Theme 10 - EVM & VVPAT

Guidance Plan:

1. The EVM & VVPAT system is the lynchpin in the conduct of free, fair and transparent election. Thus training of the RO in this vertical is vital in ensuring 'zero error' elections that will positively impact the trust and confidence of all the stakeholders in the integrity of the electoral process. This PPT aims to familiarize the RO with the EVM & VVPAT ecosystem as a whole and his role vis-à-vis the EVM & VVPAT in the non-election, election and petition period. Special emphasis is given to the FLC, randomization, dispersal, poll day and counting day procedures. The RO is exposed to the gist of all important instructions so as to ensure clarity in implementation.

2. The PPT has been divided into 7 parts. Part – I briefs the RO about the background and basics of EVM & VVPAT, its history and the role of the Technical Expert Committee (TEC) and its composition. The technical security aspetcs are then explored and security features and mechanisms are detailed.

3. Part-II of the PPT dwells into the legal provisions for the use of EVMs & VVPATs. The RO is given a detailed overview of the relevant sections and rules of RPA, 1951 and COER, 1961, followed by the landmark judgements of Supreme Court and High Courts that have played a significant role in shaping the usage of EVM & VVPATs.

4. The Administrative Safeguards and the mechanisms and its elements are focussed upon in Part-III of the PPT. A brief of the EVM Management System (EMS) is also a part of this segment. The RO is appraised of the SoPs to be followed across various phases of the electoral process, starting with storage, followed by FLC, randomization, Commissioning/Preparation, Dispersal day and culminating in the Poll day.

5. The Counting Arrangements & Instructions for Counting of Votes (EVM & VVPAT) form the Part-V of the PPT. The RO is briefed about the infrastructure and security arrangements at the Counting Centre and Media Centre, The Provisions & guidelines regarding Counting of Postal Ballot (PB) and votes from EVMs is encapsulated later. The next section is on the Encore Counting Application, that informs the RO about the Infrastructural requirements, and the processes involved in the day before counting day and on counting day. The arrangements for counting of VVPAT Slips are dealt subsequently with accompanying pictorials. The procedures regarding removal of VVPAT slips from VVPATs, sealing and storage of EVM & VVPATs after counting of votes wraps up this section.

6. The penultimate segment of the PPT (Part – V), strives to address the debate around EVMs, taking up individual issues followed by explanations and clarifications. It has been designed to address the concerns raised by various stakeholders on the EVM & VVPAT system. Also, a comparative of the EVM used by ECI vis-à-vis the voting machines of other countries has also been included. Reasons for not reverting to the ballot method of voting concludes this part.

7. Part VI is a listing of the 'Don'ts' regarding EVM & VVPATs through the various stages of the electoral process.

8. Part VII of the PPT explains the Supreme Court mandated Symbol Loading Unit (SLU) and Checking & Verification (C&V)

Presentation Structure

Part - **I** Introduction to EVM & VVPAT	
Part - A	EVM - components
Part - B	History of EVM
Part - C	Technical Expert Committee (TEC)
Part - D	Technical Security
Part – **II** Legal Provisions for the use of EVMs & VVPATs	
Part – **III** Administrative Safeguards	
Part - A	Administrative Safeguards - Mechanisms
Part - B	Administrative Safeguards - SoPs till Poll Day

Part – **IV** Counting Arrangements & Instructions for Counting of Votes	
Part - A	Arrangement for counting of votes
Part - B	Counting of Postal Ballot (PB)
Part - C	Counting of votes from EVMs
Part - D	Encore Counting Application
Part - E	Counting of VVPAT Slips
Part – **V** Debate around EVMs – explanations and clarifications	
Part – **VI** EVM & VVPAT - Don'ts	
Part VII Symbol Loading Unit (SLU) and Checking & Verification (C&V)	

Part – I

Introduction to EVM & VVPAT

Part – A

EVM - components

EVM – components - Ballot Unit (BU) + Control Unit (CU) + VVPAT

Ballot Unit   **VVPAT**   **Control Unit**

Contd…

- EVM consists of Ballot Unit, Control Unit and VVPAT

- Polling Officer presses the Ballot Button of Control Unit which enable the voter to cast his vote using Ballot Unit

- When a voter presses a button against the candidate of his choice in Ballot Unit, red light glow against candidate of his choice in Ballot Unit.

- A paper slip showing the **serial no**, **name** and the **symbol** of the candidate of his choice is generated and visible for about 7 seconds through transparent window of VVPAT

EVM – components - Control Unit – contd.

CONTROL UNIT-

enables the Ballot Unit to accept vote from the voter and stores the vote cast.

Contd…

EVM – components - Ballot Unit – contd.

BALLOT UNIT- the voter can franchise his/her vote by pressing a button against the candidate of his/her choice
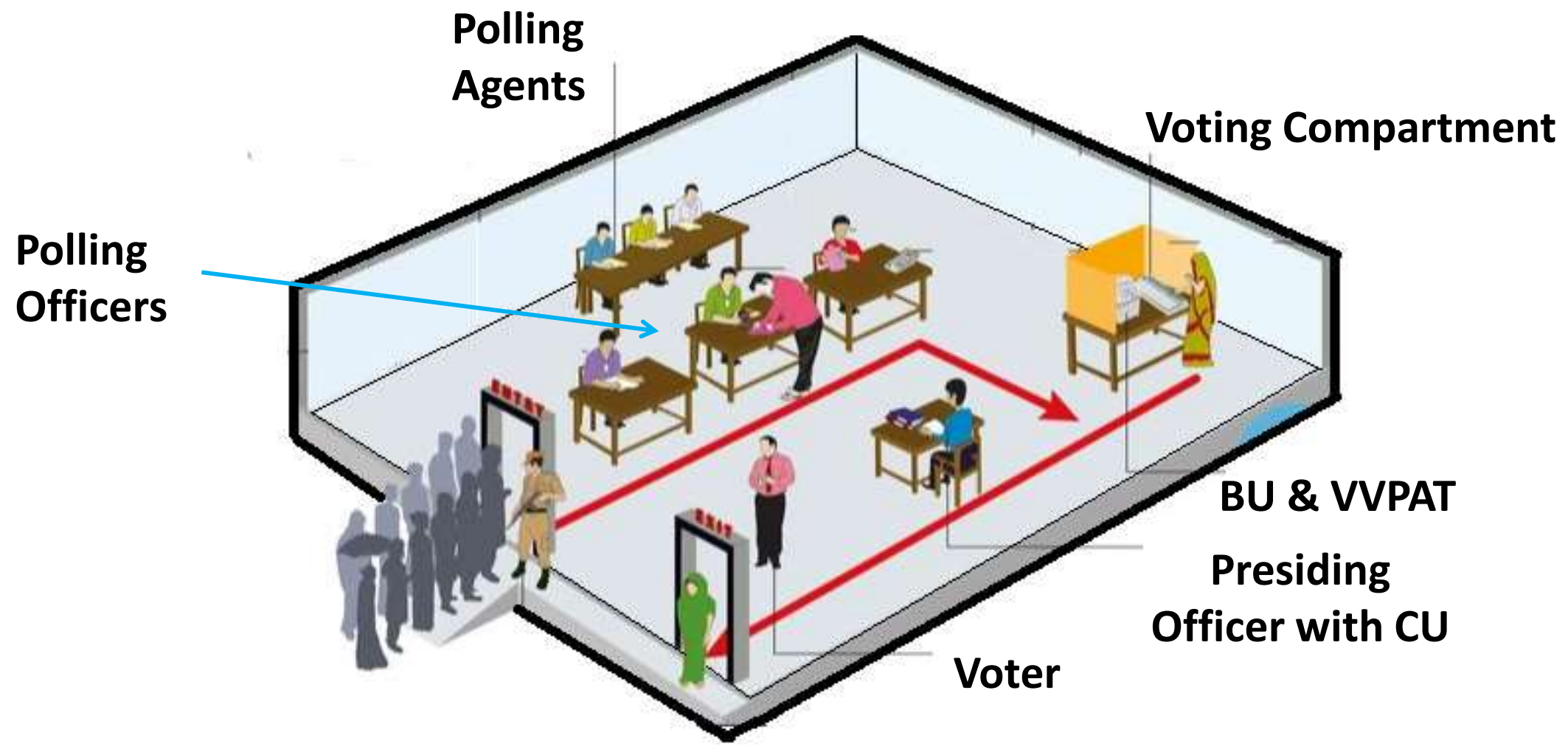
Contd…

EVM – components – VVPAT – contd.

VVPAT-

allows the voters to verify that their votes are cast as intended.

Polling Station Layout

Polling Agents

Voting Compartment

Polling Officers

BU & VVPAT

Presiding Officer with CU

Voter

Part – B

History of EVM

History of EVM - Timeline

EVM system has evolved over 40 years and have been in use in all elections since 2000

Year	Development
1977	CEC- S L Shakdar talked about introducing an Electronic machine.
1980 - 81	EVMs developed and demonstrated by ECIL and BEL.
1982 - 83	EVMs used first time in 50 polling stations of Parur AC in Kerala. And then in 11 Assembly Constituencies: 8 states, 1UT.
1984	SC suspends EVM usage: cannot be used till RP Act is amended.
1988	RP Act amended: enabling use EVMs w.e.f. 15.03.1989.
2000	EVM has been used continuously since 2000

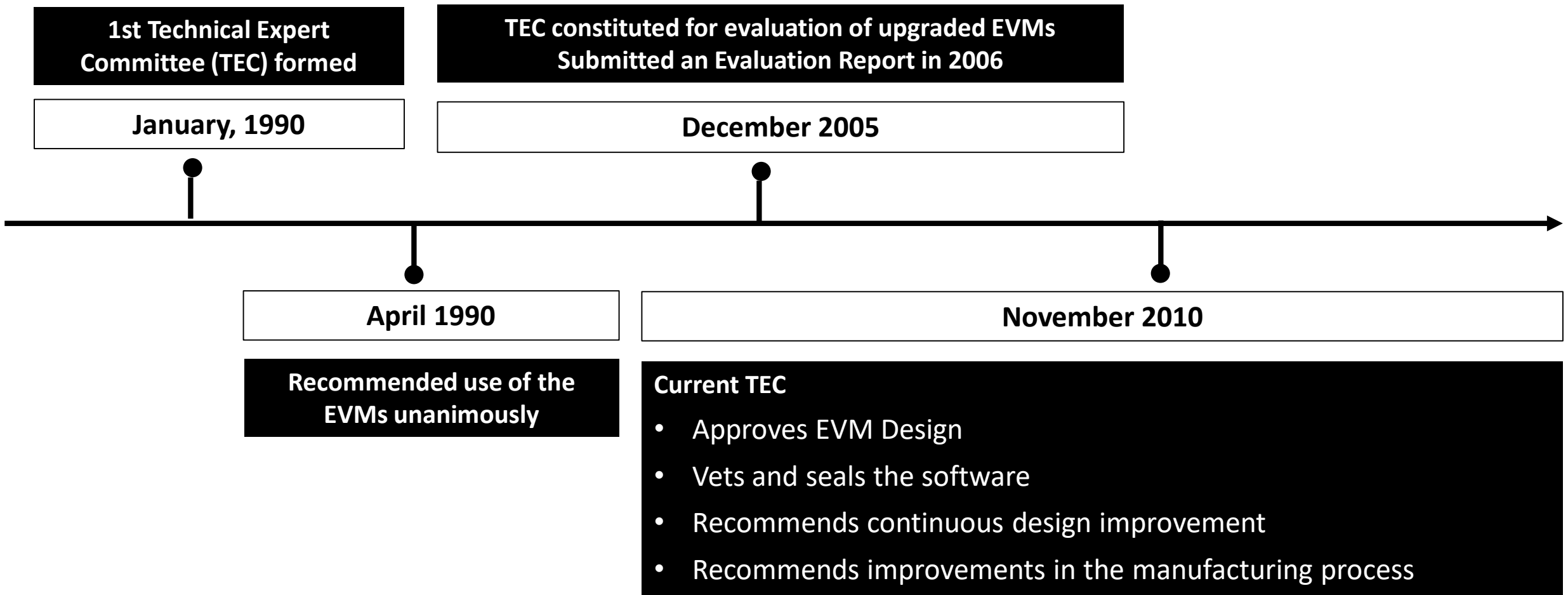Contd...

History of EVM – Timeline – contd.

Year	Development
2018	SC dismissed petition asking for return to Ballot papers!
2010	In All Political Party Meeting held on 04.10.2021 agreed to incorporate VVPAT with EVM
14-Aug-13	14th August 2013-The Conduct of Elections Rules 1961 amended to use VVPAT & First used in Bye-election for 51-Noksen AC in Nagaland
Oct-13	SC allowed ECI to introduced VVPAT system in phased manner
2017	In all party meeting, the Commission committed to ensure 100% coverage of VVPATs in all future elections.
2019	100% deployment of VVPATs in Lok Sabha 2019.
Apr-19	SC directions for verification of VVPAT slips of 5 polling stations per AC or AS in a PC for greater satisfaction.
April 24	SC directs that candidates coming second or third in a Constituency can ask for a verification of the burnt memory/micro-controller in 5% of EVMs per Assembly segment of each Parliamentary Constituency – consequent SOPs issued by ECI on 01/06/2024

Note - Since 2000, EVMs have been used in all elections: 4 Lok Sabha and 132 State Legislative Assemblies. Till date, more than _**340 crore votes**_ cast on EVMs.

Part – C

Technical Expert Committee (TEC)

T E C- History & role

1st Technical Expert Committee (TEC) formed

TEC constituted for evaluation of upgraded EVMs Submitted an Evaluation Report in 2006

January, 1990

December 2005

April 1990

November 2010

Recommended use of the EVMs unanimously

Current TEC

- Approves EVM Design

- Vets and seals the software

- Recommends continuous design improvement

- Recommends improvements in the manufacturing process

Composition of past TECs

Composition of first TEC on EVMs – 1990

1. Professor S. Sampath, Chairman Technical Advisory Committee, Defence Research & Development Organization DRDO), Ministry of Defence.

2. Professor PV Indiresan of the IIT Delhi.

3. Dr. Rao C. Kasarabada, Director, Electronic Research & Development Centre (ERDC), Trivandrum.

Composition of TEC on EVMs– Dec 2005

 Prof P.V. Indiresan, Ex-Director, IIT Madras as Chairman of TEC.

1. Prof. D.T. Shahani of IIT Delhi.

2. Prof. A.K. Agarwala of IIT Delhi.

Present TEC composition

1. Prof D T Shahani, Prof Emeritus, IIT-Delhi

2. Prof Rajat Moona, Director IIT Bhilai, Former Director General CDAC

3. Prof A K Aggarwala, IIT Delhi

4. Prof Dinesh K Sharma, Prof Emeritus, IIT Bombay

Part – D

Technical Security

Secure design and manufacturing - snapshot

Standalone Machine	Unauthorized Access Detection Module	Secured Development and Manufacturing	Most advanced Encryption techniques	Automated self diagnostics at every switch ON
Strong "mutual authentication capability"	No Radio Frequency transmission or reception capability	One Time Programmable (OTP)	Dynamic Coding of Key Presses	Real Time Clock for date and time stamping key presses

Secure design and manufacturing

- **Standalone Machine:**
  EVM is a machine not connected with external world through wire or wifi or blue tooth or any network.

