



भारत निर्वाचन आयोग
Election Commission of India

No. 464/EPS/2024

निर्वाचन सदन
NIRVACHAN SADAN
अशोक रोड, नई दिल्ली - 110 001
ASHOKA ROAD, NEW DELHI - 110 001

Dated: 10th May, 2024

To,

Sh. Mallikarjun Kharge
President, INC
24, Akbar Road,
New Delhi

**Subject: Allegation by the President INC regarding release of voter turnout data-
Rejection by the Commission thereof**

Sir,

1. This refers to your post on 'X' platform in which you have posted a letter dated 6th May regarding "the discrepancies in voting turnout data released by the Election Commission of India and non-publication of registered voters".
2. From the material that you have placed on the said platform, it is discernable that under the guise of need to seek clarifications from the Election Commission of India, in effect, you have articulated statements which are actually verifiable and thus within knowledge to be incorrect, aimed at pushing a biased narrative, in the face of verifiable facts, as well as settled judicial decisions by the Apex Court
3. Though in the genre of internal correspondence within a political party grouping, yet you have chosen to make the same public. You have raised the issue of credibility of ECI and stated it to be at "an all-time low." You then made an anecdotal statement that how the ECI "perhaps" for the first time in history, delayed the release of final percentage of voting. Then you have cited, without being specific, "various media reports" which in your assessment has cast "a dark shadow on the functioning of ECI". You have used the so called "inordinate delay" in the release of final voting percentages alleging that this is creating serious doubt on the "quality of the data". In particular, you have stated that such a "high increment" of voting percentages in data, possibly raises an issue with the EVMs as well.
4. In the 6 questions, you have proposed to be asked to the Commission, you have sought clarification for the percentage increase in the final voter turnout. You have also linked the timing of the release of data with a possibility of the increase, coinciding with "constituencies where the ruling regime had not performed well in the 2019 elections". You have also then, gone on to allege that, cumulatively, these developments could be "an attempt to doctor the final results".
5. Before responding to your six questions in subsequent paragraphs, the salient features arising out of statutory / regulatory framework and extant procedure with respect to number of electors and voter turnout data is **stated upfront below:**
 - i. Political parties know constituency wise number of electors at every stage of electoral cycle as they are intimately involved in preparation of electoral roll.

- ii. Number of polling station wise electors, aggregated to constituency level, is available with every candidate and political party;
 - iii. There is no scope at all for any deviation with the number of votes polled as recorded in Form 17C, signed copy of which is made available to all contesting candidates on close of poll.
 - iv. On the day of counting, total votes polled in the EVM is tallied with the form 17C in the presence of candidates or their Agents. (Ref. Handbook for Returning Officers, 2023)
 - v. No instance has been brought to the notice of the Commission where:
 - a. Any contesting candidate of your party has not been provided with the copy of the electoral roll, after the date of withdrawal of nomination papers.
 - b. Form 17C, containing number of votes polled at PS, has not been provided to the candidates or their agents of any party or candidate on the day of poll itself, provided they were present at close of poll, in any of 283 parliamentary constituencies of phase 1, 2 and 3 , polling for which has been held so far in GE 2024 to Lok Sabha.
 - c. Any discrepancy noticed in the Form 17C provided for each polling station or voter turnout data published by the Election commission of India .
 - d. Any candidate, who has not been invited to attend and participate in the scrutiny of forms on next day to the poll.
 - e. Any Election Petition filed by your candidates in last three years based on any discrepancy in data and also details on success in such Election Petitions.
6. The very premise that voter turnout data was released late is devoid of facts as it has always been available on the Voter turnout APP. Commission has not changed the design or periodicity of displaying voter turnout data in any manner. Needless to add that polling station wise data of electors and voters is given to agent of the candidate on the day of poll itself at close of poll. The table at Annexure 1 as gleaned from the press conferences held or press notes released after polls, showing factual matrix of release of data across various elections, would testify that there is no unusual delay than what is required to collect data from large number of polling stations. As the **table 1**, cumulatively in a time series sense, will confirm that this is the general time run, which is required for this purpose.
7. As is evident from the table at Annexure 1, though there is no delay in release of data, still response to 6 questions raised by you, are given in Annexure 2 supported by Annexure 3, 4 which will state the facts and thus the blatant inaccuracies in your observations in a point-to-point rebuttal.
8. Commission respects your entitlement to ask questions about all aspects of conduct of election including about the release of the final voting percentages in phase 1 and phase 2 of the polls which appear to be the main subject of your letter, and welcomes you, as

always, to approach it for redressal of any complaints/ grievances. Commission remains firmly committed to its work procedure of responding with full transparency and full disclosures in all matters including the present one. Commission also takes in its stride all criticism that comes its way, many of which may be or have been without any basis. Commission hopes that your questions relating to the release of voter turnout data are fully addressed from the above replies and Annexures. However, you are welcome to seek further clarifications, if you so need. It is pertinent to mention that the Commission has recently taken a set of supplementary measures for further facilitation and wider dissemination of the voter turn out data , details of which are at **Annexure 6**.

