

Use of Electronic Voting Machine (EVM) in elections

FIRST LEVEL CHECKING OF EVM

[Ref: ECI letter dated 04/08/2010]

- First Level Checking of EVM is technical and physical examination of the machine by the engineers of the BEL/ECIL.
- **FLC when to be done** : Sufficiently in advance before every bye-election and General Election.
- FLC is to be completed before finalization of the list of contesting candidates in an election.

POLITICAL PARTY INVOLVEMENT

- DEO shall prepare a schedule for the FLC of EVM in consultation with the EVM manufacturers (ECIL or BEL) and the CEO of the State.
- Sufficient time should be available for FLC of EVMs by engineers.
- Schedule for FLC shall be communicated to every national and state level recognized political party in writing by the DEO at least one week before the beginning of the FLC in the district.

ATTENDANCE TO BE NOTED

- On the day of the FLC, representatives of all national and state level recognized political parties authorized by the District President of the party shall be allowed to be present.
- A register shall be kept by the DEO in which signatures of the representatives of all political parties present shall be taken every day as token of their presence (Annexure – A of the instruction dated 04.08.10).

ARRANGEMENTS FOR FLC

- FLC shall be carried out in a large hall.
- To accommodate officers nominated by the DEO, engineers of BEL or ECIL and also representatives of political parties.
- The hall for FLC shall be fully sanitized to ensure that the hall is free from any other electronic device or components of electronic devices.

- Every hall shall have a metal detector door frame and guarded by police force.
- Every person who enters the hall shall be frisked at every entry.
- Entry to this hall shall be on production of Identity Card of the authorized officials/passes issued by the District Election Office.
- Nobody will be allowed to carry any electronic device inside the hall including cell phones, camera and spy pens etc.

MANPOWER

- FLC shall be carried out only by authorized engineers of BEL and ECIL.
- List of engineers deputed by BEL and ECIL for carrying out FLC in a district alongwith their identity card numbers etc. shall be communicated in writing by BEL or ECIL to the DEO.
- No engineers, technicians or other technical staff except authorized engineers/technical staff of BEL or ECIL shall be allowed to enter the FLC hall.
- Authorized persons will be allowed to enter the FLC hall only after proper identification using photo identity documents.

WORK TO BE DONE IN FLC

- Removal of address tags, Ballot Papers, cleaning of superscriptions on CU & BU, clearing of earlier poll data, dusting of CU & BU etc.
- Visual Inspection of CU/BU: Physical verification of Carrying Cases, Control Unit, Ballot Unit, Connecting Cable, Connector, Latches etc. to ensure no breakages
- Full functionality checks: Checking of all switches in Control Unit & Ballot Unit, doors (flaps), sealing provisions, scratches on acrylic screen etc. Response of all switches, confirmation tests for efficacy of Control Unit, Ballot Unit etc.

- **BEL or ECIL engineers shall carry out test prescribed by the manufacturers to confirm that all components of the EVM are original.**
- **BEL or ECIL engineers will certify that all the components of the EVMs are original in Annexure-B of the instruction dated 04.08.2010.**
- **If any EVM is found to be defective, it will be kept aside and then taken to the factory of BEL or ECIL for repairs**

- Security personnel will not allow any equipment, other than prescribed by BEL or ECIL, to be carried into the FLC hall
- Casting of votes against all 16 candidate switches, observation of result & clearing of mock poll data will be done for each EVM.
- **In 5%** of EVMs randomly selected at least 1000 votes shall be polled during the mock poll. In rest of the machines number of votes polled during the mock poll should be to the satisfaction of the representatives of political parties

- Representatives of political parties shall be allowed to do the mock poll themselves.
- Signatures of the representatives of political parties shall be taken in a register as a token of having done mock poll themselves in Annexure – C of the instruction dated 04.08.2010.

Demonstration of printout of results

- A printout of the results of mock poll as well as a sequential print out of every vote polled during the mock poll shall be taken out for at least 5% of EVMs and shown to the representatives of political parties.
- Representatives of political parties shall be allowed to pick machines randomly for this purpose .
- Signatures of representatives of political parties shall be taken in a register as a token of having seen the print out and confirm that there is no discrepancies between the votes polled during the mock poll and results in the print out in Annexure-D of the instruction dated 04.08.10.