- **Unauthorized Access Detection Module (UADM):**
  UADM embedded in the machine disables EVM permanently, if any attempt made to access microcontroller or memory.

- **Most Advanced Encryption Techniques:**
  Encrypted communication between Control Unit, Ballot Unit and VVPAT cannot be deciphered by tapping cables.

Secure design and manufacturing

- **Automated self diagnostics at every switch ON**:
  It checks EVM's standard features each time it is Switched ON.

- **Strong Mutual Authentication Capability**:
  The strong mutual authentication capability ensures that any unauthorized devices cannot interact with EVMs.

- **No Radio Frequency Transmission or Reception Capability**:
  Any tampering of ECI-EVM by coded signals by wireless, Bluetooth or WiFi is ruled out as EVM does not have any radio frequency (RF) communication capability, hence, cannot communicate through any wireless protocol.

Secure design and manufacturing

- **One Time Programmable (OTP)**:
  The programme (software) used in these machines is burnt into a One Time Programmable (OTP) chip at the time of manufacturing so that it cannot be altered or tampered with.

- **Dynamic Coding of Key Presses**:
  Every key press is coded dynamically making it impossible for anyone to decode the signals between Control Unit or Balloting Unit or VVPAT.

- **Real Time Clock for date and time stamping key presses**:
  Every authorized or unauthorized key press is recorded with date and time stamp on real time basis.

Secure design and manufacturing

- **Secured Development & Manufacture**:

    - Manufactured by Premium PSUs- BEL & ECIL: Both deal with manufacturing of sensitive equipment critical to the safety and security of the Nation and have strong security protocols.

    - SOFTWARE Developed in-house by BEL/ECIL. Fully vetted by TEC. Never sub-contracted.

    - Secure Manufacturing: 4-level Physical/Process access Control, Regular frisking, Outside e-gadgets prohibited, CCTV Coverage, Access Data and Process Data logging, Alarm and Alert generation.

    - Third Party Testing by Directorate of Standardisation Testing and Quality Certification (STQC) as per Standards & Quality Process set by TEC. Software is also tested & checked by STQC for authenticity.

Part – II

Legal Provisions for the use of EVMs & VVPATs

Background

- The Electronic Voting Machines were used for the first time during the General Election to the Kerala Legislative Assembly held from Parur Assembly Constituency in May, 1982 at 50 polling stations. Thereafter, these machines were used in ten other constituencies in 1982-83.

- After 1983, the EVMs could not be used, as in the Election Appeal arising out of the election petition relating to the use of the machines in the election from Parur Assembly Constituency in Kerala, the ***Supreme Court ruled that there should be specific provision in the law providing for use of EVMs in elections.***

- Thereupon, ECI recommended to the Government of India to amend the law suitably to provide legal sanction for the use of EVMs.

Background – contd.

In December, 1988 a new Section 61A was inserted in the RPA, 1951, empowering ECI to use Electronic Voting Machines in elections, which reads as under –

"*61A. Voting machines at elections.—Notwithstanding anything contained in this Act or the rules made thereunder, the giving and recording of votes by voting machines in such manner as may be prescribed, may be adopted in such constituency or constituencies as the Election Commission may, having regard to the circumstances of each case, specify.*"

- *Explanation:*

  *For the purpose of this section, **"voting machine"** means any machine or apparatus whether operated electronically or otherwise used for giving or recording of votes and any reference to a ballot box or ballot paper in this Act or the rules made thereunder shall, save as otherwise provided, be construed as including a reference to such voting machine wherever such voting machine is used at any election.*

- The Supreme Court upheld the validity of the above provision in **All India Anna Dravida Munnetra Kazhagam v/s. Chief Election Commissioner and others [2002(UJ)(1)387]**

NB: In case of any discrepancies, kindly refer Manual of Election Laws]

RPA 1951 – provisions

S 58 RPA 1951 - Fresh poll in the case of destruction, etc., of ballot boxes

(1) If at any election,—

(a) any ballot box used at a polling station or at a place fixed for the poll is unlawfully taken out of the custody of the presiding officer or the returning officer, or is accidentally or intentionally destroyed or lost, or is damaged or tampered with, to such an extent, that the result of the poll at that polling station or place cannot be ascertained; or

[(aa) any voting machine develops a mechanical failure during the course of the recording of votes; or]

(b) any such error or irregularity in procedure as is likely to vitiate the poll is committed at a polling station or at a place fixed for the poll, the returning officer shall forthwith report the matter to the Election Commission.

(2) Thereupon the Election Commission shall, after taking all material circumstances into account; either—

(a) declare the poll at that polling station or place to be void, appoint a day, and fix the hours, for taking a fresh poll at that polling station or place and notify the day so appointed and the hours so fixed in such manner as it may deem fit, or

(b) if satisfied that the result of a fresh poll at that polling station or place will not, in any way, affect the result of the election or that 5[the mechanical failure of the voting machine or] the error or irregularity in procedure is not material, issue such directions to the returning officer as it may deem proper for the further conduct and completion of the election.

(3) The provisions of this Act and of any rules or orders made thereunder shall apply to every such fresh poll as they apply to the original poll.

RPA 1951 – provisions – contd.

S 169 RPA 1951 - Power to make rules

(1) The Central Government may, after consulting the Election Commission, by notification in the Official Gazette, make rules1 for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely—

[(a) the form of affidavit under **sub-section (2) of section 33A**;]

[(aa)] the duties of presiding officers and polling officers at polling stations;

[(aaa) the form of contribution report;]

RPA 1951 – provisions – contd.

S 169 RPA 1951 - **Power to make rules**

(b) the checking of voters by reference to the electoral roll;

[(bb) the manner of allocation of equitable sharing of time on the cable television network and other electronic media;];

(c) the manner in which votes are to be given both generally and in the case of illiterate voters or voters under physical or other disability;

(d) the manner in which votes are to be given by a presiding officer, polling officer, polling agent or any other person, who being an elector for a constituency is authorised or appointed for duty at a polling station at which he is not entitled to vote;

Contd…

RPA 1951 – provisions – contd.

S 169 RPA 1951 - Power to make rules

(e) the procedure to be followed in respect of the tender of vote by a person representing himself to be an elector after another person has voted as such elector;

[(ee) the manner of giving and recording of votes by means of voting machines and the procedure as to voting to be followed at polling stations where such machines are used;]

(f) the procedure as to voting to be followed at elections held in accordance with the system of proportional representation by means of the single transferable vote;

(g) the scrutiny and counting of votes including cases in which a recount of the votes may be made before the declaration of the result of the election;

[(gg) the procedure as to counting of votes recorded by means of voting machines;]

Contd...

RPA 1951 – provisions – contd.

S 169 RPA 1951 - Power to make rules

(h) the safe custody of 3[ballot boxes, voting machines], ballot papers and other election papers, the period for which such papers shall be preserved and the inspection and production of such papers;

[(hh) the material to be supplied by the Government to the candidates of recognised political parties at any election to be held for the purposes of constituting the House of the People or the Legislative Assembly of a State;]

(i) any other matter required to be prescribed by this Act. [(3) Every rule made under this Act shall be laid as soon as may be after it is made before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or [in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made,] the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.]

COER 1961 – provisions

R 49A COER 1961- Design of (EVM) Electronic Voting Machines

Every electronic voting machine (hereinafter referred to as the voting machine) shall have a control unit and a balloting unit and shall be of such designs as may be approved by the Election Commission.

Provided that a printer with a drop box of such design as may be approved by the Election Commission may also be attached to a voting machine for printing a paper trail of the vote, in such constituency or constituencies or parts thereof as the Election Commission may direct.

Contd…

COER 1961 – provisions – contd.

R 49B COER 1961 - Preparation of voting machine by the (RO) Returning Officer

(1) The balloting unit of the voting machine shall contain such particulars and in such language or languages as the Election Commission may specify.

(2) The names of the candidates shall be arranged on the balloting unit in the same order in which they appear in the list of the contesting candidates.

(3) If two or more candidates bear the same name, they shall be distinguished by the addition of their occupation or residence or in some other manner.

(4) Subject to the foregoing provisions of this rule, the returning officer shall—

(a) fix the label containing the names and symbol of the contesting candidates in the balloting unit and secure that unit with his seal and the seals of such of the contesting candidates or their election agents present as are desirous of affixing the same;

(b) set the number of contesting candidates and close the candidate set section in the control unit and secure it with his seal and the seals of such of the contesting candidates or their election agents present as are desirous of affixing the same;

Contd...

COER 1961 – provisions – contd.

R 49B COER 1961 - Preparation of voting machine by the (RO) Returning Officer

(c) where the printer for paper trail is used under the proviso to rule 49A, set the printer as per the number of contesting candidates set in the Control Unit by –

i) loading in the printer the serial numbers and names of candidates and symbols allotted to them as given on the balloting units under clause (a);

ii) loading paper in the printer; and

iii) sealing the printer in such manner as may be directed by the Election Commission".

COER 1961 – provisions – contd.

R 49C COER 1961 - Arrangements at the polling stations (PS)

(1) Outside each polling station there shall be displayed prominently—

(a) a notice specifying the polling area, the electors of which are entitled to vote at the polling station and, when the polling area has more than one polling station, the particulars of the electors so entitled; and

(b) a copy of the list of contesting candidates.

(2) At each polling station there shall be set up one or more voting compartments in which the electors can record their votes free from observation.

(3) The returning officer shall provide at each polling station one voting machine and copies of relevant part of the electoral roll and such other election material as may be necessary for taking the poll.

(4) Without prejudice to the provisions of **sub-rule (3),** the returning officer may, with the previous approval of the Election Commission, provide one common voting machine for two or more polling stations located in the same premises.

Contd...

COER 1961 – provisions – contd.

49D COER 1961 - Admission to the (PS) Polling Station

The presiding officer shall regulate the number of electors, to be admitted at any one time inside the polling station and shall exclude therefrom all persons other than—

(a) polling officers;

(b) public servants on duty in connection with the election;

(c) persons authorised by the Election Commission;

(d) candidates, their election agents and subject to the provisions of **rule 13**, one polling agent of each candidate;

(e) a child in arms accompanying an elector;

(f) a person accompanying a blind or infirm elector who cannot move without help; and

(g) such other person as the returning officer or the presiding officer may employ under **sub-rule (2) of rule 49G** or **sub-rule (1) of rule 49H**

Contd…

COER 1961 – provisions – contd.

49E COER 1961 - Preparation of voting machine for poll

(*1*) **The control unit and balloting unit of every voting machine used at polling station and the printer for paper trail where used, shall bear a label marked with—**

(a) the serial number, if any, and the name of the constituency;

(*b*) the serial number and name of the polling station or stations as the case may be;

(c) the serial number of the unit; and

(d) the date of poll.

(*2*) Immediately before the commencement of the poll, the presiding officer shall demonstrate to the polling agents and other persons present that no vote has been already recorded in the voting machine and it bears the label referred to in **sub-rule (1), and where the printer for paper trail is used that the drop box of the printer is empty**.

(*3*) A paper seal shall be used for securing the control unit of the voting machine, and the presiding officer shall affix his own signature on the paper seal and obtain thereon the signature of such of the polling agents present as the desirous of affixing the same.

COER 1961 – provisions – contd.

49E COER 1961 - Preparation of voting machine for poll

(*4*) The presiding officer shall thereafter fix the paper seal so signed in the space meant therefore in the control unit of the voting machine and shall secure and seal the same.

(*5*) The seal used for securing the control unit shall be fixed in such manner that after the unit has been sealed, it is not possible to press the "result button" without breaking the seal.

(*6*) The control unit shall be closed and secured and placed in full view of the presiding officer and the polling agents and the balloting unit placed in the voting compartment.

(7)**Where the printer for paper trail is used, the printer shall also be kept along with the balloting unit in the voting compartment and shall be connected to the EVM in the manner as directed by the Election Commission.**

Contd…

COER 1961 – provisions – contd.

- **49F COER 1961** - marked copy of PER.

- **49G COER 1961** - Facilities for women electors

- **49H COER 1961** - Identification of electors

- **49I COER 1961** - facilities for public servants on election duty.

- **49J COER 1961** - challenging of identity.

- **49K COER 1961** - safeguards against personation.

Contd…

COER 1961 – provisions – contd.

R 49L COER 1961 - Procedure for voting by voting machines

(1) Before permitting an elector to vote, the polling officer shall—

(*a*) record the electoral roll number of the elector as entered in the marked copy of the electoral roll in a register of voters in **Form 17A**.

(*b*) obtain the signature or the thumb impression of the elector on the said register of votes; and

(*c*) mark the name of the elector in the marked copy of the electoral roll to indicate that he has been allowed to vote:

(*d*) give details of the document produced by the elector in proof of his/her identification.]

Provided that no elector shall be allowed to vote unless he has his signature or thumb impression on the register of voters.

(*2*) Notwithstanding anything contained in **sub-rule (2) of rule 2**, it shall be necessary for any presiding officer or polling officer or any other officer to attest the thumb impression of the elector on the register of voters.

COER 1961 – provisions – contd.

R 49M COER 1961 - Maintenance of secrecy of voting by electors within the polling station and voting procedures

(*1*) Every elector who has been permitted to vote under **rule 49L** shall maintain secrecy of voting within the polling station and for that purpose observe the voting procedure hereinafter laid down.

(*2*) Immediately on being permitted to vote the elector shall proceed to the presiding officer or the polling officer in-charge of the control unit of the voting machine who shall, by pressing the appropriate button on the control unit, activate the balloting unit; for recording of elector's vote.

(*3*) The elector shall thereafter forthwith—

(a) proceed to the voting compartment;

(*b*) record his vote by pressing the button on the balloting unit against the name and symbol of the candidate for whom he intends to vote; and

Contd…

COER 1961 – provisions – contd.

R 49M COER 1961 - Maintenance of secrecy of voting by electors within the polling station and voting procedures

(c) come out of the voting compartment and leave the polling station:

Provided that where printer for paper trail is used, upon casting the vote by pressing the button under clause (b), the elector shall be able to view through the transparent window of the printer, kept alongwith the balloting unit inside the voting compartment, the printed paper slip showing the serial no, name and the symbol of the candidate for whom he has cast his vote before such paper slip gets cut and drops in the drop box of the printer".

(4) Every elector shall vote without undue delay.

(5) No elector shall be allowed to enter the voting compartment when another elector is inside it.

(6) If an elector who has been permitted to vote under **rule 49L or rule 49P** refuses after warning given by the presiding officer to observe the procedure laid down in **sub-rule (3)** of the said rules, the presiding officer or a polling officer under the direction of the presiding officer shall not allow such elector to vote.

(7) Where an elector is not allowed to vote under **sub-rule (6)**, a remark to the effect that voting procedure has been violated shall be made against the elector's name in the register of voters in **Form 17A** by the presiding officer under his signature.

Contd…

COER 1961 – provisions – contd.