9. While Commission outrightly rejects the allegation of the so called 'glaring mismanagement', yet pointwise response to your concerns on the subject, are still being provided (**Annexure 2**); much of which have already been clarified by the Commission in public domain including providing of additional facilitations for access to voting data by stakeholders of various needs. The response to your 6 questions and the Statutory / Regulatory framework governing the subject, as enumerated in para 5 to 7 will cumulatively show that the allegations made by you, as broadly captured, are unwarranted and reflective of a biased and deliberate attempt to spread confusion on credibility of the electoral steps as they unfold in the conduct of elections.
10. As a senior parliamentarian, a very seasoned politician, with experience of 52 years in electoral politics and electoral processes, and as the head of a prominent National Political Party, you must be aware that ECI follows the most transparent process of preparation of electoral roll and well designed and well tested participation of the political parties/candidates at every stage of the process, and thus the fact that all political parties know number of electors at every stage repeat at every stage of the election process. Still, the salient features of ECI's transparent policy under which political parties and candidates know the number of actual voters of each constituency are detailed at **Annexure 5**.
11. Commission has come to notice a design / pattern in creating false narrative during election period, which unfortunately appears to be continued by your letter. Commission finds it relevant to recall that on 1st June 2023, after careful examination, it had cautioned, a leader of your party Shri Randeep Singh Surjewala, also an MP, against spreading misleading rumors just hours ahead of the commencement of general elections to the Karnataka legislative assembly. He wrote on 8.5.23, just 2 days before poll day in Karnataka that :

"The concern arises from the fact that this Honorable Commission has deployed EVMs which were previously deployed for elections **in South Africa**. We have been informed of this by various sources including the fact all these EVMs have been received directly back from South Africa without going through the process of re-validation and re-verification by the appropriate software/mechanisms by the manufacturer i.e., Electronics Corporation of India (ECI) Ltd. as also certification by the ECI. This puts in serious doubt the entire validation process of the EVM itself"

12. Such letter was written to the Commission despite the specific knowledge that no EVM has come to India, leave alone Karnataka from South Africa. The entire list of first level check

(FLC) OK EVMs and VVPATs manufactured by ECIL, was in specific knowledge of the President of the Karnataka Pradesh Congress Committee. (Annexure 7) While reprimanding the Hon'ble MP by letter of the Commission dated 1st June, 2023 the matter was also brought to your notice as President of INC, (Annexure 8), with expectation that you will take remedial steps within the party. You have, however, omitted to take note of the fact that data of deployment/utilization of EVM and the voter turnout, by design, is a stack which is added up from below, i.e. polling station wise. Therefore, various forms designed under the Conduct of Election Rules, 1961, in particular Form 17 C, detail the votes polled and exact number identifying each EVM used and a copy of the same is made available to each of the authorized Polling Agents.

13. It is surprising, you have also chosen to make an innuendo that: "Is there an issue with the EVM." Commission notes that you, yourself, have chosen to indulge in utterances at this critical juncture with similar effect of discrediting election process and therefore, is being forced to find a pattern in such actions. A trend of irresponsible statements attacking or attempting to degrade the credibility of the elections in terms of men and material by a National Political Party is disconcerting.
14. Further, the basic building block of the data and the numbers are in the categorical possession of the INC through its field functionaries /candidates. The bonafides of any suspicion raised by you, should necessarily flow from data analytics that you may have undertaken using the available polling station data in your possession. In your statement, no such detail is available. Record also does not reflect that candidate fielded by INC and/or their authorised Agents; raised these concerns at close of poll or during scrutiny to the extent alluded by you. No repoll on these counts were sought or ordered. A clear divergence between actionable option not being exercised, if you believed your statements to be true, and, yet the statements being made, becomes manifest. Thus, your statements cross the realm of ill-founded apprehensions or anxiousness of the campaign or political space and enters in to the realm of specific and ascribable knowledge of facts and thus appears devoid of bonafide.
15. Utterances from President of National Political Party attacking the very credibility of the electoral steps and processes can have a negative impact on voter participation and can be seen as a means to deter an elector from exercising their franchise and/or demoralizing the huge number of election staff and machinery which is mainly drawn from the respective State Governments.
16. Commission fully respects the right to free speech and considers it to be the privilege of political parties and their leaders to correspond and communicate with each other. However, the Commission has a responsibility to act against developments which have a direct impact on delivery of its core mandate of conduct of elections in its entirety till delivery of results.
17. Commission wishes you to appreciate that your comments/ observations/ allegations given in the aforesaid post borders on vitiating the constitutionally mandated work of ECI. Through

innuendos and insinuations, the contents of the post, tend to create disharmony in respect of the delicate space of election management, can plant doubts in the mind of the voters and political parties and potentially creates an anarchic situation, when you said "could this be an attempt to doctor the final results?" which this Commission hopes, you do not have any intention of. Commission has faith that all stakeholders in Indian elections and most importantly the people of India will hold these observations of yours in equal contempt.

18. As you are also aware, during the election period, Commission scrupulously avoids commenting on political parties and takes the hard hitting of several public questions and accusations on its own shoulders as it believes in a respectful collaborative equation with all political parties, so critical for healthy Indian democracy. However, Commission has found your communication placed in public domain in the middle of the ongoing election process as highly undesirable and one that appears designed to create confusion / misdirection / impediment to the conduct of smooth, free and fair elections which is the mandate of ECI under the constitution.
19. Therefore, to uphold the integrity of the election process, in the face of an aggression on the vitals of live conduct of election coming from your statements, Commission categorically rejects your insinuations/ allegations and advises you to exercise caution and refrain in making such statements.



