

**The Act Relating to Electoral Rolls, 2063  
(2006)**

*Date of Certification*

2063.9.14 (Dec 29, 2006)

**Act No. 32 of the Year 2063 (2007)**

**An Act Made to Amend and Consolidate Laws Relating to  
Electoral Rolls**

**Preamble:**

Whereas, it is expedient to amend and consolidate the laws relating to Electoral Rolls for the election to be held pursuant to the laws in force;

Now, therefore, be it enacted by the House of Representatives in the First Year of the Proclamation of the House of Representatives, 2063 (2006).

**Chapter -1**

**Preliminary**

1. **Short title and commencement:** (1) This Act may be cited as "the Act relating to Electoral Rolls, 2063 (2006)".

(2) This Act shall come into force forthwith.

2. **Definitions:** Unless the subject or the context otherwise requires, in this Act,-

- (a) "Commission" means the Election Commission.
- (b) "Election" means the election to the members of the Constituent Assembly or such other election as to be held pursuant to laws, and this expression also includes bye-election.
- (c) "Election constituency" means any election constituency prescribed by the laws in force for election.
- (d) "District Election Officer" means the Chief of the District Election Office.
- (e) "Name Registration Officer" means the Chief Name Registration Officer appointed or designated pursuant to Section 4 and this expression also includes the Name Registration Officer and Assistant Name Registration Officer.
- (f) "Voter" means a voter whose name has been registered in the Electoral Rolls pursuant to Section 5,
- (g) "Electoral Rolls" means the Electoral Rolls prepared pursuant to this Act.
- (h) "Temporary Electoral Rolls" means the temporary Electoral Rolls prepared pursuant to Section 26,
- (i) "Prescribed" or "as prescribed" means prescribed or as prescribed in this Act or the rules framed under this Act.

## Chapter - 2

### **Voters and Electoral Rolls**

3. **To collect and update Electoral Rolls:** (1) The Commission shall, under its direct inspection, control, supervision and direction, carry out the act of collection and updating of the Electoral Rolls of the voters in the Wards of the Village Development Committees and Municipalities of every election constituency as prescribed.
- (2) While collecting or updating the Electoral Rolls pursuant to sub-section (1), the then Electoral Rolls shall be published in the concerned Ward of the concerned Village Development Committee or the Municipality.
- (3) While collecting or updating the Electoral Rolls pursuant to sub-section (1), the Commission shall publish a notice on the matter pertaining to program of the same in the Nepal Gazette for information of the general public.
- (4) While collecting or updating the Electoral Rolls pursuant to sub-section (1), the Commission may fix the time in a manner that such collection or updating shall be made at the same time or at several times or at one time or at different times.

Provided that while collecting or updating the Electoral Rolls of one Village Development Committee or one particular Ward of a Municipality, it shall be done at the same time.

4. **Name Registration Officer:** (1) The Commission may appoint or designate one Chief Name Registration Officer and Name Registration Officer and Assistant Name Registration Officer as required in each district to collect names and other necessary details of voters, to prepare and update Electoral Rolls and carry out all other acts as required in that respect.

(2) The Commission may depute or engage a required number of employees of the Government of Nepal or of the bodies owned or controlled by, or operated with the grants of, the Government of Nepal or of the Local Bodies and teachers of community schools in work so as to assist the Name Registration Officer in the performance of the functions as referred to in sub-section (1).

(3) The Commission may assign District Election Officer to perform the functions required to be performed by the Chief Name Registration Officer pursuant to this Act.

(4) The Office of the Name Registration Officer shall be located at the concerned Ward of the concerned Municipality or at the Office of the concerned Village Development Committee, as the case may be.

5. **Voters:** (1) The following person shall be eligible to be voters in an election:

(a) Nepalese citizen;

(b) Who has completed the age of 18 years on or before the last day of the month of Chaitra (13 April) of the year immediately preceding the year in which Electoral Rolls are collected;

Provided that in the case of the Election to the Members of the Constituent Assembly, one who has completed 18 years of age on or before the last day of Mangsir of the year 2063 (Dec 15, 2006),

- (c) Who has permanent residence in the concerned Ward of any Village Development Committee or Municipality in any election constituency.
- (2) The name of a voter as referred to in sub-section (1) shall be included in the Electoral Rolls of the election constituency where the voter is permanently residing, and the name of the person so included shall be considered to be registered in the Electoral Rolls.