R 49MA COER 1961 - Procedure in case of complaint about particulars printed on paper slip

(1) Where printer for paper trail is used, if an elector after having recorded his vote under **rule 49M** alleges that the paper slip generated by the printer has shown the name or symbol of a candidate other than the one he voted for, the presiding officer shall obtain a written declaration from the elector as to the allegation, after warning the elector about the consequence of making a false declaration.

(2) If the elector gives the written declaration referred to in **sub-rule (1),** the presiding officer shall make a second entry related to that elector in **Form 17A**, and permit the elector to record a test vote in the voting machine in his presence and in the presence of the candidates or polling agents who may be present in the polling station, and observe the paper slip generated by the printer

(3) If the allegation is found true, the presiding officer shall report the facts immediately to the returning officer, stop further recording of votes in that voting machine and act as per the direction that may be given by the Returning Officer.

Contd...

COER 1961 – provisions – contd.

R 49MA COER 1961 - Procedure in case of complaint about particulars printed on paper slip

(4) If, however, the allegation is found to be false and the paper slip so generated under **sub-rule (1)** matches with the test vote recorded by the elector under **sub-rule (2)**, then, the presiding officer shall-

(i) make a remark to that effect against the second entry relating to that elector in **Form 17A** mentioning the serial number and name of the candidate for whom such test votes has been recorded;

(ii) obtain the signature or thumb impression of that elector against such remarks; and

(iii) make necessary entries regarding such test vote in item 5 in Part I of **Form 17C**.

Contd…

COER 1961 – provisions – contd.

R 49N COER 1961 - Recording of votes of blind or infirm electors

(1) If the presiding officer is satisfied that owing to blindness or other physical infirmities an elector is unable to recognise the symbol on the balloting unit of the voting machine or unable to record his vote by pressing the appropriate button thereon without assistance the presiding officer shall permit the elector to take with him a companion of not less than eighteen years of age to the voting compartment for recording the vote on his behalf and in accordance with his wishes: Provided that no person shall be permitted to act as the companion of more than one elector at any polling station on the same day: Provided further that before any person is permitted to act as the companion of an elector on any day under this rule that person shall be required to declare that he will keep secret the vote recorded by him on behalf of the elector and that he has not already acted as the companion of any other elector at any other polling station on that day.

(2) The presiding officer shall keep a record in **Form 14A** of all cases under this rule.

Contd…

COER 1961 – provisions – contd.

R 49-O COER 1961 - Electors decide not to vote

If an elector, after his electoral roll number has been duly entered in the register of voters in **Form 17A** and has put his signature or thumb impression thereon as required under **sub-rule (1) of rule 49L**, decided not to record his vote, a remark to this effect shall be made against the said entry in **Form 17A** by the presiding officer and the signature or thumb impression of the elector shall be obtained against such remark.

Contd…

COER 1961 – provisions – contd.

R 49P COER 1961 – Tendered Votes

(1) If a person representing himself to be a particular elector seeks to vote after another person has already voted as such elector, he shall, on satisfactorily answering such questions relating to his identity as the presiding officer may ask, be, instead of being allowed to vote through the balloting unit, supplied with a tendered ballot paper which shall be of such design, and the particulars of which shall be in such language or languages as the Election Commission may specify.

(2) Every such elector shall before being supplied with tendered ballot paper write his name against the entry relating to him in **Form 17B.**

(3) On receiving the ballot paper he shall forthwith—
    (a) proceed to the voting compartment;
    (b) record there his vote on the ballot paper by placing a cross mark `X' with the instrument or article supplied for the purpose on or near the symbol of the candidate for whom he intends to vote;
    (c) fold the ballot paper so as to conceal his vote;
    (d) show to the presiding officer, if required, the distinguishing mark on the ballot paper;
    (e) give it to the presiding officer who shall place it in a cover specially kept for the purpose; and
    (f) leave the polling station.

(4) If owing to blindness or physical infirmities, such elector is unable to record his vote without assistance; the presiding officer shall permit him to take with him a companion, subject to the same conditions and after following the same procedure as laid down in rule 49N for recording the vote in accordance with his wishes.

Contd…

COER 1961 – provisions – contd.

R 49Q COER 1961 – Presiding Officer's entry in the voting compartment during poll

(*1*) The presiding officer may whenever he considers it necessary so to do, enter the voting compartment during poll and take such steps as may be necessary to ensure that the balloting unit is not tampered or interfered with in any way.

(*2*) If the presiding officer has reason to suspect that an elector who has entered the voting compartment is tampering or otherwise interfering with the balloting unit or has remained inside the voting compartment for unduly long period, he shall enter the voting compartment and take such steps as may be necessary to ensure the smooth and orderly progress of the poll.

(*3*) Whenever the presiding officer enters the voting compartment under this rule, he shall permit the polling agents present to accompany him if they so desire.

Contd...

COER 1961 – provisions – contd.

R 49R COER 1961 – Closing of poll

(1) The presiding officer shall close a polling station at the hour fixed in that behalf under **section 56** and shall not thereafter admit any elector into the polling station:

Provided that all electors present at the polling station before it is closed shall be allowed to cast their votes.

(2) If any question arises whether an elector was present at the polling station before it was closed it shall be decided by the presiding officer and his decision shall be final.

COER 1961 – provisions – contd.

R 49S COER 1961 – Account of votes recorded

(*1*) The presiding officer shall at the close of the poll prepare an account of votes recorded in **Form 17C** and enclose it in a separate cover with the words 'Account of Votes Recorded' superscribed thereon.

(*2*) The presiding officer shall furnish to every polling agent present at the close of the poll a true copy of the entries made in **Form 17C** after obtaining a receipt from the said polling agent therefore and shall attest it as a true copy.

Contd…

COER 1961 – provisions – contd.

R 49T COER 1961 – Sealing of voting machine after poll

(1) As soon as practicable after the closing of the poll, the presiding officer shall close the control unit to ensure that no further votes can be recorded and shall detach the balloting unit from the control unit **and from the printer, where printer is also used, so however, that the paper slips contained in the drop box of the printer shall remain intact**.

(2) The control unit and the balloting unit **and the printer, where it is used,** shall thereafter be sealed, and secured separately in such manner as the Election Commission may direct and the seal used for securing them shall be so affixed that it will not be possible to open the units without breaking the seals.

(3) The polling agents present at the polling station, who desire to affix their seals, shall also be permitted to do so.

Contd…

COER 1961 – provisions – contd.

R 49U COER 1961 – Sealing of other packets

(1) The presiding officer shall then make into separate packet,—

(a) the marked copy of the electoral roll;

(b) the register of voters in **Form 17A**;

(c) the cover containing the tendered ballot papers and the list in **Form 17B**;

(d) the list of challenged votes; and

(e) any other papers directed by the Election Commission to be kept in a sealed packet.

(2) Each packet shall be sealed with the seal of the presiding officer and with the seal either of the candidate or of his election agent or of his polling agent who may be present at the polling station and may desire to affix his seal thereon.

COER 1961 – provisions – contd.

R 49V COER 1961 – Transmission of voting machines, etc., to the Returning Officer

(1) The presiding officer shall then deliver or cause to be delivered to the returning officer at such place as the returning officer may direct,—

    (a) the voting machine;

    (b) the account of votes recorded in **Form 17C**;

    (c) the sealed packets referred to in **rule 49U**; and

    (d) all other papers used at the poll.

(2) The returning officer shall make adequate arrangements for the safe transport of the voting machine, packets and other papers for their safe custody until the commencement of the counting of votes.

Contd…

COER 1961 – provisions – contd.

R 49W COER 1961 – Procedure on adjournment of poll

(1) If the poll at any polling station is adjourned under **sub-section (1) of section 57**, the provision of **rules 49S to 49V** shall, as far as practicable, apply as if the poll was closed at the hour fixed in that behalf under **section 56**.

(2) When an adjourned poll is recommended under **sub-section (2) of section 57**, the electors who have already voted at the poll so adjourned shall not be allowed to vote again.

(3) The returning officer shall provide the presiding officer of the polling station at which such adjourned poll is held, with the sealed packet containing the marked copy of the electoral roll, register of voters in **Form 17A** and a new voting machine.

(4) The presiding officer shall open the sealed packet in the presence of the polling agents present and use the marked copy of the electoral roll for marking the names of the electors who are allowed to vote at the adjourned poll.

(5) The provisions of **rule 28 and rules 49A to 49V** shall apply in relation to the conduct of an adjourned poll before it was so adjourned.

Contd...

COER 1961 – provisions – contd.

R 49X COER 1961 – Closing of voting machine in case of booth capturing

Where the presiding officer is of opinion that booth capturing is taking place at a polling station or at a place fixed for the poll, he shall immediately close the control unit of the voting machine to ensure that no further votes can be recorded and shall detach the balloting that from the control unit.

Hon'ble High Courts - Judgements

- **Karnataka High Court 1999**

'This invention is undoubtedly a great achievement in the electronic and computer technology and a national pride'.

- **Madras High Court 2001**

'There is also no question of introducing any virus or bugs for the reason that the EVMs cannot be compared to personal computers.'

- **Kerala High Court 2002**

The High Court recorded its appreciation on the efficiency of the mechanism of detecting votes cast by impersonators. Upheld by the Hon'ble Supreme Court in 2003.

Contd…

Hon'ble High Courts – Judgements – contd.

- **Bombay High Court: Order dated 23.02.2018:**

The Bombay High Court ordered a detailed **Forensic Examination** of the EVMs from CFSL, Hyderabad for checking any manipulation etc. **The CFSL report clearly ruled out any tampering, alteration or manipulation in the EVMs.**

- **High Court of Madhya Pradesh: Order dated 05.12.2018:**

In **Writ Petition (Civil) No. 28016/2018 Naresh Saraf Vs ECI & Anr,** Hon'ble High Court of Madhya Pradesh expressed satisfaction at the **Security and Storage Protocols** for EVMs and VVPATs established by the ECI and rejected petition to give directions for any changes.

Contd…

Hon'ble High Courts – Judgements – contd.

- **High Court of Gujarat: Order dated 19.03.2019:**

"....as will be evident from the extensive reproduction of the status report on EVMs/VVPATs, the system of registering vote of the voter and reflection of his vote has become more transparent and apparent to regain the voter's confidence in the system. What essentially was the object of introduction of the VVPATs was the restoring of the voter's confidence by logging and registering of his vote correctly in the EVM. The Voter Verifier Audit Trail as the name suggests assures the voter of his vote having been correctly recorded in the system.." **Once the object of the audit of the voter's vote, from his perception is achieved, who is the end consumer of the franchise, the mere apprehension voiced by the candidate, pales into insignificance**

Contd...

Hon'ble High Courts – Judgements – contd.

High Court of Delhi: Order dated 03.08.2021:

- Dismissed plea seeking to stop the use of EVMs

- Imposed a fine of Rs. 10,000 on the petitioner terming the petition as a 'Publicity Interest Litigation' based on hearsay and 'baseless allegations and averments'.

Hon'ble Supreme Court – Judgements

Order dated 22.11.2018:

- In **Writ Petition (Civil) No. 1332/2018, Nyaya Bhoomi & Anr Vs ECI**, Hon'ble Supreme Court dismissed the petition requesting for return to Ballot paper system.

- Upon hearing the counsel the court made the following **ORDER-**

- **"Having heard learned counsel for the petitioners and upon perusing the relevant material, we are not inclined to entertain the writ petition. The same is, accordingly, dismissed."**

Hon'ble Supreme Court – Judgements – contd.

Order dated 08.04.2019 (N. Chandrababu Naidu & Others v/s Union of India & Another):
- "We are certain that the system ensures accurate electoral results."
- "Verification of VVPAT slips of 5 Polling Stations per Assembly Constituency or Assembly Segment in a Parliamentary Constituency would lead to greater satisfaction."
- **Review Petition** against above order dismissed on 07.05.2019.

Order dated 21.05.2019:
- The Supreme Court on 21.05.2019 dismissed a PIL seeking counting of VVPAT slips of all EVMs while **rebuking** the petitioner NGO (Tech 4 All) **for making a "mockery of democracy"** by moving the court despite a clear ruling by the apex court directing counting of VVPAT slips of five Polling Stations per assembly segment.

Order dated 26.04.2024
Candidates coming second or third can ask for a verification of the burnt memory/Micro-controllers in 5% of EVMs per Assembly Constituency/Assembly Segment of each Parliamentary constituency. This verification will be done after a written request is made by the candidate and would be carried out by a team of engineers of the EVM manufacturers.
According to the judgment, candidates or representatives can identify EVMs by the polling station or serial number. The request for verification has to be made within seven days of the declaration of results, and candidates will have to bear the expenses, which would be refunded in case the EVM is found to be tampered with, the court said.

Part – III

Administrative Safeguards

Part – A

Administrative Safeguards - Mechanisms
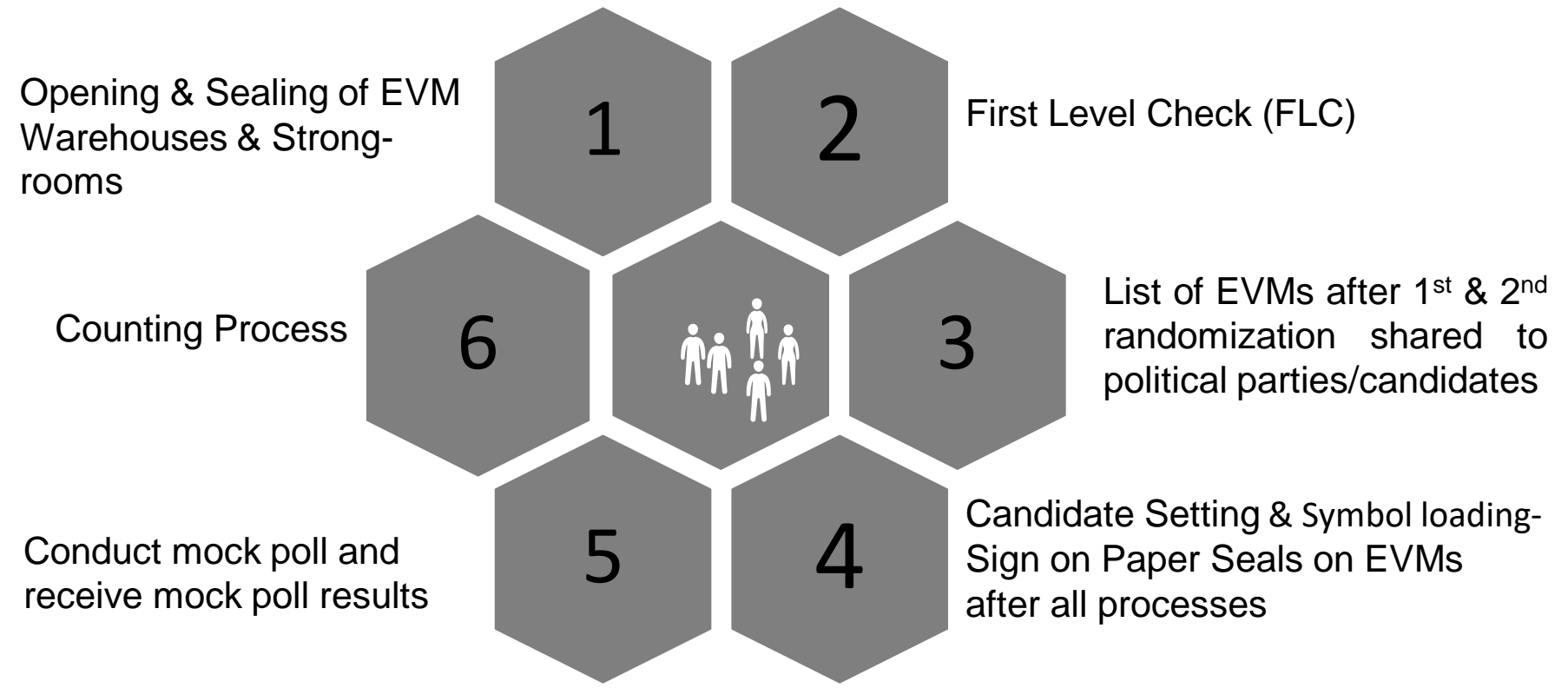
Administrative Safeguard mechanisms - snapshot

Stakeholder Participation	Allocation and Movement	First Level Checking (FLC)	Randomizations	Candidate Setting	EVM Management System (EMS)
Multiple Mock Polls	Poll Day Checks	Poll Closure & Transportation	Storage and Security	Counting Day Protocol	–

NB: Presence of political parties/candidates/their representatives in every election related process is mandatory

The first and the foremost safeguard is the active participation of political parties and candidates in the entire eco-system around EVMs, right from witnessing opening and sealing of warehouses and strong rooms, witnessing First Level Check & Candidate Setting, observing 2 stage randomization, conducting mock polls and signing on various paper seals.

