendment) Rules, 2059 (2002) 2059.4.30 (15 Aug.
2002)

The Election Commission has formulated the following rules using the right provided by Section 33 of Electoral Roll Act, 2052 (1995).

Chapter- 1

Preliminary

1. **Short title, extension and commencement:** (1) This act shall be called as “Voters Identity Card Act, 2053 (1996)”.
(2) It shall come into force in such election constituencies and such date as may be specified by the commission by publishing a notice in the Nepal Gazette.
2. **Definitions:** Unless the subject and context otherwise requires, in these Rules:
 - (a) “Act” means Electoral Roll Act, 2052 (1995).
 - (b) “Voters Identity Card” means the Voters Identity Card provided to the voters pursuant to section 24 of the act.
 - (c) “Identity Card Management Officer” means Voters Identity Card Management Officer appointed or assigned pursuant to rule 3.
 - (d) “Chief Identity Card Distribution Officer” means the Chief Voters Identity Card Distribution Officer appointed or assigned pursuant to rule 4.

- (e) “Identity Card Distribution Officer” means Voters Identity Card Distribution Officer appointed or assigned pursuant to rule 5.

Chapter- 2

Appointment, Functions, Duties and Powers

3. Appointment, Functions, Duties and Powers of Chief Identity

Card Distribution Officer: ¹(1) The commission shall appoint or assign any officer of the commission or the Government of Nepal to Chief Identity Card Distribution Officer in central level to perform and make perform any works to be performed related to management and distribution of Voters Identity Card pursuant to the Act and these rules.

But, while appointing or assigning any officer of Government of Nepal, consent of Government of Nepal shall be taken.

(2) Functions, duties and rights of the Chief Identity Card Distribution Officer shall be as follows:

- (a) To perform and make perform all the works related to management, preparation and distribution of Voters Identity Card.
- (b) To prepare the budget required to make the Voters Identity Card and present it before Government of Nepal and expend the allocated budget.
- (c) To manage the required number of staffs for works related to management, making and distribution of Voters Identity Card.
- (d) To inspect, control and monitor the works to be done by the District Identity Card Management Officer and other staffs pursuant to the Act and these rules.

¹ Amended by First Amendment.

- (e) To give trainings and directions related to the works and duties to be performed by the Chief Identity Card Distribution Officer and other staffs as per the requirements pursuant to the Act and rules.
- (f) To solve the problems if they arise while preparing and distributing the Voters Identity Card.
- (g) To take departmental action against the Chief Identity Card Distributing Officer and other staffs involved in the task of Voters Identity Card Distribution pursuant to prevailing law if they do not work as mentioned in the Act and these rules or perform work with negligence.
- (h) To perform and make perform all works required to enforce these rules.
- (i) To manage broad dissemination in course of preparation and distribution of Voters Identity Card.
- (j) To perform other works assigned by the commission.

4. **Appointment, functions, duties and powers of Chief District**

Identity Card Distribution Officer: (1) The Chief District Identity Card Distribution Officer shall appoint or assign a Chief District Identity Card Distribution Officer in each district which has provision of providing Voters Identity Card to the voters.

(2) The Chief District Identity Card Officer shall perform the following functions staying under the command and control of the Chief Identity Card Distribution Officer besides the ones stated elsewhere in the Act and these rules:

- (a) To assign the work to be done by the Identity Card Distribution Officer and area for the completion of preparation and distribution of the Voters Identity Card.
- (b) To prepare and make prepared the Voters Identity Card to be made available to the voters as assigned pursuant to the Act and these rules.
- (c) To distribute and make distribute the Voters Identity Card to the voters within the timeframe specified by the commission.
- (d) To operationalize, control, observe and supervise the works to be done by the Identity Card Distribution Officer pursuant to the Act and these rules.
- (e) To solve the problems if they arise during the task of preparing and distributing the Voters Identity Card.
- (f) To take departmental action against the Chief Identity Card Distributing Officer and other staffs involved in the task of Voters Identity Card Distribution pursuant to prevailing law if they do not work as mentioned in the Act and these rules or perform work with negligence.
- (g) To perform others works assigned by the Chief Identity Card Distributing Officer.

5. **Appointment, Functions, Duties and Rights of Identity Card**

Distribution Officer: (1) The Chief Identity Card Distributing Officer may appoint or assign a Identity Card Distribution Officer as per requirement for the purpose of distributing Voters Identity Card within

the area of municipality or Village Development Committee within such election constituency where has been is provision of distributing Voters Identity Card.