(Sumit Mukherjee)
Sr Principal Secretary

Annexure 1

Table showing release of poll day voter turnout in Lok Sabha 2019 and in 23 State Legislative Assembly Election held since 2020 vis a vis the updated turnout

Lok Sabha Election 2019	Poll Day Voter turnout % as given by Press Conference	Updated VTR* was always higher than poll day VTR given after gap of many days
Phase 1 April 11, 2019	11.4.19, day of poll of first phase - overall voter turnout figure was not given	April 18, 2019- Was given as 69.4 % (In PC after 7 days) Revised on May 6, 2019 as 69.5% (In PC) Further, revised on May 19, 2019 as 69.61% (In PC)
Phase 2 April 18, 2019	66%	Revised on April 23, 2019 as 69.43% (In PC after ~ 5 days)
Phase 3 April 23, 2019	66%	Revised on April 29, 2019 as 68.4% (In PC after ~ 6 days)
Phase 4 April 29, 2019	64%	Revised on May 6, 2019 as 65.51% (In PC after ~7 days)
Phase 5 May 6, 2019	62.56%	Revised on May 12, 2019 as 64.16% (In PC after ~6 days)
Phase 6 May 12, 2019	63.3%	Revised on May 19, 2019 as 64.4% (In PC after ~ 6 days)
Phase 7 May 19, 2019	61%	-
Assembly Election	Poll Day Voter turnout % (as per Press Note on ECI website)	Final State VTR as reported in Index Cards
Bihar 2020	Press Note not available	57.3%
Delhi 2020	Press Note not available	62.5%
Assam, 2021	Phase 1- 72.14 %; Phase 2- 73.03% Phase 3- 78.94%	82.4%
Kerala, 2021	69.95%	76.0
Puducherry 2021	77.9%	83.4%
TN 2021	64.92%	73.6%
WB 2021	Phase 1- 79.79% Phase 2- 80.43% Phase 3- 77.68% Phase 4: 76.16% Phase 5: 78.36% Phase 6- 79.09% Phase 7: 75.06% Phase 8- 76.07%	82.3%
Punjab 2022	Press Note not available	72.2%

Goa 2022	75.29%	81.9%
Manipur 2022	Press Note not available	90.3%
UP 2022	Phase 2- 60.44%	61%
UK 2022	59.37%	65.4%
Gujarat 2022	Press Note not available	64.8%
HP 2022	Press Note not available	75.8%
Meghalaya 2023	Not mentioned in press note	86.8%
Nagaland 2023	Not mentioned in press note	88.1%
Tripura 2023	80%	89.8%
Karnataka 2023	65.69%	73.8%
Chhattisgarh 2023	Phase 1- 60.92% Phase 2- 67.34 %	76.8%
MP 2023	71.11 %	77.7%
Rajasthan 2023	68.24%	75.3%
Telangana 2023	63.94%	72%
Mizoram 2023	69.78%	82.3%
Elections 2024	Poll Day VTR %	Updated Voter Turnout %
Phase 1, April 19, 2024	60% (7 pm) as reported in ECI press note 64% (12 midnight, as reported in some newspapers)	66.14 % as reported in ECI press Note
Phase 2 April 26, 2024	60.96% (7 pm) as reported in ECI press note 64.7% (12 midnight, as reported in some papers)	66.71% as reported in ECI press Note
Phase 3 May 7, 2024	61.45% as of 8PM on 07.05.2024 64.4% as of 11:40 PM on 07.05.2024 as reported in ECI press note	65.68% (10 pm on 08.05.2024) as reported in ECI press Note

Annexure 2

Response to six questions raised in the open letter.

Question-1:

On 30th April 2024, the Election Commission released the final voter turnout data for the first 2 phases of elections for the 2024 Lok Sabha. The data was released 11 days after the first phase of polling (19th April 2024) and 4 days after the Second Phase (26th April 2024). In this regard our first question for the Election Commission is - Why did the Commission delay the release of voter turnout data?

Question-2:

On earlier occasions the Commission has published voter turnout data within 24 hours of polling. What has changed this time? Why has the Commission failed to issue any clarification to justify the delay, despite being repeatedly questioned by political parties as well as political activists? Is there an issue with the EVMs?

Answer:

It is incorrect assertion about any delay and denied upfront. The Commission, on its own motion and to facilitate public at large, has created “**Voter Turnout App**” which is available in public domain for anybody to download where voter turnout of every PC (to the level of assembly segments/constituency), every State and every Phase of election are displayed live. The “**Voter Turnout App**” displays estimated approximate voter turnout on poll day every two hours (9:30 am, 11:30 am, 1:30 pm, 3:30 pm, 5:30 pm), then it displays live updation of estimated approximate voter turnout from 7:00 pm onwards till mid-night, as further reports are received from the field. The “Voter Turnout App” is largely a public facilitation measure and may be subject to usual issues of technical functionality at times.

Normally, after arrival of parties and scrutiny of documents by returning officers, in presence of all candidates and observes, about poll day proceedings, complaints and concerns, the returning officers proceed to update polling station wise exact voter turnout data. After complete data entry, the returning officers publish that data which is instantly visible on voter turnout app *updating approximate data* published till mid-night of poll day. This process takes P+1 or P+2 days depending on constituencies and arrival schedule of polling parties due to geographical and weather conditions (known to all candidates). This data may further gets updated for any constituency where repoll is being conducted, on conclusion of repoll and arrival of parties which is normally on P+4 days. Thus , there is no delay in publication of data for a constituency or a State on voter turnout application. Issuance of press note on 30th April 2024 was nothing but presenting the data already displayed and available in App live. It is thus not a delay.

Nothing has changed this time in the reporting system and hence no justification is required to be given. In fact, “Voter Turnout App” has been improved with new features,

like display of phase wise total voter turnout apart from Assembly segment wise, PC wise and State/UT wise voter turnout, so as to make more user friendly.