1. Stakeholder participation

Active Participation of & Witness by Political-Parties/Candidates in **All Processes**

Opening & Sealing of EVM Warehouses & Strong-rooms — 1

First Level Check (FLC) — 2

List of EVMs after 1st & 2nd randomization shared to political parties/candidates — 3

Counting Process — 6

Candidate Setting & Symbol loading- Sign on Paper Seals on EVMs after all processes — 4

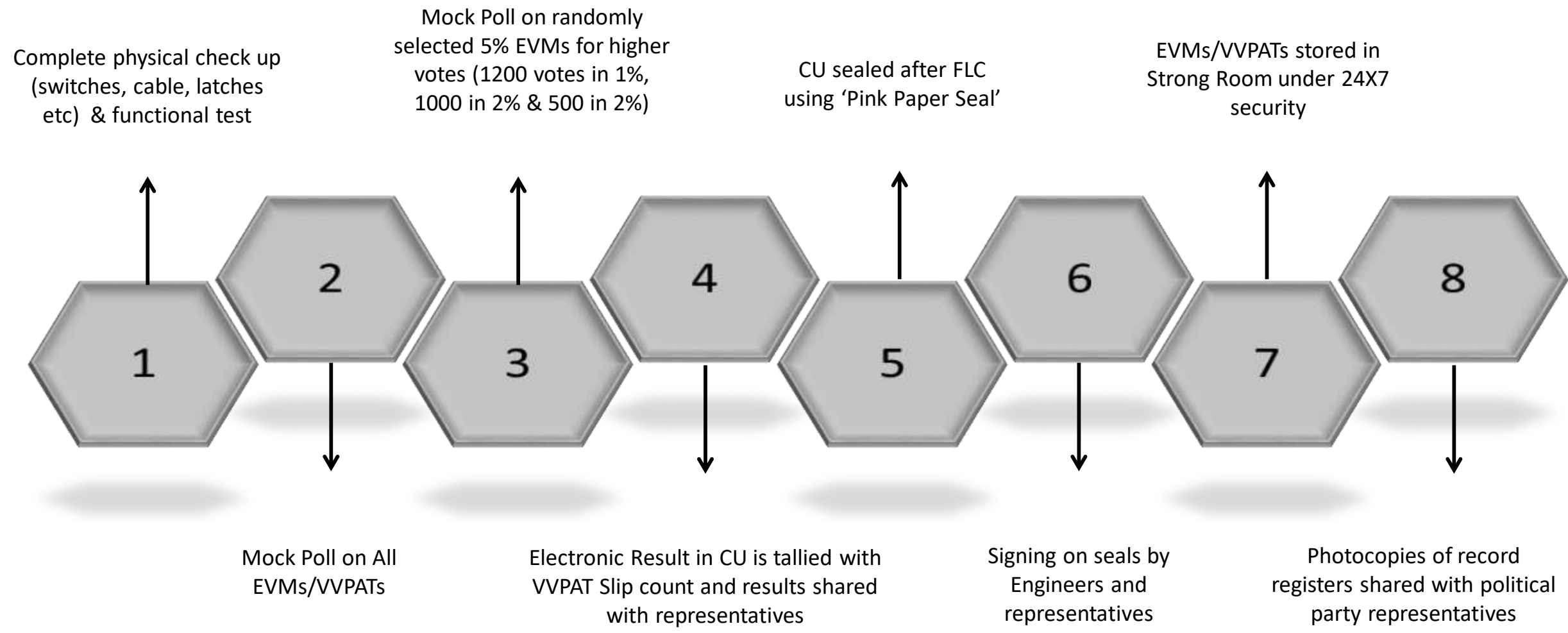Conduct mock poll and receive mock poll results — 5

2. Allocation & Movement

▪ **Planned Allocation**:

- EVMs are allocated to poll going State by the Commission

- Received by District Election Officer (DEO) who is personally responsible for secured storage

- EMS used for inventory management of all EVMs nationwide for the sake of transparency

▪ **Secured Transportation**:

- Movement of EVMs mandatorily managed through EVM Management System (EMS)

- Only Containerized/Sealed Trucks used

- All Trucks sealed with Lock and Paper Seals

- Mandatory GPS tracking of EVM vehicles

- All movement under 24X7 Police Escort

- Videography done of shifting process

- Political parties informed in advance about the opening, stocking and sealing of warehouses while moving EVMs

NB: Around 6 months before the polls Commission allots EVMs to the poll going state either from BEL/ECIL or from other States, if needed to meet the requirement. The EVMs then move under 24/7 police security and are received by the DEOs who are personally responsible for secured storage in their districts. The entire inventory management is done using EVM Tracking Software.

3. First Level Checking (FLC)

- FLC is mandatorily done in the presence of representatives of political parties

- Fully sanitized hall under videography and full security

- Full functionality and behavioural check is done on every EVM

- Defective (non-functional) EVMs are kept aside and not used in election

- FLC status captured in EMS

- Introduction of Pre-FLC unit on pilot basis to mitigate human errors during FLC

Contd…

3. First Level Checking (FLC) – process – contd.

Complete physical check up (switches, cable, latches etc) & functional test

Mock Poll on randomly selected 5% EVMs for higher votes (1200 votes in 1%, 1000 in 2% & 500 in 2%)

CU sealed after FLC using 'Pink Paper Seal'

EVMs/VVPATs stored in Strong Room under 24X7 security

1   2   3   4   5   6   7   8

Mock Poll on All EVMs/VVPATs

Electronic Result in CU is tallied with VVPAT Slip count and results shared with representatives

Signing on seals by Engineers and representatives

Photocopies of record registers shared with political party representatives
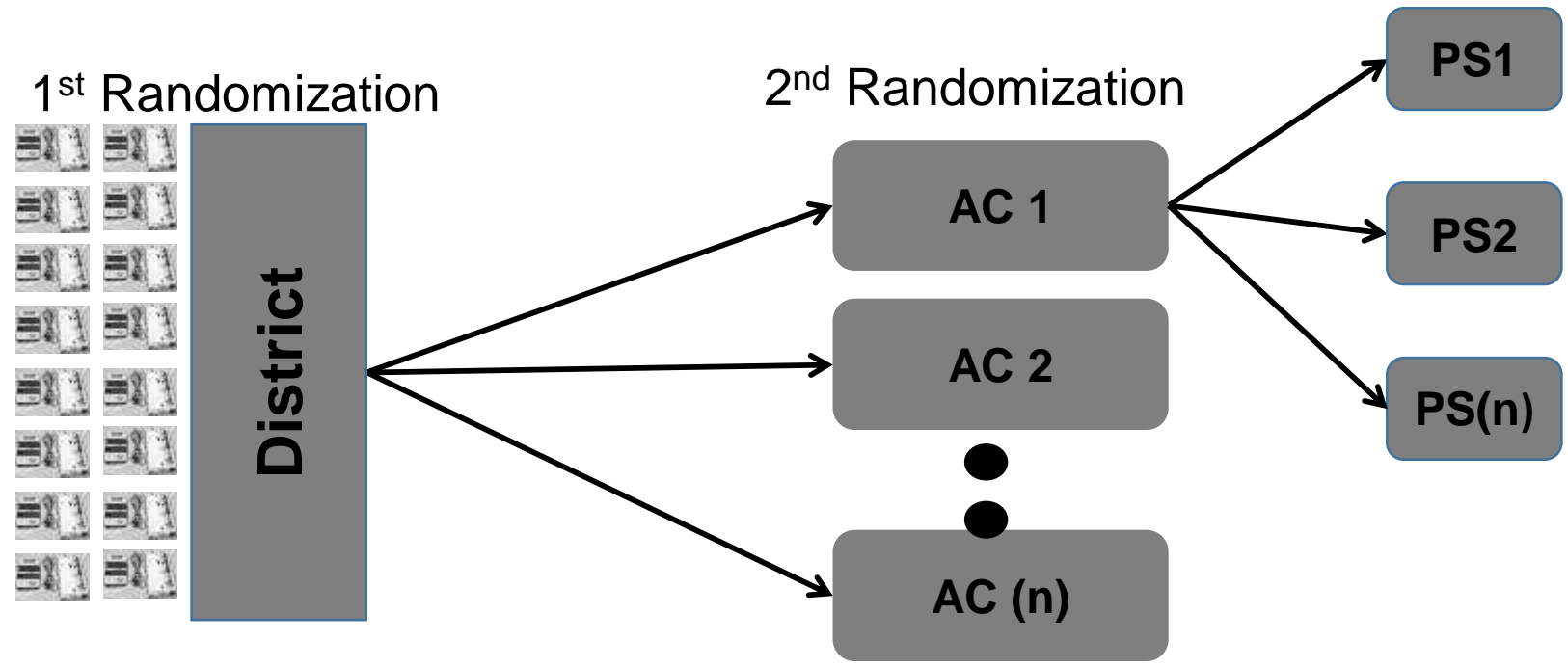
4. Randomization

Allocation and assigning of EVMs to constituency/PS, ballot paper sequence of names, and ballot button on BU to candidate:

- Randomization is the foundation of EVM Security

- Till first randomization- no one knows **which EVM is going to which Constituency.**

- Till nomination finalization- no one knows **the sequence of names on the ballot paper.**

- Hence, till candidate setting **no one (not even RO/DEO/CEO/Commission) knows which button on which BU will be assigned to which candidate**, making even an attempt to tamper absolutely futile.

- Till 2nd Randomization- no one knows **which EVM will go to which PS.**

- Added to this is the **3 stage Randomization** of polling officials to different polling stations.

4. Randomization – contd.

- EVMs are **Randomized twice** using EMS.

- No human intervention in randomisation.

- Only FLC approved EVMs as per EMS get picked up for first randomisation.

1st Randomization

2nd Randomization

District

AC 1 → PS1, PS2, PS(n)

AC 2

AC (n)

Presence of political parties/candidates/their representatives in every election related process is mandatory

Contd…

4. Randomization – contd.

1ˢᵗ and 2ⁿᵈ Randomization – activities and differences:
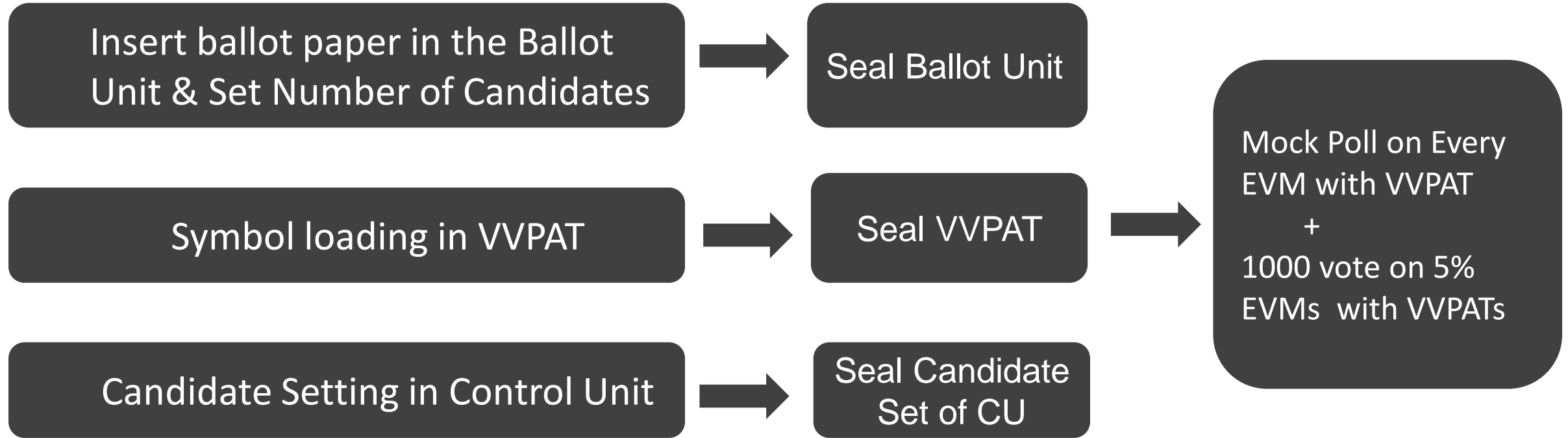
1ˢᵗ Randomization

- Done after FLC

- To allocate EVMs from district, randomly, to a particular AC/AS.

- In presence of representatives of political parties.

- List of AC/AS-wise Randomized EVMs shared with political parties.

2ⁿᵈ Randomization

- Done just before 'candidate setting'.

- To allocate EVMs available in an AC/AS to polling stations.

- In presence of candidates/election agents and list shared.

5. Candidate Setting

Candidate Setting Process

Insert ballot paper in the Ballot Unit & Set Number of Candidates	→ Seal Ballot Unit	
Symbol loading in VVPAT	→ Seal VVPAT	→ Mock Poll on Every EVM with VVPAT + 1000 vote on 5% EVMs with VVPATs
Candidate Setting in Control Unit	→ Seal Candidate Set of CU	

Presence of political parties/candidates/their representatives in every election related process is mandatory

Contd…

5. Candidate Setting – contd.

Security Measures

- Done only after finalization of the names of contesting candidates.

- Fully sanitized hall under videography and full security.

- Done in the presence of candidates or their agents.

- Introduction of new Symbol Loading Units (SLUs) for loading symbols in VVPATs, and enabling simultaneous live viewing on TV monitor by all stakeholders

6. Multiple Mock Polls

- Each EVM & VVPAT undergoes mock poll during FLC, and again during Candidate Setting. In addition 10% (5% in FLC and 5% in Commissioning) EVMs are randomly picked up for higher vote (500-1200) mock poll. Electronic result count is verified with paper slips count.