**6. To cast vote:** Any person whose name has been registered in the Electoral Rolls pursuant to Section 5 may cast a vote in election.

Provided that any of the following voters shall not be entitled to cast vote:

- (a) a person of unsound mind,
- (b) a person who, having been sentenced to imprisonment pursuant to the laws in force relating to election offences and punishment, is serving such sentence or where a person has been sentenced to imprisonment for a term of one year or more than one year, a period of one year has not lapsed from the date of completion of the service of such punishment.

7. **Deemed to be residing permanently:** (1) For the purposes of part (c) of sub-section (1) of Section 5, a person who is habitually residing in the concerned Ward of a Village Development Committee or a Municipality shall be deemed to have permanently resided there.

(2) Notwithstanding anything contained in sub-section (1), a residence in any of the following situations shall also be deemed to have resided permanently:

(a) Situation where a person, whose name is registered in the Electoral Rolls of a Ward of a Village Development Committee or Municipality in an election constituency and who has been elected as a people's representative, remains absent from the election constituency during his or her tenure;

(b) Situation where a person remains absent from a Ward of a Village Development Committee or Municipality in an election constituency where his or her name has been registered, owing to trade, business, study, teaching, governmental or non-governmental service, medical treatment or any other special work or reason or owing to being detained or imprisoned according to the law.

8. **Persons not be deemed as residing permanently:**

For the purposes of part (c) of sub-section (1) of Section 5, the persons in the following situations shall not be deemed to have resided permanently in the concerned Ward of a Village Development Committee or Municipality in the concerned election constituency:

- (a) Where a house belonging to any one is rented for the purpose of operating any industry, trade or business or keeping an office, the tenant of the house and his or her family on that mere ground;
- (b) Employees serving in offices of governmental, semi-governmental and non-governmental organizations, and quarters made for the employees of such organizations, army or police barracks, cantonments and quarters, industrial enterprises, residential quarters for employees and workers working in such enterprises and persons taking shelter in hospitals, clinics, nursing homes, schools, colleges and hostels, orphanages, homes for elderly people, prisons and similar other places.

**9. Registration of voters of another election**

**constituency:** (1) Where a voter whose name has been registered in the Electoral Rolls of any Ward of a Village Development Committee or Municipality of an election constituency has migrated, because of marital or other reason, to any Ward of a Village Development Committee or Municipality in another election constituency and resided there, the name of such person may be registered in the concerned Ward of the Village Development Committee or Municipality of the election constituency where he or she has been so residing.

(2) While getting registered his or her name pursuant to sub-section (1), such person shall submit evidence proving the marriage or migration to the Name Registration Officer.

- (3) In the event of failure to submit the evidence referred to in sub-section (2), the name of such person shall not be registered.

**10. Prohibition on registration of name in two places:**

Except in the situation mentioned in Chapter 3, no person shall register or get registered his or her name in the Electoral Rolls of the concerned Ward of a Village Development Committee or Municipality in more than one election constituency.

**11. Seeking evidence for registration of name:** (1) Where

it is so required, while registering the name of a person in the Electoral Rolls pursuant to this Act, the Name Registration Officer may ask the concerned person or his or her family to submit the citizenship certificate, land ownership certificate or any identity card issued by a government office, local body, government owned organization or educational institute, setting out his or her date of birth or age or place of his or her residence.

- (2) In the event of failure to submit the evidence sought pursuant to sub-section (1), the Name Registration Officer may ask such person to submit a recommendation of the concerned Ward of the concerned Village Development Committee or Municipality.

- (3) The name of a person who fails to submit even the recommendation referred to in sub-section (2) shall not be registered in the Electoral Rolls.

Provided that nothing shall be deemed to bar the registering of the name of a citizen of Nepal in the

Electoral Rolls merely by the reason of his or her failure to submit the Nepalese citizenship certificate.