It may be noted that the Commission is not legally bound to publish any voter turnout data at aggregate level of a constituency, a State or in a phase of election because voter turnout is recorded at polling station level in statutory Form 17C which is prepared by the Presiding Officer and signed by polling agents of candidates present. Copies of Form 17C are shared with polling agents present immediately, as the strongest measure of transparency. So, candidates are aware and in possession of exact voter turnout data in absolute numbers even before it is known to ECI.

While preparing Form 17C, final voter count data as recorded in EVM are also entered in Form 17C which is signed by all polling agents and copy provided. It is clarified that EVM has nothing to do with voter turnout data sharing. EVM follows very strong and transparent administrative safeguards, well known to political parties and candidates.

It is very clear that such allegations are being made even without understanding content and intent of law on the subject and without appreciating the system already put in place by the Commission to provide voter turnout details without any delay, leave aside 24 hours delay mentioned. Needless to add that Table in Annexure I will reveal that it has been the consistent practice followed by the Commission

Question-3:

Now for the First Phase (102 Seats), the Commission said that as on 7pm on 19.04.2024, the estimated voter turnout was around 60%, while similarly for the Second Phase (88 Seats), the estimated voter turnout was around 60.96 % [All these figures were widely reported in the media]. Why is it that on 20.04.2024, the Commission's projected voter turnout for the First Phase was increased to 65.5% and on 27.04.2024, for the Second Phase the voter turnout data was to 66.7%. Finally, on 30.04.2024, the figures were confirmed at 66.14% for the First Phase and 66.71% for the second phase

Question:4

We ask the Commission - For the First Phase, why is there a near increase of ~5.5% in the final voter turnout from the date of conclusion of voting (at 7pm on 19.04.2024) to the delayed release of voter turnout data (On 30.04.2024)? For Second Phase, there is a near increase of more than ~5.74% in the final voter turnout from the date of conclusion of voting (at 7pm on 26.04.2024) to the delayed release of data (On 30.04.2024)?

Answer:

The facts presented are denied as incorrect and false. Assembly segment wise, PC wise and State/UT wise voter turnout data is available during all the three phases at Voter Turnout App continuously. Newspapers have actually reported turnout as per updation on

the App. As a sample, newspaper cuttings of Times of India are at Annexure 3, for Phase-1 (20th April) and at Annexure 4 for Phase-2 (27th April 2024) reporting voter turnout figure as 64% and 64.7% respectively.

Voter turnout data will definitely increase from 7 pm data due to following reasons:

- (i) There is always time lag in reporting of estimated data on poll day
- (ii) Voters continue to vote even after 6:00 pm in long queue at many polling stations and can be verified by actual close of poll time recorded.
- (iii) As polling parties arrive late night and report, data gets updated with actual numbers from Form 17C, replacing estimated voter turnout recorded on poll day, on P+1 day after scrutiny conducted in presence of candidates and observers, and even P+2 or P+3 day due to difficult geography and weather conditions.
- (iv) Repoll data gets updated on conclusion of repoll, if any.

Hence, design of the system is such that there will be uptick in data displayed on poll day and later, as explained above. Issuance of press note is mere conveyance of data already being displayed on "**Voter Turnout App**". Best source for anybody to get live aggregate voter turnout data at a constituency level or higher level is "**Voter Turnout App**", which reflected PC/AC wise data during all phases so far.

Question-5:

Apart from the delay, the voter turnout data released by the Commission does not mention crucial yet related figures, such as the votes polled in each Parliamentary Constituency and in the respective Assembly Constituencies? If the voter turnout data was published within 24 hours of voting along with the crucial figures, then we would have known if the increase (of ~5%) had been witnessed across constituencies? Or only in constituencies where the ruling regime had not performed well in the 2019 elections?

Answer-5:

The premise that there was an increase of 5 % is incorrect as stated in answer to Question 3-4. The PC wise data was available on Voter turnout App from poll day onwards. Uptick in voter turnout data is, hence, not malicious as being alleged but part of the standard operating procedure and has always been so as in Table at Annexure I. This is completely baseless allegation.

As explained earlier, candidates set up by political parties and independent candidates have all data, figures and details, including elector data and voter turnout data in much more details polling station wise, as provided in law and instructions of the Commission, as a strong measure of transparency and trust.

Moreover, since the data is now available even through press note, you may proceed to do analysis constituency wise to find out correlations as alleged.

Question-6:

Is it not true that, according to some media reports, the final registered voters list of the next phases has not been made public? Will the ECI be made answerable for this glaring mismanagement in basics in conducting the elections?

Answer-6:

Electoral roll is prepared for a constituency. Electoral roll of a PC is aggregate of electoral roll of assembly constituencies contained in a PC, according to the delimitation order. Changes continue to happen till last day of nomination for respective PC in each phase.

Electoral roll for each constituency is provided to recognized political parties free of cost and to other with cost every year after conclusion of summary revisions, apart from many concurrent interaction and consultations during process of updating electoral roll. The electoral roll provided to polling parties and used during poll process are also shared with the contesting candidates by the Returning Officers. The exact data of elector, votes polled is available with each candidate as per detailed statutory/ Regulatory framework envisaging involvement of political parties/ Candidates to know data about electors and voters during electoral cycle given in Annexure 5

There is no legal provision or system to share any aggregate data of electors by the Commission. However, the Commission has already released phase wise elector data through the press note and will continue to provide phase wise elector data for public at large for every phase.