- 10% EVMs randomly taken out for Training and Awareness undergo Mock Polls several times.

- Before start of actual poll, Mock poll on each EVM along with VVPAT with at least 50 votes in the presence of polling agents. Electronic result count is verified with paper slips count.

7. Poll Day Checks

- Polling Agents

- Central Armed Police Force (CAPF) and Micro Observers deployed at poling stations.

- Web Casting/CCTVs

- Frequent visits (Sector Officers /Senior officers/ Observers)

- 2 hourly reporting of votes polled

- Media vigil

8. Poll Closure & Transportation

- Poll Closed on EVM by pressing CLOSE button – EVM cannot accept any further vote.

- EVMs sealed in the respective carrying cases & polling agents sign on them.

- EVMs transported back to the reception centres under armed escort. Candidates' representatives are allowed to follow them.

9. Storage & Security

- EVM Warehouse/Strong-room with **only One Entry Point.**

- Entry secured by a **Double Lock System** with DEO & Dy. DEO, each having custody of keys of one lock each.

- **24X7 Armed security.**

- **The opening & closing of EVM warehouse ONLY in presence of Political party representatives- advance written intimation mandatory.**

- Every EVM moved is managed by ECI through EMS.

Post Polling:

- Polled EVMs are stored in strong room having double lock system.

- Candidates allowed to put their **own seals on locks.**

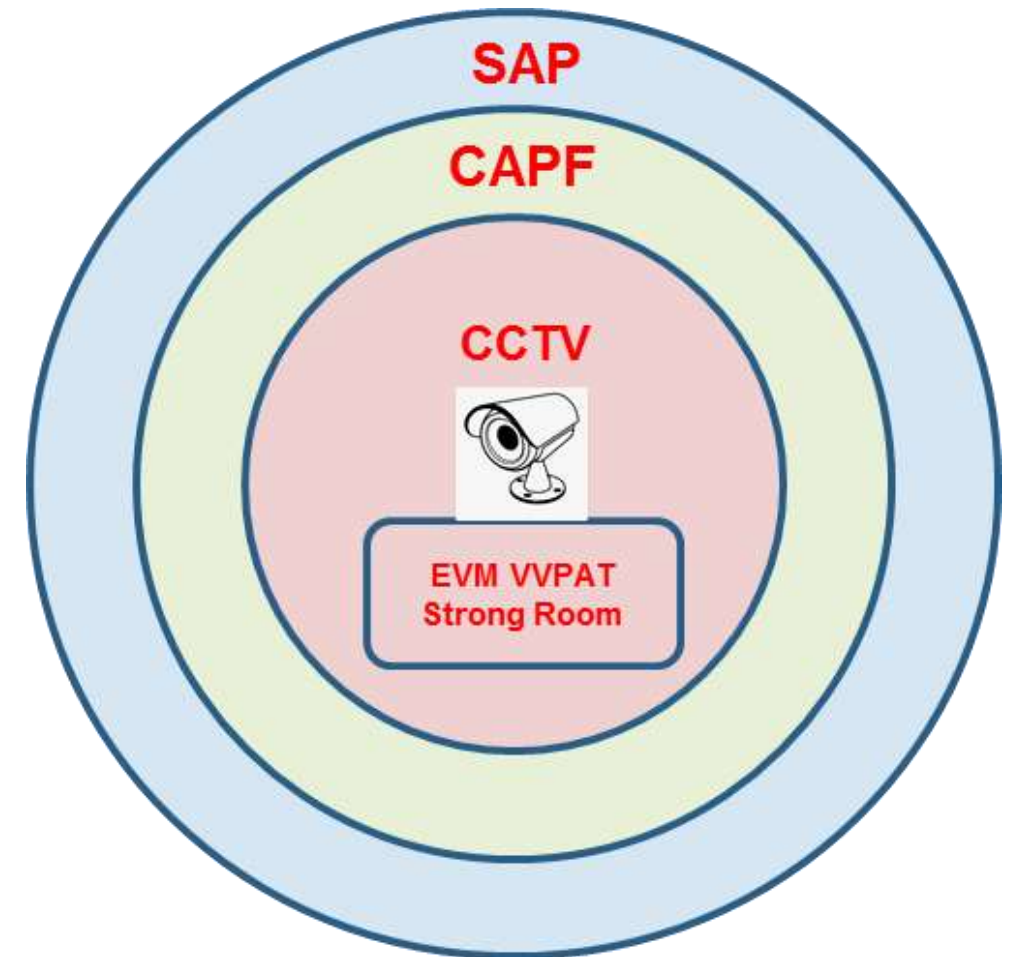# 9. Storage & Security – contd.

Various layers of security of polled EVMs:

1. **Unique ID of BUs, CUs & VVPATs** shared with political parties/candidates.

2. **Sealing of CU and BU with Pink Paper Seals** during FLC and commissioning respectively on which political parties and candidates put their signatures.

3. **Sealing of EVMs** before starting actual poll on which polling agents also put their signatures.

4. **Seals on carrying cases** of EVMs after closing of poll on which polling agents also put their signatures.

5. **Double lock system** at the door of strong room on which candidates also put their own seals.

6. **CCTV f**eed to Candidates Camping Area to monitor strong room.

7. **Two Cordoned** round-the-clock security (Inner perimeter manned by CAPF and Outer perimeter by State Armed Police.

8. **Log-book and videography** of officers inspecting the two cordons daily.

9. **Candidates/their representatives are allowed to watch the strong room 24x7**

10. **24/7 security arrangement** for unused EVMs also.

9. Storage & Security – contd.

Secure storage in Strong Rooms till counting:

- Polled EVMs kept in strong room, sealed in the presence of the Candidates and Observer.

- Facilitation for Candidates to watch the <u>Polled EVM Strong Room</u> 24/7.

- Starting from FLC of EVMs to Counting of votes, EVMs are kept in Strong-room with full 24/7 security.

SAP- State Armed Police   **CAPF- Central Armed Police Force**

9. Storage & Security – contd.

Storage during Election Petition period:
- Election Petitions can be filed within 45 days of result declaration.
- EVMs (BU+CU) remain under sealed conditions till EP position is ascertained.
- EVMs under EP, are kept under safe custody of DEO (Strong Room) till final disposal of EP.
- Print on VVPAT Slips remains for 5 years.
- Remaining EVMs and VVPATs not in EP are now free for re-use.
- the VVPAT to be stored till 10 days of Result keeping paper roll compartment in sealed condition as per new C&V instruction

10. Counting Day Protocol

- On the day of counting, strong room opened in the presence of Candidates, RO and Observer under videography.

- Round-wise CUs are brought to the counting tables from Strong Rooms **under CONTINUOUS CCTV Coverage.**

- Unique ID number of the CU & the signed seals are verified and shown to the polling agents.

- EVMs are stored back in Strong Room in the presence of candidates/their representatives till the completion of the Election Petition period.

11. EVM Management System (EMS)

- In house EVM Stock Management Software

- Barcode of every EVM is scanned into EMS every time it moves from one Warehouse to another

- All EVM Allocations done on EMS

- FLC status(OK/Rejected) captured in EMS

- EVMs Randomisation twice on EMS

- EVM sent for repair captured in EMS

- EVMs under EP marked in EMS

=VM
EVM Mgt System

Part – B

Administrative Safeguards -

SoPs till Poll Day

Storage - classification

Non-election Period	Election Period	Petition Period
After Election Petition till start of FLC	FLC to Election Petition Period	After Counting of Votes to confirmation of Election Petition Period

NB 1: Storing EVMs and VVPATs during non-election period - EVM Warehouse

NB 2: Storing EVMs and from FLC to completion of EP filing period - EVM Strong Room

NB 3: the VVPAT to be stored till 10 days of Result keeping paper roll compartment in sealed condition as per C&V instructions dated 01 June 2024

Storage - Categories of EVM Strong Room

1. **FLC Strong Room**: Having FLC-Ok EVMs/VVPATs after completion of FLC of EVMs/VVPATs.

2. **Repair Strong Room**: Having FLC-rejected EVMs/VVPATs and un-polled non-functional/rejected EVMs/VVPATs pertaining to Awareness, Training, Commissioning, dispersal, mock poll (Category C) etc.

3. **Training & Awareness Strong Room:** Having EVMs & VVPATs pertaining to Training & Awareness.

4. **AC/AS Strong Room**: Having EVMs/VVPATs after First Randomization of EVMs and VVPATs.

5. **Polled Strong Room**: Having polled EVMs and VVPATs [Category A (Polled) EVMs and VVPATs and Category B (Polled non-functional) EVMs and VVPATs] after completion of Poll till Counting of votes. Re-polled machines, if any, may also be kept here.

6. **Reserve Strong Room**: Having Category D (unused/reserve) EVMs/VVPATs after completion of Poll.

7. **District Strong Room**: Storing Category A (Polled) EVMs and VVPATs and Category B (Polled non-functional) EVMs after Counting of Votes till Election Petition Period.

Storage SoPs – Non-election Period

- **Storage Place:** Treasury/District HQs/Tehsil HQs

- **Physical Aspects of Warehouse (WH):**

  o Only 1 entry/exist point

  o Other doors/windows to be sealed using brick-masonry or concrete

  o Double lock system

  o Installation of Main Switch outside WH/Strong Room

  o No other material to be stored

- **Custody of keys:**

  o   All keys of Lock-1 with DEO and all keys of Lock-2 with Dy.DEO (District HQs)

  o All keys of Lock-1 with SDM and all keys of Lock-2 with Tehsildar (Outside District HQs)

  o Deposition of keys in Treasury

  o Handling of keys to be a part of CTC (Certificate of Transfer Charge)

Storage SoPs – Non-election period – contd.

- Security:

  o 1/2 Section Armed Security

  o CCTV

  o Fire Alarm

  o Fire extinguisher both inside and outside

- Inspection by DEO:

  o Monthly

  o Quarterly (April, July, October & January)

Storage SoPs – Election Period

Stages:

1. FLC to 1st Randomization

2. After 1st Randomization to dispersal

3. Poll Day to before Counting Day

4. Counting Day

Storage SoPs – Election Period – contd.

1. FLC to 1st Randomization:

- Custody of DEO

- Strong Room with Double Lock System

- All keys of Lock-1 with DEO and all keys of Lock-2 with Dy.DEO

- 1 Section Armed Security

- CCTV

- Open for taking out **Awareness/Training units (10%)** and after **1st Randomization** in presence of political parties (National & State Recognised) under videography

Contd…

Storage SoPs – Election Period – contd.

2. After 1ˢᵗ Randomization to dispersal

- Custody of RO

- Double Lock System

- All keys of Lock-1 with RO and all keys of Lock-2 with ARO

- 1 Section Armed Security

- CCTV

- Open only after **2ⁿᵈ Randomization** for **commissioning/preparation** and on **dispersal day** in presence of candidates/ their agents under videography

Contd…

Storage SoPs – Election Period – contd.

3. Poll Day to before Counting Day

- Custody of RO

- Double Lock System

- All keys of Lock-1 with RO and all keys of Lock-2 with ARO

- CCTV

- 1 Platoon Armed Security (2 tier Security)

- No one allow to enter inner tier

- Daily visit of RO/ARO/DEO/SP

- Candidates/their agents are allowed to watch security

Storage SoPs – Election Period – contd.

4. Counting Day:

- 1 Platoon Armed Security

- 3 tier Security on Counting Day: Inner- CAPF, Middle-SAP, Outer-DAP

- CCTV

- Opening/Closing of Strong Room in presence of candidates/ their agents and ECI Observer under videography

Storage SoPs – Petition Period

- Custody of DEO
- 1 section State Armed police for Security
- CCTV

NB - Opening and closing of EVM Warehouse/Strong Room in presence of the Political Parties/ Candidates under videography

First Level Checking - SoPs

Listing of activities:

1. Schedule of FLC and intimation to political parties

2. Arrangements for FLC

3. Work to be done during FLC

4. Supervision of FLC

5. Disposal of VVPAT slips generated during FLC on daily basis

6. Marking of FLC Status on EVM Management System (EMS)

Contd…

First Level Checking – SoPs – contd.

1. Schedule of FLC and intimation to political parties

- CEO/DEO to prepare schedule

- Intimation to political parties at the district HQs under intimation to State HQs with proper acknowledgment

First Level Checking – SoPs – contd.

2. Arrangements for FLC

- Spacious, well-lit, dust-free hall
- FLC area to be barricaded and sanitized by police
- TV/Monitor for each SLU to be used for symbol loading in VVPATs
- Storage facility of P-FLCU and SLU in a separate room in FLC premises
- Computer with internet connection in a separate room
- Entry of hall through Door Frame Metal Detector
- Entry on production of ID Card issued by DEO
- Webcasting of FLC process
- Arrangement of manpower

First Level Checking – SoPs – contd.

3. Work to be done during FLC

- FLC only by authorized engineers of BEL/ECIL

- FLC Process
    - o Cleaning of machine
    - o Visual Inspection
    - o Pre-FLC using P-FLCU
    - o Full functionality checks: 1 vote to each candidate for EVM, 6 votes to each candidate button for VVPAT. In 1% testing by connecting 4 BUs.
    - o Conduct of Mock Poll: Randomly Selected (5% EVMs and VVPATs)- 1200 votes in 1%, 1000 votes in 2% and 500 votes in 2% and verification
- Opening of plastic cabinet of EVM and sealing of CU Cabinet with Pink Paper Seal

First Level Checking – SoPs – contd.

4. Supervision of FLC

- Under close supervision of DEO

- FLC Supervisor appointed by DEO

- CEO/DEO to monitor through web cast

5. Disposal of VVPAT slips generated during FLC on daily basis

6. Marking on FLC Status on EMS

- DEO to provide 2 mobiles

- FLC OK to be scanned by election official using Mobile App

- FLC Rejected to be scanned by BEL/ECIL engineer using Mobile App

Randomizations – SoPs

- **Randomizations in EMS only**

- **First Randomization**

  o After FLC at DEO Level

  o In presence of political parties

  o To allocate AC-wise

- **Second Randomization**

  o Before commissioning/preparation at RO Level

  o In presence of candidates/their agents

  o To allocate PS-wise

Commissioning/Preparation – SoPs

- In presence of candidates/their representatives

- Arrangements at Commissioning Hall and Premises including Storage facility of SLU in a separate room

- Under videography

- Work Done
  - VVPAT: Symbol Loading with SLU (TV/Monitor for simultaneous viewing by candidates or their representatives/Power Pack/Paper Roll/Sealing of Paper Roll Compartment
  - Ballot Unit: Ballot Paper/Thumb-wheel setting/Masking/Sealing with Pink Paper Seal and Address Tags
  - Control Unit: Candidate Setting/sealing of Candidate Set and Power Pack Sections with Address Tags

- 1 vote to each candidate button

- 1000 votes in randomly selected 5% EVMs and VVPATs and verification

- Replacement of particular BU, CU and VVPAT in case of non-functional

- Disposal of VVPAT slips generated during commissioning on daily basis

Dispersal Day – SoPs

- In presence of candidates/their representatives

- Checking of seals, buttons, switch, ballot etc to ensure correctness and pertaining to particular PS

- Not to test VVPAT

- Replacement of particular BU, CU and VVPAT in case of non-functional

Poll Day– SoPs

- Start of Mock Poll before 90 minutes

- Atleast 50 votes and 1 vote to each candidate/NOTA

- Sealing of CU and VVPAT after mock poll

- Pressing of CLOSE BUTTON after completion of Poll

- Sealing of BU/CU/VVPAT in respective carrying case

- Replacement Protocol

  o Respective Unit during Mock Poll

  o Entire Set (BU+CU+VVPAT) in case of Non-functional of BU or CU and VVPAT only in case of Non-functional of VVPAT

  o Handling of critical situations- no beep sound, no paper cutting, 49MA etc.