- 12. Duty to register name and provide details:** (1) It shall be the duty of each Nepalese citizen who has possessed the qualification for being a voter pursuant to this Act to get his or her name registered in the Electoral Rolls of the concerned Ward of the Village Development Committee or Municipality in the election constituency where he or she has been residing permanently.
- (2) It shall be the duty of the main person or other members of the concerned family to provide the details of each voter residing in each house to the name Enumerator for the purposes of collecting the names pursuant to this Act.
- 13. Publication of Electoral Rolls:** The Name Registration Officer shall publish the collected and updated Electoral Rolls pursuant to sub-section (1) of Section 3 in the Office of the concerned Ward of the concerned Village Development Committee or Municipality within the time as fixed by the Commission.
- 14. Application for inclusion of name:** Where the name of any person is omitted from the Electoral Rolls published pursuant to sub-section (2) of Section 3 or Section 13, and where such person desires to get his or her name included therein, he or she may make an application, along with the evidence, to the Name Registration Officer in the time as fixed by the Commission.

- 15. Application for correction of name or details:** Where there is any error in the name or details of any voter included in the Electoral Rolls published pursuant to sub-section (2) of Section 3 or Section 13, the concerned voter or any of his or her family members may make an application to the concerned Name Registration Officer for the correction of the same within the time as fixed by the Commission.
- 16. Publication of amended Electoral Rolls:** Where any application is made pursuant to Section 14 or Section 15, the Name Registration Officer shall inquire into such application as prescribed and where he or she finds that the name of the applicant has been omitted from the Electoral Rolls or there is any error in the details, he or she shall prepare the amended Electoral Rolls as prescribed by including the name of such voter or correcting the details as prescribed and publish the same within the time as fixed by the Commission.
- 17. Objection to Electoral Rolls:** (1) Where any voter of the same election constituency of the concerned Ward of the Village Development Committee or Municipality considers that the name of any person cannot be included under this Act in the Electoral Rolls published pursuant to sub-section (2) of Section 3, Section 13 or Section 16, such voter may make an application objecting thereto, accompanied by the reason for such objection, to the Name Registration Officer within the time as fixed by the Commission.
- (2) Where an application is received pursuant to sub-section (1), the Name Registration Officer may, where the matter is found reasonable upon making inquiry into the matter

as prescribed, remove the name of such person from the Electoral Rolls.

**18. To give information for removal of repeated name:**

(1) In cases where the name of a voter has been registered in the Electoral Rolls of the concerned Ward of the Village Development Committee or Municipality within one or more than one election constituency, it shall be the duty of the concerned voter to give information to the Assistant Name Registration Officer, where it is within the concerned Ward of the Village Development or Municipality, to the Chief Name Registration Officer of the concerned district, where it is within the district, and to the Commission by himself or herself or through the Name Registration Officer, where it involves more than one district, to maintain his or her name only in the Electoral Rolls of the Ward of the Village Development Committee or Municipality in one election constituency of his or her choice and remove his or her name from the Electoral Rolls of the Ward of the Village Development Committee or Municipality in another election constituency.

(2) Notwithstanding anything contained in sub-section (1), where the name of any voter has been registered in the Electoral Rolls of the concerned Ward of the Village Development Committee or the Municipality within one or more than one election constituency, any voter of the concerned Ward of the same Village Development Committee or Municipality shall make an application as prescribed, accompanied by the reason for the same, to the Name Registration Officer to remove the repetition of

name and maintain his or her name only in one electoral roll.

**19. Removal of repeated name:** (1) Where information is given for the removal of a name from the Electoral Rolls pursuant to Section 18, such repeated name shall be removed by the Assistant Name Registration Officer, in the case of repetition of name in any Village Development Committee or Municipality, by the concerned Chief Name Registration Officer, in the case of repetition of name within the district of any Village Development Committees or Municipalities, and by the Chief Name Registration Officer designated by the Commission, in the case of repetition of name in the Electoral Rolls of more than one district.