Turnout touches 64% in Ph 1 of LS polls, against 66% in '19

A First: Polling Booths In 56 Bastar Villages

Bharti.Jain@timesgroup.com

New Delhi: The first phase of polling for the 2024 general election — covering the largest chunk of 102 Lok Sabha seats across 21 states and UTs — witnessed an encouraging turnout of 63.5% (as of 11pm), while remaining largely smooth and peaceful even in vulnerable areas like the Naxal-hit Bastar region and West Bengal that witnessed violence in the run-up. Incidents of violence were reported in Manipur.

The overall turnout for the 102 seats in 2019 was 66%, bar-



A voter flaunts her inked finger at a polling station in Kalamati village in West Bengal's Cooch Behar on Friday

HIGHEST TURNOUTS (as 7pm)

Tripura (1 seat)	81.5	Sikkim (1)	80
(81.9% in 2019)	(84.8%)		

LOWEST TURNOUTS (in %)

Bihar (4)	48.8	U'khand (5)	55.9
(53.6%)	(61.6%)		

DETAILS OF ALL STATES | P 20

CHHATTISGARH

67.6% (66.2% in 2019)

Barring an accidental grenade blast in which a CRPF jawan was killed & a Maoist IED explosion that injured an officer, polling peaceful in Bastar

ring delimited seats in Assam and Outer Manipur, a few assembly segments of which went to the polls in the first phase this time.

Defying summer heat almost all over the country and rain in J&K's Udhampur, people came out in large numbers despite talk of a low-key campaign. Sources said the turnout is expected to go up further, with long queues seen at many polling stations well after polling hours. As per rule, all voters who are queued up at the polling station when polling time ends are allowed to cast their vote.

"Election Commission has worked extremely hard over the past couple of years to make a smooth and peaceful Lok Sabha election a reality. The first phase turnout is very encouraging and should enthuse voters to come out in even higher numbers in the remaining phases," a senior EC functionary told TOI.

West Bengal, which has a history of poll violence and clashes between rival party workers, saw peaceful polling barring stray altercations in Cooch Behar. EC said none of these incidents had any effect on polling, as evident from the 79.4% turnout recorded across the three parliamentary constituencies of Alipurduars, Co-

och Behar and Jalpaiguri.

Tripura too saw incident-free polling with the voter turnout touching 81.5% and Sikkim logged 80%, while other states where turnouts soared beyond 70% included Manipur, Puducherry (78.3%), Meghalaya (74.5%) and Assam (73.4%). Udhampur saw polling of 67.9% despite rain and terror threats.

In Bastar constituency of Chhattisgarh, voters defied

threats from Left-wing extremists to clock a 67% turnout. As many as 56 villages in Bastar had polling booths set up for the first time in a Lok Sabha election. Like all turnouts put out on Friday, the one in Bastar remains tentative and is expected to go up further as polling parties return from interior areas and submit their reports.

► Turnout to go up, P 22

At 59.6%, Phase II voting in state much below 64.7% nat'l turnout

Vaibhav Ganjapure &
Mohammed Akhef | TNN

Chhatrapati Sambhaji Nagar/Nagpur: The second phase of polling for the Lok Sabha in the state saw 59.6% turnout in eight constituencies on Friday, a dip of 3.2 percentage points compared to the 62.8% in 2019 and 2.4 percentage points compared to the 62% in 2014.

Nationally, the second phase saw a turnout of 64.7%.

Across five constituencies in western Vidarbha and three in Marathwada, the blistering heat, snags in electronic voting machines and voter verified paper audit trail machines, and voter apathy contributed to a poor turnout. The Election Commission of India voter app showed a turnout of 53.5% till 5 pm, the lowest in the country, before climbing to 59.6% at 11 pm.

The five Lok Sabha seats that went to polls in first phase in the state had seen 62% voter turnout. Three more rounds of polling are to take place in the state on May 7, 13 and 20.

The second phase of pollingsaw the setting up of 17,867 polling centres for around 1.4 crore voters.

In the scorching sun, tem-

peratures soared to over 40 degrees Celsius, keeping voters indoors. Buldhana (40.5 °C), Akola (41.9 °C), Amravati (40.4 °C), Wardha (42.5 °C), Washim (42.4 °C), Nanded (41.2 °C) and Parbhani (42.2 °C) recorded some of the highest maximum temperatures.

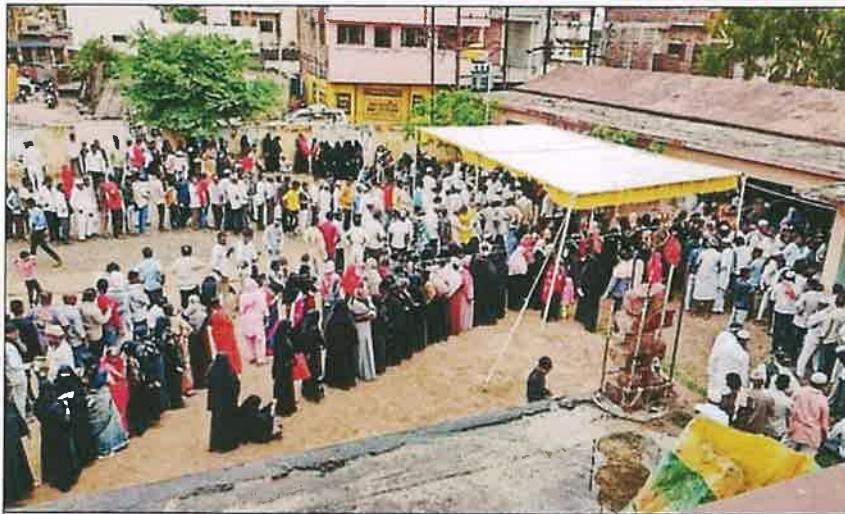
Humidity caused the real-feel temperature to increase. "In some pockets of Akola, the real-feel temperature could have gone up to 43 to 44 degrees Celsius on Friday, making the conditions extremely uncomfortable," an IMD official said.