Poll Day – SoPs – contd.

- EVM management on Poll Day

  o Category A: Polled Units (with PO)

  o Category B: Polled Non functional Units (with PO)

  o Category C: Un-polled Non functional Units Units (with SO)

  o Category D: Reserved Units (with SO)

- Polled Strong Room: Category A and Category B (Collected at Collection Centre)

- Repair Strong Room: Category C (Collected at separate Collection Centre)

- Reserve Strong Room: Category D (Collected at separate Collection Centre)

- All movement of EVM vehicles to be GPS tracked

- Proper security with all category of units

Part – IV

Counting Arrangements & Instructions for Counting of Votes (EVM & VVPAT)

Part – A

Arrangement for counting of votes

Counting Centre - infrastructure and security arrangements

- **Three tier cordoning security**

  o **Outer cordon**: by Local police

  o **Middle cordon**: at the gate of counting premises by SAP

  o **Inner cordon**: at door of Counting Hall by CAPF

- **Smooth flow of EVMs/VVPATs from strong room to counting hall with CCTV coverage with no blind spots and without crisscrossing paths with another strong room/counting hall.**

- Opening of strong room in presence of candidates/their agents, RO and Observer under **videography**

Media Centre

- Separate Room for Media Centre

- Appoint one senior officer from the Public Relation Department for Media Centre

- Allow media persons in small batches and for short duration only to visit Counting Hall

- Prohibition of mobile phone and other communication equipment by media person in Counting Hall.

- Allow mobile phones or Communication equipment from Media Centre

Part – B

Counting of Postal Ballot (PB)

Counting of PBs - Provisions & guidelines

- Provide account of PB to contesting candidates on daily basis

- Provide latest account of PB to Observer on previous day of counting

- Provide latest account of PB to Observer on counting day also

- Take PB count first at 8.00 AM

- Not more than 500 PBs in one Table

- An ARO for each Table.

- Candidates are allowed to depute counting agents for each PB Table

NB: Where victory margin is less than the number of rejected PB as invalid, all the rejected PB shall be mandatorily re-verified by RO and Observer before declaration of result under videography

Part – C

Counting of votes from EVMs

General guidelines:

• At 8.30 AM start counting of votes from EVMs (The EVM counting may be started at 8am in venues where PB is not being counted – special permission can be obtained from the Commission - para 15.23.15/page 222 in ROHB – ECI Circular dated 19 July 2023.)

• Examination of seals of CU and **Form 17 C** to ensure CU was actually used at that particular polling station and shown to candidates/counting agents

• Note down result displayed on CU in Part-II of **FORM-17C** carefully and ensure signing by Counting Agents and Counting Supervisors

• Photocopy of round-wise tabulation signed by RO and Observer to be provided to candidates/their agents

• RO shall be responsible for any inaccuracy/discrepancy in **Form 20**.

• EVM counting go on irrespective of the stage of Postal Ballot counting.

• Once EVM counting is completed, VVPAT slips counting start as per prescribed procedure

EVM Counting – challenges and proposed action

Challenges in EVM Counts	Proposed Action
•**Serial number of seals** mentioned in **Form 17C does not match** • **Unique ID of CU** mentioned in **Form 17C does not match** • **Seal** of the CU or its carrying case is **damaged/broken**	• Match with records. • Explain to Candidates/ Counting agents. • Proceed counting
•**Low Power or No Power** in the CU thereby non retrieval of polled data • **No display or Partial display** (segment issue) in CU	• Install new Power Pack • If no display, set aside CU. • Count VVPAT slips after completion of all CUs count
Non-closure of CLOSE button by PO on poll day	• Press Total button of CU to check polled votes with **Form 17C** • If match, press CLOSE button and the RESULT button to obtain result. • If not match, set aside CU.
•**Non-compliance of mock poll** procedure cases • Total **votes polled in CU do not match with** total polled votes entered in **Form-17C**	• No counting of votes from CU/VVPAT, if margin is more. • Count VVPAT slips, if margin is less

Part – D

Encore Counting Application

Infrastructure requirement

- Dedicated Computer, Printer, Scanner

- Redundant IT system for each RO.

- Dedicated **8MBPS leased line** for counting centre **with fixed IP address for each computer**.

- Backup 8MBPS leased line with Internet connectivity from diff. service provider.

- Generator Power Backup

- Online UPS with sufficient backup and surge protection

- Disabling all USB ports and drives except Printers

- Installation of Updated antivirus with current definition

- Microsoft Office licensed version and patched up

- DIO to be responsible for network architecture and operations

Process - A day before counting day

Step 1 **Round Set up**	Step 2 **Account set up**	Step 3 **Table Assignment**
Rounds = Total Polling Stations/ Total Tables setup in counting centre	Create additional RO-Computer Assistant for data entry of votes Activate account and set password and PIN	Assign tables to users for data entry of EVM votes

Process - on counting day

Step 1
Table wise EVM Votes entry for each Round

Table 1
Table 2
.
.
.
.
.
Table N

Step 2
Round Declaration

Round 1
Round 2
.
.
.
.
.
Round N

Step 3
Postal Ballot Votes entry

Enter Postal Ballot Votes & Finalise

Step 4
Results Declaration

Finalise EVM votes and Postal Votes entry & Declare Results after verification of complete data

Part – E

Counting of VVPAT Slips

Arrangements for counting of VVPAT Paper Slips

- One of the Counting Tables inside the Counting Hall (RO Hall) shall be earmarked by the Returning Officer as VVPAT Counting Booth (VCB) for Counting of VVPAT Paper Slips.

- Dimension of VCB: **6ft x 6ft x 8ft**

- VCB shall be enclosed in a wire-mesh just like a Bank Cashier Cabin, so that no VVPAT paper slip can be accessed by any un authorised person.

- Installation of CCTV at ceiling

VVPAT Counting Booth (VCB)

PIGEON HOLE

CONTAINER

Sequence of VVPAT Paper Slips counting

- Counting of VVPAT slips of polling station (s) due to **non-display of result** on CU.

- Counting of VVPAT slips of polling station (s) due to **non-compliance of mock poll or Form 17 C mismatch [VVPAT slips count is NOT required, if winning margin is more than the total votes in that particular polling station(s)]**

- Counting of VVPAT slips under **R 56D COER1961**

- Mandatory verification of VVAPT slips of randomly selected 05 PS per AC/each AS of PC.

NB: In case more than 1 VVPAT used in a PS, both will come in VCB, but counting of slips shall be done one by one.

Application for VVPAT Paper Slips counting

- After announcement of result sheet entries, any candidate, their election agent or their counting agents may apply in writing (Under **R 56 COER 1961**) to the RO to count the printed VVPAT paper slips in any or all polling stations.

- If such application is made, the RO shall pass a speaking order on whether the VVPAT paper slips should be counted.

- If the RO decides to allow the counting of the VVPAT paper slips of any or all polling stations, such decision of the RO must be recorded in writing along with the reasons thereof. The RO shall give due consideration to the following:

    1. Whether the total number of votes polled in that polling station is greater or lesser than the margin of votes between winning candidate and candidate making the application

    2. Whether EVM had a problem and was replaced at that polling station during poll

    3. Whether there was any complaint about VVPAT not printing or complaints by any voter under **R 49MA COER 1961** in that polling station during the poll.

Mandatory verification of VVPAT Paper Slips

- ***<u>Mandatory verification of VVPAT paper slips of randomly selected 05 (five) polling station shall be conducted in all General and Bye Elections to the LS and LA,</u>*** in addition to the provisions of **R 56D COER 1961**, after the completion of the last round of counting of votes recorded in the EVMs, as under:

- In case of General and Bye elections to LA, verification of VVPAT paper slips of randomly selected 05 (five) PS per AC.

- In case of General and Bye elections to the LS, verification of VVPAT paper slips of randomly selected 05 (five) polling stations of each Assembly Segment of the PC concerned.
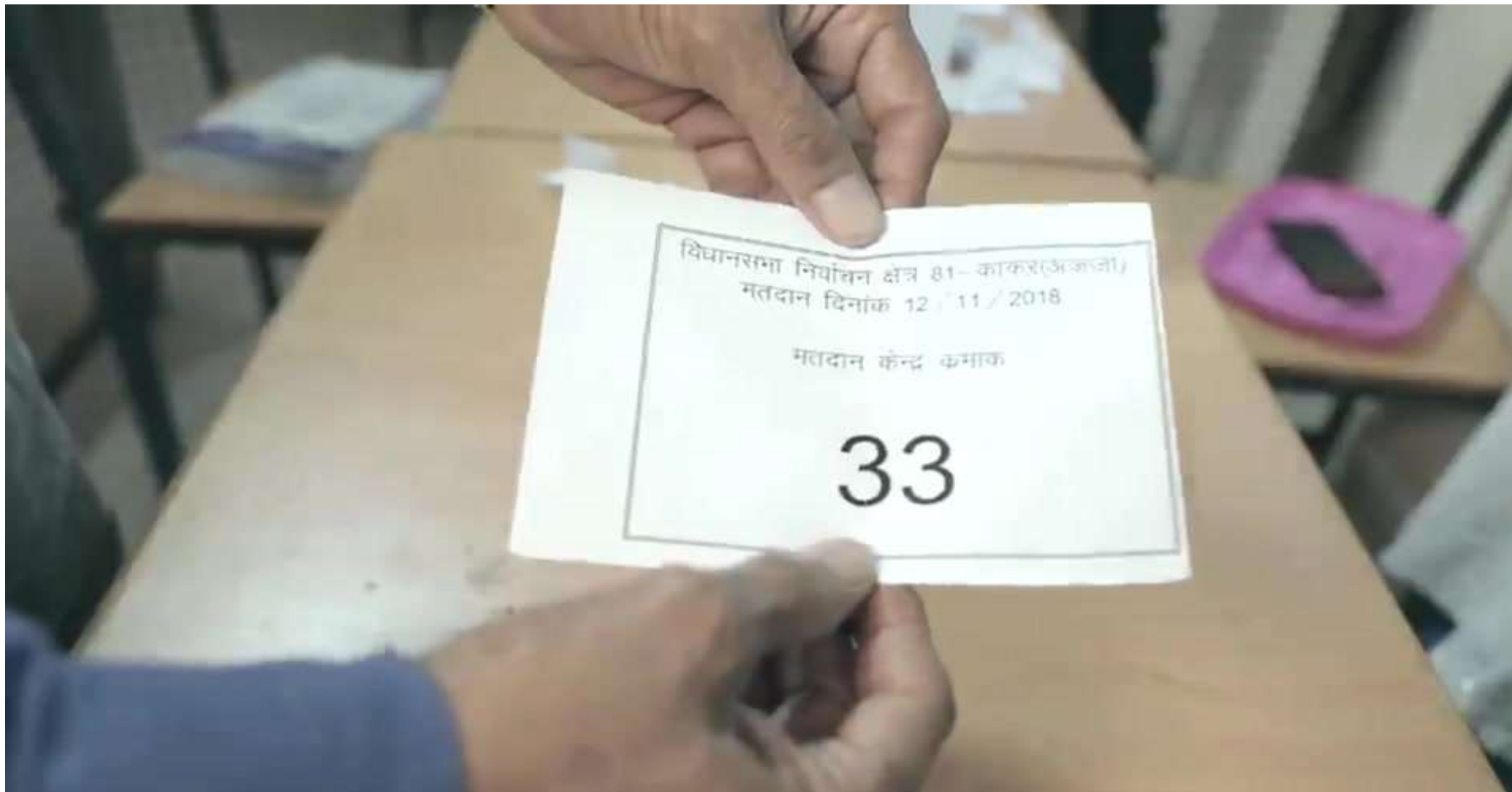
Random selection of PS for paper counts

- Written intimation regarding draw of lots by RO to Candidates/Election agents well in advance

- Draw of lots must be conducted after completion of CU counts

- Procedure for the conduct of draw of lots:

  o White colour paper cards of postcard shall be used for conducting the draw of lots

  o Total number of such paper cards should be equal to total number of polling stations in the AC/AS

  o The paper cards shall have pre-printed AC/AS number, AC/AS name and date of poll on the top, and the polling station number in the centre. Each digit of the polling station number shall be atleast 1"x1" (1 inch by 1 inch) size and printed in black.

  o The paper cards to be used for draw of lots should be four folded in such a way that polling station number is not visible.

  o Each paper cards shall be shown to the candidates/their agents before folding and dropping in the container.

  o The paper cards shall be shown in the big container and must be shaken before picking up 01 (one) slip by the Returning Officer.

Random selection of PS for paper counts – contd.

Random selection of PS for paper counts – contd.

Random selection of PS for paper counts – contd.