Sealing of plastic cabinet of Control Unit of EVMs

- In order to ensure that the Control Unit of the EVM has not been opened after First Level Checking of the EVMs, the Control Unit shall be sealed with the 'Pink Paper Seal' supplied by the Nasik Security Press in the presence of the representatives of the Political Parties present at the time of FLC.
- The Pink Paper Seal shall be affixed on the portion between the Candidate Set Section and the Result Section of the Control Unit.

- After fixing the Pink Paper Seal, the Engineer of the Manufacturer shall put his signature on the Pink Paper Seal.
- The representatives of the Political Parties shall also be allowed to put their signature on the said seal with party name in abbreviation below the signature.
- The representatives of the Political Parties present should be allowed to note down the serial number of the pink paper seal affixed on the Control Unit.

- A register shall be maintained to note down the serial number of the pink paper seal used on the Control Unit by clearly mentioning the unique ID number of Control Unit and the Pink Paper Seal number in Annexure – E of the instruction dated 04.08.2010.
- Signatures of the representatives of political parties will also be obtained on this register.
- Photocopy of this register will be given free of cost to all National and State level recognized political parties as soon as FLC is over.

- Photocopy of this register will also be given to all contesting candidates as soon as last date of withdrawal of candidatures is over.
- Photocopy of this register should also be available at the time of candidate setting and at the time of counting, and should be shown to candidates and their representative and acknowledgement taken on the register.

SUPERVISION OF FLC

- The DEO shall nominate one officer not below the rank of Additional District Magistrate to supervise the entire process of FLC.
- This officer shall be present in the FLC hall for the entire duration of FLC.
- The process of FLC shall be continuously videographed.
- Video CD will be kept in the custody of DEO.
- CCTV cameras shall be put in the FLC hall in such a manner that the process of FLC can be seen on CCTV in the office of DEO.

First Randomisation

- After FLC of EVMs, the first randomisation of EVM (BU & CU) to be done to allocate AC wise.
- This randomisation can be done in the EVM Tracking Software.
- The DEO to fix the schedule of first randomisation and inform the political parties to remain present.
- After random allocation of EVM for election, random allocation for training and awareness is to be done.

- Green colour sticker for EVMs for election clearly written 'Election' on the sticker.
- Yellow colour for training/awareness EVM and also written on the same as 'Training' or 'Awareness'.
- AC wise lists of random allocation of EVM for both 'Election' and 'Training/Awareness' are to be given to representatives of political parties by DEO.
- Care should be taken that in no case the EVMs found defective are included in this list.

- RO should take charge of his EVMs right from here and receive by checking the Unique Serial Number of EVMs from the list.
- Thereafter the RO to keep his EVMs in his strong room with due care that pink paper seals fixed on Control Units during FLC do not get damaged in any way. 24X7 security for this strong room to be provided.
- RO may allow the political parties to affix their seal on the lock of strong room where the FLC done EVMs are stored.
- The EVMs meant for training etc. should be handed over to the concerned officials.

Preparation of EVM by RO

After preparation of list of contesting candidates

[Ref: ECI letter, dated 19/01/2012]

- Preparation shall be carried out in a large hall which can accommodate all EVMs to be prepared and all personnel concerned.
- Entry to this hall shall be on production of Identity Card issued by the DEO.
- The hall should be sanitised – free from all electronic device (except devices carried by the engineers of EVM).
- Only one entry provided with metal detector door frame and guarded by the police.

- The Returning officer should fix the date of preparation of EVMs for poll (Candidate set) and intimate all candidates to remain present or send their representatives during the process.
- On this day second randomization should be done before doing the process of preparation of EVMs for polls and CUs and BUs should be randomly allocated to polling stations.
- After second randomization Polling Station number should be marked in the EVM tracking software, against those BUs and CUs which have been assigned to polling stations.