(2) Even though no application is made pursuant to Section 18, where the Commission receives information that the name of any voter has been repeated, the Commission may order the concerned Name Registration Officer to maintain the name of such voter in the Electoral Rolls of the concerned Ward of the Village Development Committee or Municipality where he or she is permanently residing, by removing his or her name from the Electoral Rolls of the Ward of other Village Development Committee or Municipality; and where the Name Registration Officer himself or herself, the name of such voter shall be removed from the Electoral Rolls of the Ward of the Village Development Committee or Municipality, other than the Ward of the Village Development Committee or Municipality where he or she resides permanently, by the Assistant Name Registration Officer, in the case of

repetition of name within Wards of any Village Development Committee or Municipality and by the concerned Chief Name Registration Officer, in the case of repetition of name within any Village Development Committees or Municipalities within the district.

- (3) Where an application is made pursuant to sub-section (2) of Section 18, the Name Registration Officer shall, upon making necessary inquiry into the matter, maintain only one by removing the repeated name as prescribed.
- (4) Where the repeated name is removed pursuant to this Section, the Name Registration Officer shall post a notice thereof at the concerned Ward Office of the concerned Village Development Committee or Municipality.

**20. Removal of name from the Electoral Rolls: (1)**

Where a voter whose name is included in the Electoral Rolls dies or migrated permanently from the concerned election constituency or renounces the citizenship of Nepalese or ceases to possess the qualification for maintaining his or her name in the Electoral Rolls, any voter may give a notice indicating that matter to the Name Registration Officer within the time as fixed by the Commission.

- (2) Where, while inquiring into the matter as prescribed, upon receipt of the notice referred to in sub-section (1), such matter appears to be reasonable, the name of that voter shall be removed from the Electoral Rolls, as prescribed.

- (3) Even though any notice is not received pursuant to sub-section (1), where it appears from the records of the Local Registrar's Office that any voter has migrated to elsewhere because of marriage or any other reason or has died, the Name Registration Officer may remove the name of such voter from the Electoral Rolls.
- (4) Where a name is removed from the Electoral Rolls pursuant to this Section, the Name Registration Officer shall post a notice thereof at the concerned Ward Office of the concerned Village Development Committee or Municipality.

**21. Publication of final Electoral Rolls:** (1) After completing the process of making claim, objection, holding inquires and making amendment pursuant to this Chapter, the Name Registration Officer shall prepare the final Electoral Rolls of the concerned election constituency and publish the same as prescribed within the time as fixed by the Commission.

- (2) While publishing the Electoral Rolls pursuant to sub-section (1), the names of one family shall, to the extent possible, be published together at the same place.
- (3) The Name Registration Officer shall send the final Electoral Rolls published pursuant to sub-section (1) to the Commission within the time as fixed by the Commission.

**22. Review of Electoral Rolls:** (1) The Commission may review the final Electoral Rolls that it has received pursuant to sub-

section (3) of Section 21 within thirty-five days after the receipt of such rolls.

- (2) Where, in reviewing the final Electoral Rolls pursuant to sub-section (1), it appears that there is any substantial error in such Electoral Rolls, the Commission may give necessary direction to the concerned Name Registration Officer to correct such error; and where such direction has been given, the concerned Name Registration Officer shall make necessary rectification in the Electoral Rolls as per the direction.

**Explanation:** For the purposes of this sub-section, "substantial error" means such a situation as may give rise to a question about the validity of the Electoral Rolls owing to the fact that the names of the persons whose names have to be included in the Electoral Rolls pursuant to this Act have not been included therein or the name of the persons whose names have not to be included in the Electoral Rolls have been included therein.

- (3) The Electoral Rolls rectified pursuant to sub-section (2) shall be published, after completing the procedures as referred to in this Act.

**23. Special provision on inclusion of name:** (1)

Notwithstanding anything contained elsewhere in this Act, where the name of a person who possesses the qualification to become a voter pursuant to this Act, and has obtained citizenship after the publication of the Electoral Rolls pursuant to sub-section (1) of Section 21 or sub-section (3) of Section 22 is not registered in the Electoral Rolls, such person may make

an application to the Chief Name Registration Officer within the period fixed by the Commission, for the inclusion of his or her name in the Electoral Rolls.