Random selection of PS for paper counts – contd.
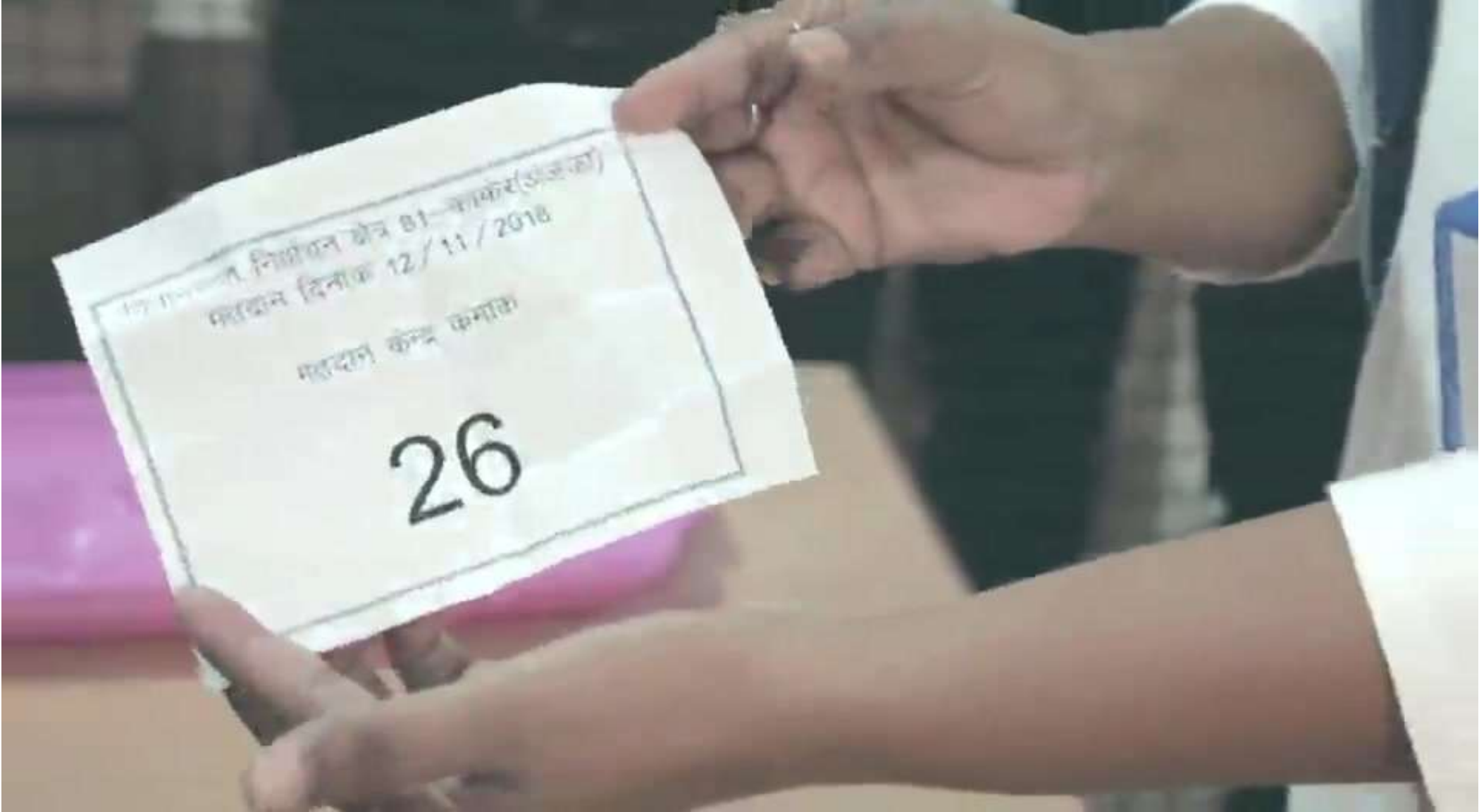
Random selection of PS for paper counts – contd.

Random selection of PS for paper counts – contd.

Random selection of PS for paper counts – contd.

Sealing of EVMs after counting of votes

- Keep all Control Units, after removing power packs from CUs, whether result has been retrieved from it or not back inside its carrying case and seal the carrying cases once again.

- **Removal of VVPAT slips from VVPATs–**
  - After the result is announced, the VVPAT paper slips will be taken out of the VVPAT printer unit, irrespective of whether the slips were counted or not and kept in a paper envelope made of thick black paper polling station wise; it shall be sealed using red wax with the bilingual secret seal of the Commission provided to the Returning Officer.
  - If more than one VVPAT was used in a particular polling station, the VVPAT slips taken out from each VVPAT slips should be kept in the separate envelope.
  - All the envelopes of a particular AC/AS must be kept in a separate big trunk.
  - The said trunk shall be kept with all the statutory documents relating to that election.

- **STORAGE of EVMs after counting of votes:** After completing counting of votes, keep the EVMs and printed paper slips of VVPATs in the strong rooms. Do not open the Strong room till the completion of Election Petition (EP) period i.e. till EP list is received from respective High Court.

- the VVPAT to be stored till 10 days of Result keeping paper roll compartment in sealed condition as per new C&V instruction

Part – V

Debate around EVMs – explanations and clarifications

Doubts created around EVM

1. Hacked EVM

2. Vote Stuffing after Poll Closure

3. Remotely Altered Control Unit Display

4. Defective Vs Tampered

5. Memory Manipulation

6. Replaced Microcontroller or Memory chips

7. Altered software code

EVM Hacking

- 'Hacking' is unauthorised access to or control over computer network security systems for some illicit purpose.

- In the case of ECI EVMs, the word '**Hacking' is not applicable** for following reasons:

  o The EVM is a **stand-alone** machine and is not connected to any network through wire or wirelessly.

  o The software programme in the OTP Microcontroller can **neither be read nor modified.**

Remotely altering display through wireless communication

- It is alleged this can be done by either replacing the original display module with another display fitted with a wireless device or inserting an extra circuit board which can communicate with an external unit via a wireless device and tamper the result by controlling the CU display used for declaring the result.

- Such a modification would require unfettered access to the EVM after FLC – **Ruled out.**

- In M3 EVMs the display is mounted in the UADM. Any attempt to open the UADM will send the EVM into Factory Mode- **Ruled out.**

Memory manipulation

It is alleged that voting data can be altered by clipping a Memory Manipulator IC to the memory chip where Vote data is stored. This would need-

- Full and free access to CUs after the Polling is over- **Ruled Out**

- Breaking the seals and locks of the strong room in the presence of two layers of security plus the representatives of the candidates camping near the strong room- **Ruled Out**

- The memory is inside the microcontroller which itself is inside the UADM- **Ruled Out**

Replacement of microcontroller/memory chip or motherboard

Administrative Safeguards

- Chip replacement would require access to EVM Warehouses – **Ruled Out.**

- Any chip replacement before FLC will get caught during FLC.

- Chip Replacement after FLC would require access to Strong Rooms and breaking of EVM Pink Paper seals– **Ruled Out.**

- Microcontroller is inside the UADM and cannot be accessed without putting the EVM in Factory Mode- **Ruled Out.**

Technical Security

- BUs and CUs communicate only amongst themselves after mutual authentication and cannot be connected to any other machine. Thus, **any modified EVM (with microcontroller /memory changed) would not be usable** even if someone is able to hypothetically bypass security arrangements and modify EVM.

Tampered source code 'Trojan'

- It is alleged that Trojan can be introduced in the following manner-

    o by reprogramming the chip, or

    o by the chip manufacturer during fusing of the software.

- Re-programming **Ruled Out** as these are OTP chips.

- Code tampering by the chip manufacturer **Ruled Out** as the software is ported by BEL/ECIL

    in their factories in the highest security environment.

Vote stuffing after poll closure

Administrative safeguards

- Poll closed by pressing the "CLOSE" button on the CU after last vote, Representatives of candidates who are present signs on the seals.

- EVM seals checked on counting day.

What if seals broken and votes stuffed while transporting?

- EVM does not accept any votes after CLOSE button pressed in CU.

What if CLOSE button not properly pressed and Votes Stuffed while transporting?

- Poll Closure time recorded in the PO's diary and any votes polled in the EVM after this time can be identified due to time stamping of key presses.

Non-functioning/malfunctioning EVM vs manipulation/tampering of EVM

~~Defective~~/Non-functional/malfunctional	Manipulation/Tampering
▪ An EVM can be said ~~defective/~~non-functional, if they do not work due to any mechanical/electronic fault. ▪ Malfunctioning machine is one which would randomly behave erroneously, <u>but without a predefined biased manner. (**TO BE CHECKED**)</u>	An EVM can be said manipulated/Tampered, if someone has made unauthorised alteration to interfere in its working. The same is ruled out due to technical security implemented in EVM and administrative safeguards prescribed by ECI.
Dictionary meaning- 'Failing to work or function properly'.	Dictionary Meaning- 'to interfere in an illegal & disruptive manner or to make alterations or adjustments, especially **_secretly_** so as to **_subvert_** an intended purpose or function.
EVMs, like any other machines can become non functional. Such defects get detected during the 3 mock polls and are replaced.	A tampered EVM must **_behave in a pre-defined and biased manner to favour a particular candidate_** and this partisan behaviour of the machine must be replicable/demonstrable.
All such ~~defective~~ EVMs are **_promptly removed_** from the election process and replaced with a full functional EVM.	No evidence of any incident of any EVM Tampering, ever has been produced.

NB 1: While 1-2% EVMs may become ~~Defective~~/Non-functional (and are replaced with good EVMs), no case of Malfunctioning EVM (i.e. one recording wrong vote) ever reported.
NB 2: Question of Tampering absolutely ruled out due to several layers of technical and administrative safeguards.

Non functional EVM Protocol

EVMs that fail to function due to any mechanical, structural or physical defect like faulty switches, broken button, faulty connections etc.
However, these **NEVER record Wrong Vote**.

- EVMs are checked for defects 3 times - during FLC, candidate setting, before start of poll.

- Serial Numbers and defects of these EVMs are noted and EVMs are sent to the manufacturers for analysis and repair.

- Manufacturers follow same security protocols during repair as they do for manufacturing new EVMs.

EVM Challenge 2009

- Commission organized an EVM Challenge during 3rd – 8th August 2009.

- Political Parties, Petitioners before various Courts and some individuals, who had alleged tamperability of ECI-EVM, invited to participate in the Challenge.

- 100 EVMs brought from 10 States were offered for demonstration of alleged tamperability in presence of technical expert group, representative of manufacturers and ECI Officers.

- None of the persons could actually demonstrate any tamperability of the ECI-EVM.

EVM Challenge 2017

- Commission organized an **EVM Challenge** on **3rd June 2017.**

- All National and State Political Parties invited to participate in the Challenge.

- Parties allowed to pick EVMs of their choice from the 5 poll-gone States (UP, Punjab, UK, Goa, Manipur), which were securely held in the Strong rooms under 24*7 armed security.

- Parties given opportunity to demonstrate EVM manipulation/tampering in the votes recorded in the EVMs of their choice, as variously alleged earlier.

- ***NO Political Party participated in the Challenge.***

- Only 2 parties i.e. NCP & CPI-M reported to venue, ONLY TO UNDERSTAND THE EVM PROCESS BETTER and were given detailed briefing.

- The credibility and integrity of ECI-EVMs has always remained perfectly intact and unscathed.

Various forms of Electronic Voting in other countries

- **Electronic Voting (Fully /Partially)**

19 Countries using electronic voting in some form through EVMs (Direct Recording Machines), some with Paper Trail -

India, USA, Canada, Australia, Belgium, Bulgaria, Italy, Switzerland, Mexico, Brazil, Chile, Peru, Venezuela, Armenia, Namibia, Nepal, Bhutan, Bangladesh.

- **Electronic Counting**

13 Countries are using e-technology for counting of votes -

Argentina, Brazil, Venezuela, Dominican Republic, Lithuania, Bulgaria, Belgium, Australia, South Korea, Philippines, Mongolia, Bhutan, Namibia.

Various forms of Electronic Voting in other countries – contd.

Other countries using EVMs (DRMs):

- USA, Australia, Belgium, Bulgaria, Italy, Switzerland, Canada, Mexico, Argentina, Brazil, Chile, Peru, Venezuela, Namibia, Nepal, Bhutan, Armenia, Bangladesh.

- Currently, in the USA, the Direct Recording Machines (DRMs) are used in 27 states, among which paper audit trails are used in 15 states.

- The other voting methods include: Optical Scan Paper Ballot Systems, Ballot Marking Devices, and the Punch Card Ballot.

Various forms of Electronic Voting in other countries – comparative with ECI EVMs – Contd.

ECI EVM	Foreign EVM
Standalone	Mostly networked
Manufactured in Premium PSUs	Manufactured entirely by private entities
Verified and certified by an independent Technical Experts Committee	No such robust and independent certification/ checks
Data is stored internally and not transferrable by any device	Voting data recorded in the DRM is transferred by means of CD, etc
Full end to end security protocol and administrative safeguards for the use, storage, transportation and tracking	No such protocols, e.g. in Ireland
Administrative and physical security as per legal framework across the country.	No such legal framework, e.g. in the Netherlands
Voter verifiability and auditability of every vote cast	Lack of such facility in the NEDAP machines- un-Constitutional by German Supreme Court as lacked public examinability

Why Going Back to Ballot not a Solution

1. Average around 2000 invalid votes in each Constituency when ballots used.

2. Vote stuffing was very easy with Ballot papers. EVMs designed to allow only 4 votes per minute ruling out vote stuffing.

3. Counting of Ballot Papers was always prone to manual errors. EVM counting both quick and accurate.

4. Retrograde step in the era of Technology when even financial transactions done electronically.

5. Ballot papers are made of wood pulp and hence made at a cost to environment.

6. India is the largest democracy in the world with about 93.7 crore registered voters unmatched in scale and complexity.

Contd…

Why Going Back to Ballot not a Solution – contd.

7. There is a clear need to leverage on technology to make the voting process more efficient and accurate compared to the manual ballots.

8. Since the introduction of VVPATs, more than 113 crore voters have cast their votes with full satisfaction & ONLY 25 (twenty-five) complaints received u/r 49MA, which were all FOUND TO BE FALSE.

9. Till date, in 61 (Sixty-one) instances RO has allowed slip counting since 2017. All counts matched.

10. In Mandatory Verification of VVPAT slips count no case of a vote cast for Candidate 'A' getting transferred to candidate 'B'.

Part – VI

EVM & VVPAT - Don'ts

DON'Ts - General

1	Don't allow the units to be handled by any unauthorised personnel/staff
2	Don't move/keep/store EVM/VVPAT in any unauthorised place.
3	Don't' shift any EVM/VVPAT without making entry in EMS.
4	Don't leave any EVMs &VVPAT without 24X7 security.
5	Don't damage any seal of the BU, CU & VVPAT.
6	Don't burn any VVPAT slips.
7	Don't' leave VVPAT Paper Lock in vertical position during transportation.
8	Don't position the EVM & VVPAT near an open window or any direct light/high- illumination source in the polling Station.
9	Don't forget to put paper lock position in vertical position before switching ON the CU.
11	Don't move/shift the units anywhere during the period from - Commissioning to the Counting Day - except EVMs & VVPAT required for use in poll.
12	Don't switch ON CU before VVPAT paper roll knob is in unlocked condition (vertical position).
13	Don't remove cables without pressing the clips on the connectors.
14	Don't insert cables by pressing the clips on the connectors.
15	Don't switch OFF CU unless all 7 slips are printed and cut.
16	Don't connect or disconnect EVM and VVPAT cables when CU switch is ON.
17	Don't switch ON/OFF CU repeatedly.

Don'ts - During storage of EVMs and VVPATs

1	Don't open and close EVM warehouse without intimation and participation of the representatives of National and State Recognised Political Parties
2	Don't keep other material whether election related or not (except the documents/materials prescribed by the Commission) with EVM and VVPAT.
3	Don't forget to install fire extinguisher at FLC centre, Warehouse, Strong room.
4	Don't store EVM and VVPAT at any place below the Tehsil Headquarters-level
5	Don't keep various models of EVM and VVPAT at same room/hall of the warehouse
6	Don't keep/mix EVM and VVPAT of other election management bodies(viz. State Election Commission etc.) with ECI EVM and VVPAT
7	Don't forget to disconnect electricity inside room/hall having EVM/VVPAT
8	Don't forget to seal all other doors/windows (except entry/exit door) using brick-masonry or concrete
9	Don't make EVMs & VVPAT warehouse in the Educational Institute.
10	Don't open the strong room/warehouse having EVM and VVPAT pertaining to Election Petition for any purpose without approval of the Court concerned
11	Don't forget videography of opening and closing of warehouse/strong room
12	Don't forget to maintain Log Book for each entry and exit.
13	Don't forget to maintain Duty Roster of security personnel.