The constituencies of Parbhani and Hingoli in Marathwada clocked over 60% turnout, going by information from the district collectors' offices and from district information officers at 6 pm.

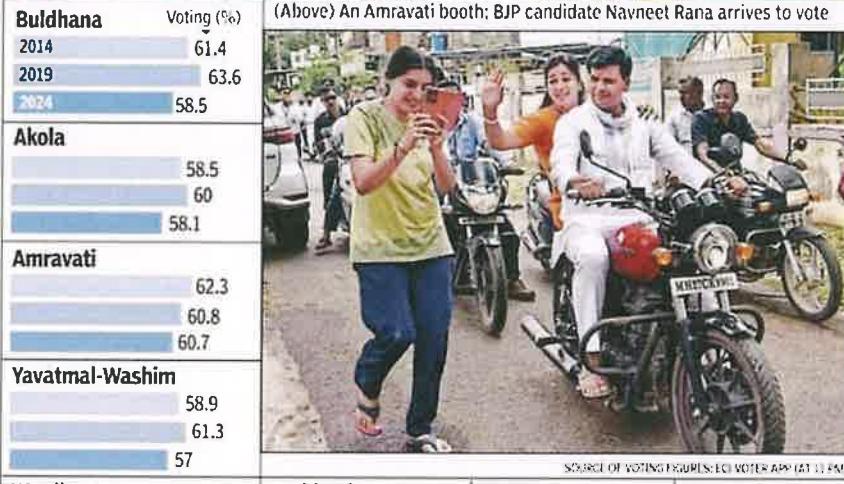
Amit Rajurkar, a resident of Nanded, said he voted early to avoid the heat.

Sunil Khardekar of Selu in Parbhani district said those who lived near the polling station wrapped up voting before 10 am while others coming from far away decided to vote

DAY TEMP ABOVE 40 °C KEEPS MANY INDOORS



(Above) An Amravati booth; BJP candidate Navneet Rana arrives to vote



SOURCE OF VOTING FIGURES: ECI VOTER APP (AT 11 PM)

66 The last one hour witnessed huge queues and all voters were accommodated even though voting ended at 7 pm. The final data will be delayed and will

be known only on Saturday. Until the 17A report comes in from presiding officer's report, we can only estimate the percentage
Kiran Kulkarni | STATE ADDL CHIEF ELECTORAL OFFICER

after 4 pm to escape the daytime heat.

"Peak afternoon hours saw fewer people, in ones and twos, due to the heat as well as many weddings in Selu on Friday," he said.

Reservation activist Manoj Jarange, recuperating in a private hospital in Chhatrapati Sambhaji Nagar, left in an ambulance to vote in Bori Gandhar in Parbhani. He told the community "to vote in a manner that all those against Ma-

ratha reservation should witness unprecedented defeat".

Hundreds of voters complained about missing names in the rolls.

The administration in Vidarbha had floated a token system to prevent inconvenience to voters, but it was not implemented at most booths.

In Hiwri village in Yavatmal district, polling officials allegedly halted the process for a lunch break, leaving voters waiting for over 30 minu-

tes in the sun.

State chief electoral officer S Chockalingam said the second phase of polls had a turnout almost similar to the previous years for the eight constituencies, though final figures tomorrow may be a little higher. "Although we expected more turnout the heat could be an issue for voters reaching late. Some parts witnessed rain too. The process of polling has been smooth in all the constituencies," he said.

Annexure 5

Statutory/ Regulatory framework envisaging involvement of political parties/ Candidates to know data about electors and voters during electoral cycle

- (i) Frequent and regular meetings (weekly meetings in poll-going States/UTs) with political parties at various stages of revision of roll at the level of CEO, DEO and ERO.
- (ii) Hosting of Draft and final electoral roll on the website of CEO/DEO and also displaying it at the designated polling station/office of ERO
- (iii) In accordance with the Rule 11 and 22 of the Registration of Electors Rules, 1960, copies of each separate part of draft and final electoral roll are provided free of cost to the recognized political parties.
- (iv) List of claims and objections is made public weekly every time.
- (v) Lists of all claims and objections are exhibited on the notice board of EROs.
- (vi) Copy of Electoral roll is also made available to the general public on payment of nominal fee.
- (vii) During continuous updation period, monthly pooling of lists of addition, deletion and modification are also published on website for the information of political parties and general public.
- (viii) In order to enhance participation of political parties at grass root level and to ensure transparency, recognized political parties are also provided with the facility of appointing their Booth Level Agents (BLA).
- (ix) Online search facility to elector to find their name in the electors roll and also to know their polling station through VSP (Voter Service Portal) and VHA (Voter helpline App)
- (x) No suo-moto deletion without issuance of notice and field verification.
- (xi) A copy of final electoral roll is also provided free of cost during elections to contesting candidates of recognized political parties by the Returning Officer in accordance with the Section 78A of the Representation of the People Act, 1951 and Rule 85 D of the Conduct of Election Rule, 1961, immediately after the withdrawal of candidatures.
- (xii) There is no change in the electoral roll thereafter and the same electoral roll is provided to the polling parties for use during polling process.
- (xiii) Further, marked copy of electoral roll, being carried by the polling parties, is also demonstrated to the polling agents before the commencement of poll at polling station.
- (xiv) Only statutory document to record voter turnout at a polling station is Form 17C. After the close of the poll, the Presiding Officer prepares an account of votes in the statutory form 17C . Form 17C are also signed by all the present Polling Agents.