(2) Where an application referred to in sub-section (1) is received, the Chief Name Registration Officer shall make necessary inquiry into the matter include the name of such person in the Electoral Rolls, by fulfilling the procedures as prescribed.

**24. Prohibition on making alteration or change in final**

**Electoral Rolls:** No alteration, change or correction of any kind shall be made in the final Electoral Rolls published pursuant to sub-section (1) of Section 21 other than the condition as set forth in Section 22 and 23.

**25. Not to raise question in court:** No question may be raised in any court about the following matters:

(a) As to whether or not the name of any person has been registered in, or may or may not be registered in, the Electoral Rolls of any election constituency;

(b) As to the preparation of the Electoral Rolls by the Name Registration Officer or the authorized person deputed by him or her or the alteration made by the concerned Official in the Electoral Rolls pursuant to this Chapter.

## Chapter-3

### **Special Provisions Relating to Temporary Electoral Rolls**

**26. Preparation of temporary Electoral Rolls:** (1)

Notwithstanding anything contained elsewhere in this Act, the Commission shall cause to be prepared separate temporary Electoral Rolls under its direct inspection, control, supervision and direction.

(2) The names of the following persons shall be included in the temporary Electoral Rolls referred to in sub-section (1):

- (a) Employees serving in government offices, local bodies or organizations owned or controlled by the Government of Nepal;
- (b) Persons staying in army or police barracks or combatants of Maoist army in cantonments;
- (c) Prisoners or detainees in prisons;
- (d) Employees and security personnel deputed in election or polling centers.

**27. Name not to be included in temporary Electoral**

**Rolls:** The name of a person who has not possessed the qualification referred to in clauses (a) and (b) of sub-section (1) of Section 5 shall not be included in the temporary Electoral Rolls.

**28. Preparation of temporary Electoral Rolls of employees serving in government offices, local bodies or organizations owned or controlled by**

**Government of Nepal:** (1) The Name Registration Officer shall prepare or update, or perform all other necessary functions pertaining to, the temporary Electoral Rolls of the employees serving in government offices, local bodies or organizations owned or controlled by the Government of Nepal.

(2) The names of the employees serving in government offices, local bodies or organizations owned or controlled by the Government of Nepal shall be included in the separate temporary Electoral Rolls of the Ward of the Village Development Committee or Municipality where the offices in which they are serving are situated. The names of the persons whose names are included in the Electoral Rolls so prepared shall be considered to be registered as temporary voters.

(3) The names of the employees serving in government offices, local bodies or organizations owned or controlled by the Government of Nepal shall be registered based on the name-lists certified by the offices concerned.

(4) Notwithstanding anything contained elsewhere in this Section, where the name of an employee serving in any office has been registered, by the reason of his or her residence, in the Electoral Rolls of the Village Development Committee or Municipality where his or her office is situated, the name of such employee shall not be

registered in the temporary Electoral Rolls pursuant to this Section.

**29. Preparation of temporary Electoral Rolls of persons staying in army or police barracks or combatants of**

**Maoist army in cantonments:** (1) The Name Registration Officer shall prepare or update, and perform all other necessary functions pertaining to, the temporary Electoral Rolls of the persons staying in army or police barracks or combatants of Maoist army in cantonments.

(2) The names of the persons staying in army or police barracks or combatants of Maoist army in cantonments shall be included in the separate temporary Electoral Rolls of the Ward of the Village Development Committee or Municipality where the army or police barracks or cantonments are situated. The names of the persons whose names are included in the Electoral Rolls so prepared shall be considered to be registered as temporary voters.

(3) The names of the persons staying in army or police barracks or combatants of Maoist army in cantonments shall be registered based on the name-lists certified by the officials responsible for the management of the concerned army or police barracks or cantonments.

**30. Preparation of temporary Electoral Rolls of prisoners or detainees in prisons:** (1) The Name

Registration Officer shall prepare or update, and perform all

other necessary functions pertaining to, the temporary Electoral Rolls of the prisoners or detainees in prisons.