Don'ts - Transportation

1	Don't transport EVM and VVPAT without GPS/Mobile app-based tracking.
2	Don't transport EVM and VVPAT in un-containerized vehicles
3	Don't transport EVM and VVPAT without armed security
4	Don't transport VVPAT in unlock position of the paper roll knob (vertical position)
5	Don't forget to invite the representatives of National and State Recognised Political Parties while sending or receiving EVMs and VVPATs from warehouse/ strong room.
6	Don't forget to coordinate with the DEOs concerned in case of Factory to State, State to Factory, Inter-State and Intra-State transportation of EVMs and VVPATs.

DON'Ts - First Level Checking (FLC)

1	Don't allow to take any electronic device inside FLC Hall except those items permitted by ECI.
2	Don't forget to install Door Frame Metal Detector (DFMD) at FLC centre.
3	Don't allow any person inside the FLC hall without proper frisking.
4	Don't forget to dispatch the FLC rejected Units to the factory for repairs after completion of FLC.
5	Don't forget to mark FLC OK, FLC rejected unit in EMS on a daily basis.
6	Don't' forget to conduct mock poll in 5% randomly selected EVMs & VVPATs(1200 votes in 1% EVMs, 1000 votes in 2% EVMs and 500 votes in 2% EVMs)
7	Don't forget to paste pink paper seal on CU
8	Don't use real election symbol during FLC and Training & Awareness
9	Don't leave VVPATs slips generated during FLC / T&A without shredding on daily basis.
10	Don't forget to install fire extinguisher at FLC centre, Warehouse, Strong room.
11	Don't forget to intimate in writing FLC schedule to National and State Recognised Political parties at District Headquarters as well as State Headquarters

Don'ts - First Level Checking (FLC) – contd.

12	Don't appoint FLC Supervisor below the rank of Deputy Election Officer
13	Don't forget to submit FLC Preparedness Certificate before starting FLC
14	Don't allow other equipment inside the FLC hall except those mentioned in FLC SoP
15	Don't forget to barricade and sanitize FLC area by police.
16	Don't allow entry to FLC hall without production of Identity Card issued by the DEO.
17	Don't forget to frisking of every person/officer/engineer at every entry and exit.
18	Don't forget to install TV/Monitor display with HDMI input for each SLU under use in FLC hall.
19	Don't forget to paste FLC SoP in FLC Hall.
20	Don't allow any person/official except authorized staff and engineers of Bharat Electronics Limited and Electronics Corporation of India Limited, as the case may be, to conduct FLC
21	Don't keep FLC OK and FLC Reject EVM and VVPAT in the same strong room
22	Don't forget to share list of FLC OK units to National and State Recognised Political Parties after completion of FLC with proper acknowledgment

Don'ts – Training and Awareness

1	Don't forget to mark those EVM and VVPAT in EMS as 'Training/Awareness'
2	Don't forget to paste a yellow colour sticker mentioning Training /Awareness on T&A EVMs.
3	Don't take out T&A EVMs more than 10% of total number of PS in the district.
4	Don't use units without FLC OK sticker for T&A.
5	Don't use real election symbol during training, Awareness, FLC of EVMs & VVPATs.
6	Don't forget to share list of EVM and VVPAT taken out for T&A to National and State Recognised Political Parties after completion of FLC with proper acknowledgment
7	Don't keep T&A units in FLC Strong Room or vicinity of FLC OK Strong Room. Keep them in separate designated warehouse/nearby training areas.
8	Don't forget to share the information of the designated warehouse to keep T&A EVMs and VVPATs
9	Don't forget to destroy VVPAT slips generated during Training and Awareness on daily basis
10	Don't operate EVM Demonstration Centre(s) set up at DEO, RO Headquarters/ Revenue Sub-Division Offices after announcement of election by the ECI.
11	Don't forget to re-introduce T&A EVMs and VVPATs as Poll Day Reserve after de-novo FLC, randomizations,

DON'Ts - Randomizations

1	Don't forget to intimate in writing 1st Randomization schedule to National and State Recognised Political parties with proper acknowledgment
2	Don't allocate EVM and VVPAT AC-wise uneven during 1st Randomization
3	Don't allocate Ballot Units more than Control Units during 1st Randomization
4	Don't forget to receipt EVM and VVPAT AC-wise by scanning after 1stRandomization
5	Don't forget to share list of 1st Randomized EVM and VVPAT (AC-wise) to National and State Recognised Political Parties with proper acknowledgment
6	Don't forget to intimate in writing 2ndRandomization schedule to all the contesting candidates/their agents with proper acknowledgment
7	Don't forget to share list of 1st Randomized EVM and VVPAT (AC-wise) to the respective contesting candidates/their agents with proper acknowledgment
8	Don't miss out to update polling stations before 2nd Randomization
9	Don't forget to share list of 2nd Randomized EVM and VVPAT to all the contesting candidates/their agents with proper acknowledgment

DON'Ts - During Commissioning

1	Don't forget to intimate in writing schedule of Commissioning of EVMs and VVPATs to all the contesting candidates/their agents with proper acknowledgment
2	Don't leave VVPATs slips generated during commissioning without shredding on a daily basis.
3	Don't forget to check correct loading of Serial Numbers, Names of Candidate and their Symbols in VVPATs
4	Don't forget to conduct mock poll of 1000 votes on 5% randomly selected EVMs as well as VVPAT during commissioning.
5	Don't keep VVPAT knob in Working mode (Vertical position) after commissioning
6	Don't set candidates in CU without connecting BU(s) and VVPAT.
7	Don't forget to share lists of EVMs and VVPATs to be used in polling stations (polling station-wise) and reserve EVMs and VVPATs
8	Don't forget to store SLU at DEO end as per new instruction of 29th April, 2024

1	Don't forget to ensure EVM/VVPAT is related to the particular polling station for which it has been allotted.
2	Don't take away any EVM & VVPAT to any unauthorised place like residence, etc.
3	Don't repeatedly switch ON and OFF the VVPAT as it will deplete the battery as well as paper roll causing problems during the poll day.
4	Don't forget to switch OFF the CU while connecting or disconnecting the EVM units and VVPAT using cables
5	Don't pull the cable of BU & VVPAT while disconnecting from the CU.
6	Don't forget to earmark a government building as the cluster point for polling parties and for EVMs/VVPATs dispatch to polling stations on P-2/3. Don't use Police stations for such cluster points.
7	Don't switch on the VVPAT at the time of dispersal.
8	Don't connect Ballot Unit, Control Unit and VVPAT during dispersal
9	Don't keep VVPAT knob vertical (Working mode) while transporting.
10	Don't stay at any place other than designated place.
11	Don't remove any seal from BU, CU and VVPAT.
12	Don't use vehicle other than vehicle provided for dispersal.

Don'ts - During Mock Poll

1	Don't start mock poll, if no or one election agent is present. Wait for 15 minutes.
2	Don't stop mock poll without casting at least 50 votes.
3	Don't keep BU, CU and VVPAT on one table for mock poll. (Keep BU & VVPAT at voting compartment)
4	Don't forget to cast at least one vote to each candidate button including NOTA during mock poll
5	Don't leave any mock poll slips inside the VVPAT slips compartment after completion of mock poll on poll day.
6	Don't forget to delete mock poll data from the CU before starting of actual poll.
7	Don't keep mock poll VVPAT slips unstamped in black envelop.
8	Don't forget to tally EVM count with VVPAT slips count during mock poll.
9	Don't forget to fill Mock Poll Certificate (Part-I of Presiding Officer Report)
10	Don't start actual poll without sealing Result Section of CU and Drop Box of VVPAT and taking signatures of polling agents.

1	Don't operate the paper roll knob till the end of the poll.
2	Don't forget pressing of close button of CU after completion of poll.
3	Don't conduct mock poll in case of replacement of only VVPAT during the actual poll.
4	Don't hang any high illumination bulb over VVPAT at Voting Compartment
5	Don't Switch ON the Control Unit at the time of connection and disconnection of Ballot Unit, Control Unit and VVPAT
6	Don't Switch ON Control Unit when VVPAT paper roll knob is in lock position (horizontal position)
7	Don't forget to tape the interconnecting cable of BU/VVPAT to the leg of then table with 'transparent' adhesive tape.
8	Don't forget to press both side latches of connector while disconnecting the cable
9	Don't forget to clear mock poll data from the Control Unit and VVPAT mock slips from VVPAT in mock poll process
10	Don't enter into the voting compartment to educate illiterate how to cast vote. Use cardboard BU for this purpose.
11	Don't Switch OFF/Switch ON EVM during poll process
12	Don't forget to remove VVPAT Power Pack (Battery) from VVPAT before sealing of VVPAT in its carrying case after

...s - After poll

1	Don't keep polled units and reserve units in the same strong room
2	Don't transport EVM and VVPAT in unauthorized vehicle (not notified for transport of EVM and VVPAT)
3	Don't store the "C" & "D" category of EVMs in the vicinity of "A" & "B"category of EVMs & VVPATs.
4	Don't' leave the VVPAT battery inside the VVPAT after completion of poll.
5	Don't forget to intimate all the contesting candidates about the storage place of category A, B, C and D.
6	Don't keep polled units of two or more Assembly Constituency/Segment in thesame strong room, after poll
7	Don't transport EVMs and VVPATs without escort after poll from polling stations to collection centre.
8	Don't forget to release reserve SLU to manufacturer on P+1 day

DON'T's – During counting, after counting and for pending EP EVMs and VVPATs

		DURING COUNTING
	1	Don't obtain result from CUs without verifying seals.
	2	Don't forget to write in pen, in space between counting supervisor's signature and signature of candidate/their agents/counting agents in Part-II for Form-17C "**We, hereby certify that CU No.(s)…………is/are the same which were used in the Polling Station No………….".**
		AFTER COUNTING
	1	Don't leave CU batteries inside CUs before storing them in the strong room after counting of votes.
	2	Don't forget to remove VVPAT slips from all VVPATs after counting of votes before storing VVPAT in warehouse.
	3	Don't open the strong room till the completion of EP period i.e. till EP list is received from respective High Court.
	4	Don't store 2 or more than 2 ACs machines in same strong room after completion of poll and counting of votes till the completion of EP period.
	5	Don't forget to preserve SLU in AC strong room with EVM as per instruction of 29th April, 2024
	6	Don't open VVPAT paper roll compartment till 10 days after result icw C&V instruction
		FOR PENDING EP EVMs and VVPATs
	1	Don't open the strong room where EP related EVMs are stored, without permission of the Court, except in exceptional cases like flood, fire, etc.

Part – VII

SLU and C&V

SLU storage (No. 51/8/INST/2024-EMS   Dated: 29th April, 2024)

After the completion of commissioning process - the SLU(s) used for symbol loading alongwith the accessories shall be stored in transparent container(s) *(of minimum dimensions of 10 X 8 X 3.5 inches)* by the Returning Officer/Assistant Returning Officer in the presence of candidates or their representatives.

• Each set of SLU alongwith its accessories used in a particular AC/AS shall be kept in a separate container. Not more than one set of SLU alongwith its accessories should be kept in a container.

• All the SLU containers (both used and reserve SLUs) shall be sealed with Pink Paper Seal (both parts of the Pink Paper Seal) in a manner so that container could not be opened without breaking the paper seal. The candidates or their representatives shall be allowed to sign the seals pasted on the SLU Container.

• After sealing the SLU containers, the same shall be deposited with the District Election Officer concerned within 24 hours of the completion of commissioning. These containers shall be stored by the DEO in a separate strong room/secured room and shall be marked clearly on the door as `SLU STORAGE ROOM'. The SLU Storage Room shall be under double lock system with all keys of each lock with two separate specified officers.

• An `SLU Inventory Register' shall be maintained.

SLU storage (No. 51/8/INST/2024-EMS, Dated: 29th April, 2024)

After completion of counting of votes, the SLU containers shall be stored in the respective AC/AS-wise strong room(s) in **a steel trunk labelled** as `SLUs USED IN AC/AS NO. ' for safe storage and convenience, alongwith polled EVMs under the overall responsibility of the DEO.

i. More than one sealed SLU container may be kept in the steel trunk. As far as possible, it shall be ensured that all the sealed SLU containers of a particular AC/AS are kept in one trunk.

ii. There shall be no inter-mixing of sealed SLU containers of different AC/AS in a steel trunk.

iii. The minimum dimension of the trunk shall be 2 X 1 X 1.5 ft.

iv. The steel trunks having the sealed SLU containers shall be under lock and key.

Action to be taken **after completion of Election Petition Period:**

i.The Chief Electoral Officer shall immediately ascertain the EP status from the High Court concerned.

No EP filed: The SLUs alongwith their accessories pertaining to the AC/AS, where no EP has been filed shall be sent back to the respective manufacturers. The SLUs may be sent alongwith the non-functional EVMs-VVPATs (Commissioning to Poll) of the district, if any.

iii. **EP filed:** Where EP has been filed, the Chief Electoral Officer shall ascertain the subject matter of the petition(s).

iv. If EVM/VVPAT is **not the subject matter** of the petition, an application shall be filed before the Hon'ble High Court concerned to release EVMs and SLUs. Only after getting permission from the Hon'ble High Court concerned, SLUs alongwith their accessories shall also be sent back to the respective manufacturers, on release of EVMs.

v. If EVM/VVPAT is the **subject matter** of the petition, the SLUs alongwith their accessories shall be sent back to the manufacturer only after final disposal of the Election Petition.

vi. It is clarified that SLUs alongwith their accessories shall be sent **only to the respective manufacturers** upon completion of the applicable timeframes, i.e. SLUs shall not be sent to any other State/UT or any field units. All the protocols applicable for EVM transportation to the manufacturers shall be applicable, for transportation of SLUs and its accessories to the manufacturers.

Checking & Verification
No. 51/8/INST/2024-EMS Dated: 1st June, 2024

- Candidates coming second or third can ask for a verification of the burnt memory/ microcontrollers in 5% of EVMs per Assembly segment of each Parliamentary constituency.

- This verification will be done after a written request is made by the candidate and would be carried out by a team of engineers of the EVM manufacturers.

- According to the judgment, candidates or representatives can identify EVMs by the polling station or serial number.

- The request for verification has to be made within seven days of the declaration of results, and candidates will have to bear the expenses, which would be refunded in case the EVM is found to be tampered with, the court said.

- The eligible candidates may submit a written application to the respective DEO within a period of 7 (seven) days from the date of declaration of the result.

- Based on the EP status received from the CEOs, the manufacturers, i.e. BEL/ECIL shall provide the schedule of C&V within 2 weeks.

No. 51/8/INST/2024-EMS Dated: 1st June, 2024-

After completion of a period of 10 days from the date of declaration of result:

i. **If no request for checking and verification** of burnt memory/microcontroller in EVM is received from the eligible candidate(s) in the AC/AS of PC: Thermal paper rolls and Address Tags of the paper roll compartment shall be removed from VVPATs.

i. **If any request for checking and verification** of burnt memory/microcontroller in EVM is received from the eligible candidate(s) in the AC/AS of PC: Thermal paper rolls and Address Tags of the paper roll compartment shall be removed from VVPATs only after completion of checking & verification of burnt memory/microcontroller process in the AC/AS of PC.