(2) It shall be the duty of Identity Card Distribution Officer to work in control and direction of Chief Identity Card Distribution Officer.

6. **Provison relating to other employee:** Government of Nepal shall provide technical and other employee as per the requirement for the purpose of preparing and distributing of Voters Identity Card pursuant to these rules.

Chapter 3

Provision relating to voters identity card

- ² 7. **Providing voters identity card:** (1) Pursuant to Section 23 of the Act, Commission shall provide voters list to Chief Identity Card Distribution Officer, prepared in the format of form number 1a mentioning number of Voters Identity Card to be provided to voters of election constituency in which provision of providing Voters Identity Card has been implemented.

(2) Voters list to be provided pursuant to Sub-rule (1) shall be prepared being based on voters list prepared pursuant to the Act and Rules Relating to Voters List, 2052 (1996).

(3) Identity card distribution officer shall provide Voters Identity Card to the voters whose name has been included in the voters list provided by commission pursuant to Sub-rule (1).

(4) Except in condition of providing copy of identity card pursuant to Rule 12, Voters Identity Card shall be provided only once to the voters included their name in voters list.

² Amended by First Amendment.

(5) Voters Identity Card referred in Sub-rule (3) shall be provided only in the period specified by commission.

8. Description being in voters identity card: (1) There shall be following description in voters identity card:

- (a) Paper of Voters Identity Card shall be white in color,
- (b) There shall be photo of concerned voters with both ears visible in top right corner of Voters Identity Card. Voters Identity Card with voters photo shall be prepared by computer technology and shall be laminated as well,
- (c) Size of Voters Identity Card shall be up to maximum 6x10 cm,
- (e) There shall be technical arrangement that make Voters Identity Card impossible for imitation,
- (f) “Government of Nepal, Election Commission Voters Identity Card” shall be mentioned in top centre of Voters Identity Card.

(2) Following descriptions shall be mentioned as well in the Voters Identity Card pursuant to Sub-rule (1):

- (a) Voters Identity Card number,
- (b) Name, surname of voter,
- (c) Date of birth of voter,
- (d) Sex of Voter,
- (e) Name, surname and relation of voters' father/husband,
- (f) Voters' address,
House number.....District..... Election
Constituency number.....

VDC/Municipality.....Ward number.....

Village..... or Area (*Tole*).....

(g) Signature of Chief Identity Card Distribution Officer,

(h) Name, surname and position of Chief Identity Card Distribution Officer

(i) Date of issuance of Voters Identity Card.

(3) Number of Voters Identity Card referred in Clause (a) of Sub-rule (2) shall be different for each voter as specified by commission.

(4) Format of identity card to be provided to voters referred in rule 7 shall be as specified in form number 1.

9. Procedure for preparing Voters Identity Card: (1) Upon the publication of final voter list pursuant to the Act and Rules Relating to Voters List, task of preparing Voters Identity Card as per these rules shall be performed for the voters of the constituency specified by Commission by publishing a notice in Nepal Gazette.

(2) Except otherwise specified by Commission regarding process of preparation of Voters Identity Card pursuant to Sub-rule (1) it shall be prepared as follows:

(a) On the basis of final list of voters of each district, election constituency or Village Development Committee or Municipality within that election constituency, Voters Identity Card shall be prepared maintaining separate record of each ward of Village Development Committee or Municipality.

(b) Voters shall file an application consisting description of being a voter in the format of form number 2.

(c) Verifying voters list with the application of voter, Voters Identity Card shall be prepared as per his/her aforesaid description and description in the application.

(d) Voters Identity Card shall be prepared as per the format of form number 1, if the voters list and description of application has been verified.

10. Procedure for distributing Voters Identity Card: Except otherwise specified by Commission publishing notice in Nepal Gazette pursuant to the Act and these Rules regarding process of distributing Voters Identity Card to voters, Voters Identity Card shall be distributed in following ways:

- (a) For the purpose of identification of voter receiving Voters Identity Card, description mentioned in voters list and Voters Identity Card shall be verified,
- (b) Copy (photocopy) of distributed Voters Identity Card shall be kept as record. Identity Card Distribution Officer shall attest such record,
- (c) While distributing Voters Identity Card, it shall be distributed causing signature in registration book of the format of form number 3 within the time limit specified by the commission.