(2) The names of the prisoners or detainees in prisons shall be included in the separate temporary Electoral Rolls of the Ward of the Village Development Committee or Municipality where such are situated. The names of the persons whose names are included in the Electoral Rolls so prepared shall be considered to be registered as temporary voters.

(3) The names of the prisoners or detainees in prisons shall be registered based on the name-lists certified by the jailer of the concerned prison.

**31. Preparation of temporary Electoral Rolls of employees and security personnel deputed in election or polling centers:**

The Commission shall prepare the temporary Electoral Rolls of the employees and security personnel deputed in election or polling centers at the time of their deputation in polling centers and provide such rolls to the concerned polling officers.

**32. Publication of and objection to temporary Electoral Rolls:**

(1) The Electoral Rolls collected pursuant to this Chapter shall be published in such place and time as fixed by the Commission.

(2) Where the name of any person is omitted from the Electoral Rolls published pursuant to sub-section (1), and where such person desires to get his or her name included therein, he or she may make an application, along with

the evidence, to the Name Registration Officer in such time as fixed by the Commission.

- (3) Where there is any error in the name or details of any voter included in the Electoral Rolls published pursuant to sub-section (1), the concerned voter or any of his or her family members may make an application for the correction the same within such time as fixed by the Commission.
- (4) Where any application is made pursuant to sub-section (2) or (3), the Name Registration Officer shall inquire into such application as prescribed and where he or she finds that the name of the applicant has been omitted from the Electoral Rolls or there is any error in the details, he or she shall prepare the amended Electoral Rolls as prescribed by including the name of such voter or correcting the details as prescribed and publish the same within such time as fixed by the Commission.
- (5) Where any voter considers that the name of any person cannot be included under this Chapter in the Electoral Rolls published pursuant to sub-section (1), such voter may make an application objecting thereto, accompanied by the reason for such objection, to the Name Registration Officer within such time as fixed by the Commission.
- (6) Where an application is received pursuant to sub-section (5), the Name Registration Officer may, where the matter is found reasonable upon making inquiry into the matter as prescribed, remove the name of such person from the Electoral Rolls.

- (7) After completing the process of making claim, objection, holding inquires and making amendment pursuant to this Chapter, the Name Registration Officer shall prepare the final Electoral Rolls of the concerned election constituency and publish the same as prescribed within such time as fixed by the Commission.
- (8) The Name Registration Officer shall send the final Electoral Rolls published pursuant to sub-section (7) to the Commission within such time as fixed by the Commission.
- (9) The Commission may review the final Electoral Rolls that it has received pursuant to sub-section (8).
- (10) The Electoral Rolls reviewed pursuant to sub-section (9) shall be published finally, after completing the procedures as referred to in this Act.
- (11) No alteration, change or correction of any kind shall be made in the final Electoral Rolls published pursuant to sub-section (10).

**33. Use of temporary Electoral Rolls:** (1) The temporary Electoral Rolls prepared pursuant to this Chapter shall be used only for the purpose of voting in the election for 204 seats of in the Constituent Assembly to be held on the basis of proportional election system.

- (2) A voter who is registered in the temporary Electoral Rolls referred to in this Chapter may, for the purpose of sub-section (1), cast vote in such polling center as designated by the Commission.

## Chapter-4

### **Offences and Punishment**

**34. Offences and punishment:** (1) Where one commits any of the following acts, one shall be deemed to have committed an offense referred to in this Act:

- (a) Getting his or her name registered in the Electoral Rolls by a person who is not a citizen of Nepal by impersonating that he or she is a citizen of Nepal;
- (b) While collecting the necessary details in the course of the preparation of Electoral Rolls pursuant to this Act, getting one's name registered or making application by one for the registration of one's name by lying one's name, surname, address, age or other details or making objection by one by making such a lie;
- (c) Intentionally inserting any matter to, over writing, correcting any matter in the Electoral Rolls published pursuant to this Act or otherwise defacing, tearing or spoiling such Electoral Rolls;
- (d) Intimidating, threatening or luring in any manner any employee deputed for the preparation of Electoral Rolls or forcefully deviating such employee from carrying out his or her duty;
- (e) Divulging secrecy of those documents or details of which secrecy is required to be maintained.