- Those BUs and CUs which have not been assigned to polling stations but are meant to be used in elections should be marked “Reserve” in the EVM tracking software.
- List of such EVM assigned to each polling station including reserve to be given to each candidate.
- In case more than one BU is needed, the additional BUs should also be allocated to each polling station randomly.
- In case the additional BUs are being arranged by CEO, these BUs should also be allocated randomly on arrival.

- BU shall be examined by BEL/ECIL engineers who will certify as in Annexure-3.
- If any BU is found defective, it will be kept aside and will not be repaired as repairing is strictly prohibited in the field.
- Casting of votes against all 16 candidate switches, observation of result & clearing of mock poll data will be done for each EVM. In 5 % (five percent) of EVMs randomly selected at least 1000 votes shall be polled during the mock poll. In rest of the machines number of votes polled during the mock poll should be to the satisfaction of the representatives of candidates.

- Representatives of candidates shall be allowed to do the mock poll themselves.
- Signature of the representatives of candidates shall be taken in a register in Annexure –4.
- Ensure that the pink paper seal fixed on the CU at the time of FLC is not damaged in any manner in this process.
- A sequential print out of every vote polled during the mock poll shall be taken out for at least 5% of EVMs and shown to the representatives of political parties. Representatives of candidates shall be allowed to pick machines randomly for this purpose.

- Signatures of representatives of candidates shall be taken in a register in Annexure- 5.
- Sealing of BU with thread and address tags should be done as per procedure.
- In addition, the BU shall be sealed with a special “pink paper seal”.
- After affixing the pink paper seal, BEL/ECIL engineer shall put his signature on the pink paper seal. Candidates or their representatives shall also be allowed to put their signatures on this seal with name of the candidate, party.

- A register in Annexure - 6 shall be maintained to note down the serial no. of the pink paper seal used on the ballot unit by clearly mentioning unique ID of the BU and pink paper seal no.
- Signatures of candidates and their representatives will also be obtained on this register.
- Photocopies of this register will be given free of cost to all candidates once preparation is over.
- Preparation shall be supervised either personally by the RO or one of the AROs under videography.

Dispersal of Polling Parties

- Check the serial numbers & Address tags on CU & BU & on their carrying cases.
- Check the seals put by Returning Officer on the Candidate Set section on CU and at the right top and bottom latch covers of BU and affixed Pink Paper Seal on CU & BU.
- Polling party should never open the seals put by Returning Officer on CU and BU.
- Switch on the CU and press 'Total' button' to verify that the CU is set for correct number of candidates.

- Check that the ballot paper is properly fixed.
- Check that the required candidate Buttons are unmasked (blue) and the other Buttons are masked (white)
- Seals of Balloting Unit should not be opened by polling party at any time
- Switch off the CU and pack it in its carrying case before taking it away to polling station.
- Also pack the BU in its respective carrying case

Tracking of Mock Poll

on day of poll

- The Returning Officer through the Sector Officers and using the communication link with the polling station/ mobile teams, shall track the conduct or otherwise of mock poll, and ascertain the mock poll status. Non-confirmation of mock poll could be indicative of non-commencement of poll and in that case the Returning Officer shall make immediate intervention to sort out the problem.

Conduct of Mock Poll

[Ref: ECI letter dated 19/01/2012]

- Mock poll shall be conducted normally one hour before the scheduled hour of commencement of poll.
- All contesting candidates should be informed in writing well in advance in this regard.
- Polling agents of at least two candidates should be present at the time of Mock Poll. However, if polling agents of at least two candidates are not present, the Presiding Officer may wait for 15 more minutes.

- If the agents still do not come, then the Presiding Officer may start the mock poll.
- Remove the Ballot Unit & Control Unit from their carrying cases.
- Connect Ballot Unit to Control Unit.
- Open back cover of CU and Switch “ON” power.
- Open “Result” section outer door and inner door of CU.
- Press Clear button of CU to show to the agents present that there are no votes polled.

- The mock poll should be conducted with the polling agents voting at random for each of the contesting candidates. A total of at least 50 votes should be polled in the mock poll.
- Keep an exact account of votes recorded for each candidate
- Presiding Officer will ascertain the result in the Control Unit in the presence of the Polling agents and confirm that the result is tallying with the votes polled in respect of each candidate.
- Thereafter, Presiding Officer will prepare and sign the mock poll certificate in the prescribed format as in Annexure -7 where pre-2006 EVMs or in Annexure-8 where post-2006 EVMs are being used.