- (xv) Statutory Form 17C records the voter turnout at the polling station in absolute number at the end of polling. Presiding Officer also provides to the Polling Agents an attested true copy of the part - I of Form 17C under Rule 49-S (2) of the Conduct of Election Rules, 1961, and obtain acknowledgement thereof. The whole process is delineated in Handbook for Candidates, 2023 and Handbook of Polling Agent, 2023 (available on ECI website at <https://www.eci.gov.in/handbooks-manuals-modelchecklist>).
- (xvi) While preparing Form 17C, Presiding Officer also collates and compares data of Form 17A (Register of Voters) and also with final total votes recorded in EVM. Differences, if any, are explained in Form 17C, as per statutory scheme.
- (xvii) No complaint related to non-observance of protocol such as copy of electoral roll not provided to political parties and candidates, or copy of Form 17C (accounts of votes recorded) not provided, has been received in the Commission from any quarters.
- (xviii) On the very next day of the poll, scrutiny of Form 17 A (Register of Voters) and other documents such as Accounts of votes recorded in Form 17 C, Presiding Officer's diary, Micro observer's reports, Sector Officer's visit Sheets, marked copy of electoral roll is done in the presence of candidates / their election agents by the Returning Officer, in special presence of Observer.
- (xix) All contesting candidates are given advance notice in writing under proper acknowledgement for them or their election agents/ authorized representatives to remain present for scrutiny of Form 17A and other documents.
- (xx) After scrutiny, all these documents are re-sealed in the presence of candidates or their election agents. The candidates/ their election agents are also allowed to affix their seals and put their signatures.
- (xxi) On the day of counting, total votes polled in the EVM is tallied with the form 17C in the presence of candidates or their Agents to eradicate even the slightest doubt, if any. (Ref. Handbook for Returning Officers, 2023)
- (xxii) Nothing in law provides or cast duty on Election Commission of India either to aggregate electoral roll data and voter turnout intermittently or in real time for a constituency, a state or a phase of an election or to publish any voter turnout on the next day of poll. Commission, on its own motion, has created voter turnout application to facilitate public at large to view intermittently (every two hours) estimated voter turnout on poll day.
- (xxiii) Returning Officers have time available till midnight to publish best possible estimated voter turnout. Due to late arrival of polling parties or difficult geographical or weather conditions, such updation till midnight can never be final. Voter turnout application displays best estimated voter turnout constituency wise and state wise on poll day.
- (xxiv) Normally, after arrival of parties and scrutiny of documents by returning officers, in presence of all candidates and observes, about poll day proceedings, complaints and concerns, the returning officers proceed to enter polling station wise exact

voter turnout data from Form 17C. After complete data entry, the returning officers display that data which is instantly visible on voter turnout app *updating approximate data* published till mid-night of poll day. This process takes P+1 or P+2 days depending on constituencies. Data of repoll gets updated after conclusion of repoll which may be normally P +4 days

Further facilitation measures regarding release of Voter Turnout figures from Phase 3 onwards

1. For the ongoing General Elections 2024, the Commission Voter Turnout App was already publishing State wise/AC wise/ PC wise voter turnout figures live starting from phase 1, as per the past practice followed in all past assembly elections. The live updated figures, which were already available in public domain, were also published in some papers the next day of poll.
2. However, from Phase 3 onwards, the Commission has also updated its Voter Turnout App to reflect aggregate phase wise Voter Turnout percentages live for each phase in addition to PC wise figures of voter turnout, which were ion any case available on the APP.
3. As a measure of enhanced transparency and proactive sharing of information, the Commission from third phase onwards in the ongoing General Elections, has already initiated publishing of approximate voter turnout figures twice on the poll day through a press note, which otherwise is already available in public domain through Voter Turnout App. It may be recalled that for phase 3, the Commission through its press note dated 07.05.2024 released Voter turnout data as of 8 pm and 11:40 PM on 07.05.2024.
4. Additionally, as mentioned in its press note dated 07.05.2024, the Commission will also release officially, the final turn out figures including gender wise turnout figures by 11.05.2024, after the updation exercise is frozen with completion of re-polls also, if any, during the third phase. Similar practice will be followed for subsequent phases to facilitate various stakeholders including media and political parties.



Office of the Chief Electoral Officer, Karnataka
Nirvachana Nilaya, Sheshadri Road, Bengaluru-560 001.

No. DPAR 36 CHUSA VI 2023

Date: 29-03-2023

To,

The President,
Karnataka Pradesh Congress Committee,
No.14, Queen's Road,
Bengaluru- 560 052.

Sir,

Sub: Request for the FLC-OK EVMs and VVPATs list for the upcoming Karnataka State Assembly election and request for not using faulty EVMs –VVPATs used in previous elections.

Ref: Letter of KPCC, Bengaluru.

With reference to the subject cited above and as per the request. I am directed to furnish herewith the following information for kind reference:

Sl. No	Information Sought	Remarks
1	Providing FLC-OK EVMs and VVPATs list photocopy to the KPCC	As per ECI Instructions, the photocopy of list of FLC OK EVMs & VVPATs is provided to the National and State Recognised Political Parties after the completion of FLC process at District level by the District Election Officer.
2	Please clarify if any of the faulty EVMs and VVPATs, which were sent to BEL and ECIL for repair as per your order dated 27 January 2022 are being used for the upcoming Karnataka assembly election 2023.	As per ECI Instructions, newly manufactured EVMs & VVPATs from ECIL, Hyderabad are being used for the ensuing Karnataka Assembly Election -2023.