- (2) A person who commits the offense referred to in clause (a) of sub-section (1) shall be punished with a fine not exceeding fifty thousand rupees or imprisonment for a term not exceeding six months or with both; and a person who commits any offense referred to in clauses (b), (c), (d) and (e) of sub-section (1) shall be punished with a fine not exceeding ten thousand rupees or imprisonment for a term not exceeding one month or with both.
- (3) A person who attempts to commit or aids or abets the commission of any offense referred to in this Act shall be punished with half the punishment to be imposed on the principal offender.
- (4) Notwithstanding anything contained in the laws in force, the Commission may, in accordance with the laws in force, take departmental action against any Name Registration Officer, Name Enumerator or other employee involved in election who, with ulterior motive, does not include the name of any person required to be included pursuant to this Act in the Electoral Rolls or includes the name of any person whose name has not to be included or makes any alteration or correction in the final Electoral Rolls.

**35. To be state case:** Any case to be instituted under this Act shall be a state case.

**36. Inquiry and investigation:** The concerned District Election Officer of the concerned District shall carry out investigations and inquiries about any cases related to any offenses referred to in this Act.

## Chapter-5

### Miscellaneous

37. **Not to affect matters relating to citizenship:** By the reason only that the name of any person has been included or has not been included in the Electoral Rolls or temporary Electoral Rolls pursuant to this Act shall have no effect on any matter pertaining to his or her citizenship in accordance with the laws in force.
38. **Not to be admissible as evidence for other purposes:** The Electoral Rolls or temporary Electoral Rolls prepared pursuant to this Act shall not be admissible as evidence for other purposes except for the purpose of polling and except where the laws in force contain special provisions.
39. **To certify as voter:** Where a voter whose name is registered in the Electoral Rolls of any election constituency makes an application, as prescribed, for the certification of that matter, the Commission or the Official authorized by the Commission shall certify the same as prescribed.
40. **To render assistance:** It shall be the duty of all the concerned to render necessary assistance as required by the Name Registration Officer while preparing the Electoral Rolls or temporary Electoral Rolls in accordance with this Act.
41. **Assisting committee:** The Commission may form an Assisting Committee consisting of representatives of political parties at the local level to render assistance in collecting

names and updating the Electoral Rolls or temporary Electoral Rolls in accordance with this Act.

**42. Power to enforce provision relating to Voter**

**Identity Card:** (1) The commission may, by a notification in the Nepal Gazette, make provision that the voters in any such election constituency as may be specified in the same notification or all election constituencies have to obtain a voter identity card to cast vote.

(2) Where provision is made pursuant to sub-section (1), the voters in such election constituency shall produce the voter identity card to cast vote.

(3) Other provisions relating to the voter identity card shall be as prescribed.

**43. Validity of Electoral Rolls:** (1) The Electoral Rolls

prepared in accordance with the laws prevailing prior to the commencement of this Act may be taken as the basis pending the preparation of Electoral Rolls in accordance with this Act.

(2) Notwithstanding anything contained elsewhere in this Act, the Electoral Rolls collected or updated after the commencement of this Act shall be valid for the purposes of any election to be held pursuant to the laws in force.

**44. Power to frame rules:** The Commission may frame

necessary rules in order to carry out the objective of this Act.

**45. Power to prepare manuals:** The Commission may prepare

and enforce manuals, as required, subject to this Act and rules framed under this Act.

**46. Power to issue orders:** (1) The Commission may issue orders, as required, for the implementation of this Act and the rules and manuals made under this Act.

(2) It shall be the duty of all the concerned to abide by the orders issued pursuant to sub-section (1).

**47. Repeal and saving:** (1) The Act relating to Electoral Rolls, 2052 (1995) is hereby repealed.

(2) All acts and actions done and taken under the Act relating to Electoral Rolls, 2052 (1995) shall be deemed to have been done and taken under this Act.