11. Procedure for obtaining remained Voters Identity Card: (1) In case the name of voter has been included in voters list but remained absent in time of distribution of Voters Identity Card he/she shall apply to the Chief Identity Card Distribution Officer as per the format of form number 4 to get Voters Identity Card attaching recommendation of the member living in his/her joint family, member of concerned Village Development Committee or Municipality or secretary of Village

Development Committee or ward secretary of Municipality or certificate as referred in Section 29 of the Act.

(2) If the name of the voter filing application pursuant to Sub-rule (1) has found registered in voter list, Chief Identity Card Distribution officer shall provide Voters Identity Card within the period specified by commission preparing as per the format of form number 1.

12. Copy of Voters Identity Card: (1) If the Voters Identity Card received pursuant to these Rules has been lost, required to addition or removal of description, theft, or destroyed then the voter shall apply to the concerned Chief Identity Card Distribution Officer as per the format of form number 5 for obtaining copy of Voters Identity Card.

(2) Upon the receipt of an application as referred in Sub-rule (1) Identity Card Distribution Officer shall verify the description of application with the record of that voter and provide the copy of Voters Identity Card of the voter within the period specified by commission if it has been verified.

13. Conditions to be fulfilled by voters: Voters shall do as follows upon the receipt of Voters Identity Card:

- (a) Voters shall show their Voters Identity Card to concerned personnel of polling centre at the time of voting,
- (b) Voters Identity Card shall be kept carefully and any omission or submission, erasure or overwriting, tear or destruction shall not be made.

14. Order may be issued for redistribution of Voters Identity Card: If the Commission has convinced by the application of any person with proof or received information from different sources that mistake in large scale have been occurred or fake Voters Identity Cards have been distributed in any election constituency or ward of Village Development Committee or Municipality within it, in course of

distribution of Voters Identity Card, the Commission may cancel such Voters Identity Card and issue an order for redistribution of Voters Identity Card.

15. **Voters Identity Card to be cancelled:** If it has been proved that any person has taken Voters Identity Card in the name of other person lying own name, the Chief Identity Card Distribution officer shall cancel Voters Identity Card taken by such person.

Chapter-4

Miscellaneous

16. **Responsibility of Government of Nepal:** It shall be the responsibility of Government of Nepal ³to assist in the work of preparation, distribution and management or making manage in this regard of Voters' Identity Card for the purpose of distributing it pursuant to Section 24 of the Act for the voters within the election constituency specified by Commission by publishing notice in Nepal Gazette pursuant to Section 23 of the Act.
17. **Taking Assistance:** (1) Chief Identity Card Distribution Officer and Identity Card Distribution Officer may take assistance from the official of representative of political parties, different Ministry and Department of Government of Nepal, local body and office as per requirement in the course of distribution of Voters' Identity Card pursuant to these Rules.
- (2) Identity Card Distribution Officer may take assistance of Chairperson, Vice Chairperson or Member of Village Development Committee or Mayor, Deputy Mayor or concerned Member of Ward of Municipality for dissemination of information or attaining public participation as well regarding preparing and distributing Identity Card.

³ Inserted by Second Amendment.

(3) It shall be the duty of concerned body and official to provide assistance if it has demanded as referred to in Sub-rule (1) and (2).

- 18. Fee:** Voters Identity Card shall be provided on free of charge for the first time cost. Provided that, fee as specified by Commission shall be charged for obtaining another Voters Identity Card mentioning "copy" pursuant to Rule 12.
- 19. Deciding dispute on Voters' Identity Card:** (1) If there arises any dispute about the identity of any voter regarding distribution of Voters' Identity Card, Identity Card Distribution Officer shall decide in such dispute.
- (2) Identity Card Distribution Officer may consult with the committee as referred to in Rule 20 while deciding pursuant to Sub-rule (1).
- 20. Committee:** Identity Card Distribution Officer shall form a committee consisting of the persons as following for the purpose of Rule 19 Sub-rule (2):
- (a) One Member of concerned Ward of Village Development Committee or Municipality,
 - (b) One local representative of each political party having Member in House of Representative,
 - (c) Maximum three persons including at least one woman among renowned local persons.
- 21. Commission may take required decision:** If there arises any problem or dispute in course of execution of these Rules Commission shall make required decision.
- 22. May provide direction:** In execution of these Rules, Commission may direct concerned body or official.
- 23. Keeping documents safe:** (1) Identity Card Distribution Officer shall hand over all the documents including registration book created for the purpose of distribution of Voters Identity Card to Chief Identity Card

Distribution Officer. Chief Identity Card Distribution Officer shall keep such handed over document safely.