Yours faithfully,

(V. Raghavendra)
Joint Chief Electoral Officer
D.P.A.R. (Elections).
29/3/23

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No. 51/8/C&S/2021/EDPS

Dated: 01st June, 2023

To

Sh. Randeep Singh Surjewala, MP
 [email add: officeofrssurjewala@gmail.com]

Subject: Reply of INC regarding ECI's letter in response to INC's Clarification regarding: concern of INC on use of such Electronic Voting Machines (EVMs) in the Karnataka Legislative Assembly Elections 2023 which were earlier deployed in South Africa elections. Need for INC to publicly expose such mischievous "sources"-reg.

Ref:

- i. INC's letter No. 0024A/Karnataka/2023, dated 08th May 2023
- ii. Commission's letter no. 51/8/C&S/2021/EDPS, dated 11th May, 2023
- iii. INC's letter dated 16th May 2023, sent via e-mail

Sir,

Kindly refer to your clarification referenced at (iii), in response to the Commission's letter referenced at (ii) by which the concerns raised just around 48 hours before the Karnataka poll were clarified by the ECI. You were also advised to publicly expose such mischievous "sources" and to bring them to justice to prevent such incidences of rumor mongering. For the sake of clarity, clarification and directions as contained in letter referenced at (ii) are reproduced below:

Para 2 of the letter referenced (ii)

- (i) In the first instance, ECI has never sent EVMs to South Africa for use in their elections,
- (ii) ECI never imported EVMs from any country whatsoever.
- (iii) The fact that EVMs are not used in elections in South Africa is easily verifiable through National and provincial elections Illustrated Booklet (English) on the website of Electoral Commission of South Africa.
- (iv) As such, there is no question of any machine being used by ECI in Karnataka Legislative Assembly election which had or could have been used in South Africa elections or for that matter anywhere in the world.
- (v) All EVMs to be used in Karnataka elections, 2023 are new EVMs from ECIL. This fact is in full knowledge of INC. The President, Karnataka Pradesh Congress Committee stood specifically informed vide letter no. DPAR 36 CHUSAVI 2023 dated 29.3.23 by CEO, Karnataka that:

- REPLY TO YOUR WRITTEN QUERIES
RECEIVED ON 10 MAY 2023 FROM INC
- (a) "As per ECI instructions, the photocopy of list of FLC OK EVMs and VVPATs is provided to the National and State Recognised Political Parties after the completion of FLC process at District level by the District Election Officer.
 - (b) As per ECI instructions, newly manufactured EVMs and VVPATs from ECIL, Hyderabad are being used for the ensuing Karnataka Assembly Election 2023."

Copy of the letter (duly received) is attached as Annexure.

- (vi) Whenever, EVMs are received at district warehouses from other State/District or Manufacturers, the process is video graphed and the representatives of National and State Recognized political parties are invited to witness it. All The district level representatives of all the National and State Recognized political parties, including INC were made aware of the place from where EVMs were received.

Para 8 of the letter referenced (ii)

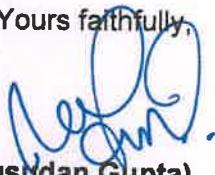
"The factual basis of the information provided by the "various sources" with regard to South Africa being clearly non-existent, categorically empower INC, being the entity targeted by the false information, to publicly expose such mischievous "sources". Further, you may ensure such rumour mongers are brought to justice, so that INC's longstanding reputation of a responsible stakeholder of Indian electoral system is not dented. "

2. It is regrettable that the letter of INC dated 08th May 2023 was written in spite of the fact that all recognized Political Parties, including INC, are always involved in all processes related to EVMs at every stage at every district/ constituency level according to well established procedures. In the first place, rather than getting misled grossly by certain 'sources', INC should have considered a basic fact check. It may be appreciated that raising aspersions and allegations, especially before 48 hours of polling, on the basis of outrageous rumors and hoaxes have the potential to vitiate the entire environment of elections. It may be appreciated that Political Parties, as important stakeholders, also share the responsibility of exposing such 'sources' so that necessary action may be taken to prevent any such malicious spread of disinformation and rumor about EVMs/VVPATs in future. Being one of the oldest National Parties, the Commission would have appreciated that such misinformation, hoaxes or myths were debunked and dispelled by the Party itself, rather than amplifying.

3. You may also like to appreciate that EVMs have completed 40 glorious years in Indian electoral system, a miracle that Indian election system has been able to create, with unbridled faith of all stakeholders. This faith emanates from the free, fair and unbiased election results from EVMs, including the result of recently held General Election to Karnataka Legislative

Assembly, truly representing the will of the people. Despite that, it is really disheartening and sad that such malicious disinformation from unknown "sources" catches attention and fancy of the political party of such stature. It was expected that after receiving the Commission's letter, a responsible political party like INC, would have realized that it was misled and given the malicious nature of such disinformation, should have taken appropriate steps against so called 'sources' who attempted to spread it. However, your response vide letter referenced (iii) doesn't mention any such steps having been taken. The response is found to be cryptic, inadequate and unsatisfactory. You are, hereby, advised to exercise due caution in future before believing in misleading rumors from such clearly dubious and frivolous sources.

Yours faithfully,



(Madhusudan Gupta)
Secretary

Copy to:

President,
Indian National Congress,
24, Akbar Road,
New Delhi - 110011