24. **May make change and submission or omission in the form:** The Commission may make change and submission or omission in the forms pursuant to these rules by publishing notice in Nepal Gazette.

Replacement:

In Place of the word "Identity Card management officer" used in various places of the original Rules "Central Identity Card Management Officer" and in place of the words "Chief Identity Card Distribution Officer", "District Identity Card Management Officer" has been mentioned making such transformation.

Form No. 1

(Related to Rule 8(4) and Rule 9(2))

Coat of Arms	Government of Nepal	
Photo	ELECTION COMMISSION	
Voters Identity Card		
Identity Card No.	D.O.B:	
Voters' Name, Surname:		Sex:
Name, Surname of Father/Husband:		Relation:
Address: District -	E.C.	Name of V.D.C/ Municipality:
Ward No.	Name of Village/ Tole:	House No:

(Front Part)

Chief Identity Card Distributing Officer's
Name, Surname:
Position:
Signature:
Date:

(Back Part)

⁴Form No. 1A

(Related to Sub-rule (1) of Rule 7)

Election Commission

Electoral Roll

(Completed 18 years up to end of Chaitra)

District

Election Constituency No.

V.D.C/ Municipality:

Ward No.

S.N	House No.	Ref. No.	Ref. S. N	Village/Tole	Voters' Description					Voters' Father/ Husband		Remarks
					Voters I.D No.	Name, Surname	Sex	D.O.B	Age	Name, surname	Relation	

⁴ Inserted by First Amendment

Form No. 2

(Related to Sub-rule 2(b) of Rule 9)

Application

The Identity Card Distribution Officer,

.....

.....

I have submitted this application along with following details in order to get Voters Identity Card

1. Name, Surname

.....

2. Date of Birth

.....

3. Address: District Election

Constituency No. V.D.C/

Municipality Ward No. Village/Tole

.....

4. House No. Family No.

5. Serial Number

6. Name of Father/ Husband

Applicant

Signature

Name, Surname.....

Date

Form No. 3

(Related to Rule 10(c))

Election Commission

... .. **District Election Constituency No.**

... .. **V.D.C/ Municipality Ward No.**

Registration Book

S.N	Voters Identity Card Number	Identity Card Receiving Voters'		Date	Voters I.D Card Distributing Officer's Signature	Remarks
		Name, Surname	Signature			

Form No. 4

(Related to Rule 11(1))

Application for Obtaining and Providing Remaining Identity Cards

Subject: Request for obtaining Voters Identity Card

The Chief Identity Card Distributing Officer,

.....
.....

I, the applicant, am the Voter included in the Voters list of ward no. ofV.D.C/ Municipality in election constituency of district and my other descriptions related to Voter are as follows. As I could not be present in the concerned place during the distribution of Voters Identity Card, I have not got the Voters Identity Card I should have got as per the law till date. Please provide me my Voters Identity Card.

My Voters Description

1. Voters Serial Number
2. Number of house
3. Number of Family Members
4. Village/*Tole* and House No.
5. Name, Surname of Voter... ..
6. Date of Birth
7. Sex
8. Name, Surname of father/ husband

The details in this application are correct. If its confirmed false, I agree to be legally liable.

Applicant

Signature:

Signature:

... ..

Name, Surname:... ..

... ..

Recommender's

Name, Surname:

Date:

Form No. 5

(Related to rule 12(1))

Application for copy of voters identity-card

Subject: Request for obtaining copy of Voters Identity Card

The Chief Identity Card Distribution Officer

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.....

I hereby make this application along with the following details:

I have been residing inarea(tole) ofVillage Development Committee/ Municipality ward no.under election constituency no.....ofdistrict and according to the same being my name registered in voters name list I had got voters identity-card as well. Because, my voters' identity-card has been destroyed/lost in natural disaster/accident, I request hereby for obtaining the copy of the same. Please provide me the copy of voters' identity-card receiving fee as provided by law. My voters' description is as follows:

Description relating to voter

1. Serial number:
2. Number of house:
3. Number of family members:
4. Village/area (tole) and house number:
5. Name, surname of voter.....
6. Date of Birth.....
7. Sex: Male/Female.....
8. Name, surname of father/husband.....

Applicant

Signature.....

Name, surname.....