- The Presiding Officers shall ensure that the data of the mock poll is deleted, without fail, before the actual poll starts.
- Micro-observer should also participate in mock poll process and sign the mock poll certificate.
- These proceedings should be videographed wherever videography arrangement has been made at a polling station.
- If any unit of the EVM found defective during poll process, the entire set of EVM (both BU & CU) should be replaced by new set of EVM (BU & CU).

- Again mock poll should be conducted on the new set of EVM (both BU & CU) before it is put to use.
- However, in this case, it would be sufficient to cast at least one vote each for each of the candidates.
- A new mock poll certificate should be recorded in such a case.
- Whenever any voter asks for help or expresses inability to vote using EVM, the presiding officer can explain to the voter the voting process using the cardboard model of the BU, supplied by DEO/RO in the presence of polling agents and never inside the voting compartment.

- In order to ensure that no voter has committed any mischief by pasting any paper, tapes etc., on the symbol/names/ballot button, the Presiding Officer may from time to time make an inspection of ballot unit (BU)- but he should make it a point to do so in the immediate presence of polling agents when there is no voter inside the voting compartment.
- At the time of closure of poll the Presiding Officer shall press the 'Close' button and make a note of the Poll end date and time displayed on the CU in the presiding officer's diary. And do the other prescribed procedures.

Collection Centre

- The machines shall be escorted back after the poll is over to the reception centers under proper escort. After all formalities are completed, the EVMs shall be kept in strong room and the room sealed in the presence of the candidates/their agents and Observer. They may affix their seals on the lock of storage room
- In case of re-poll, the EVM required for re-poll shall be drawn from the reserve list and the CU/BU number shall be informed to the candidates/agents in writing and also to be entered in the EVM Tracking Software.

Re-pollled EVM

- After re-poll the strong room shall be re-opened in the presence of the candidates/ their agents and Observer for the storage of the re-pollled EVM.
- This re-pollled EVM should be placed together with the old EVM which was used earlier in the original poll.
- A tag 'Not to be counted' shall be put prominently on the old EVM and another tag 'Re-pollled EVM – to be counted' shall be put on the new re-pollled EVM. RO shall put signature on both the tags.

Counting of Votes

- Before starting the counting in the EVM the unique ID number of the CU, the Unique ID number of the Pink Paper Seal and the unique ID number of Green paper seal should be verified from the record and shown to the polling agents.
- Poll start date and time and poll end date and time displayed on the CU should be verified from the record and shown to the polling agents.

- In case of any discrepancy in the date and time of start and end of poll displayed in the Control Unit with Indian Standard Time of start and end of poll, the difference will be compared with the date and time noted by Presiding Officer in the mock poll certificate.
- If the date and time difference at the time of mock poll does not match with the date and time difference of start and end of poll, the EVM will be kept aside and the matter will be referred to the Commission for its decision.
- On other hand, the difference of the discrepancy will be explained to the candidates/ representatives and the votes will be counted as usual.

- In case any CU does not display result due to not-pressing of “Close” button by the PO in the polling station at the close of poll, it should be kept back inside its carrying case and then be kept in the Returning Officer’s custody in the counting hall.
- Counting of votes in other machines should continue as usual.
- When counting of votes in other machines is completed, the Returning Officer and Observer should see whether the margin of votes between the first candidate and the runner up is more or less than the votes polled in such machine (s)

- In both the cases where the margin of votes is more or less than the total votes polled in that machine (s), the RO/Counting Supervisor shall press the “Total” button of the CU to see the total votes polled in that machine (s).
- In case, total votes polled in the machine (s) tallies with the total votes polled mentioned in the Form-17 C, the RO/Counting Supervisor shall press the “Close” button of the CU (s) so that “Result” button can be pressed for getting result data explaining the entire issue to the candidates/their authorised agents and recording a proceeding in this behalf with their signatures.

- In such a case, the RO and Observer should send a detailed report to the Commission in the format mentioned at Annexure-9.
- In case, total votes polled in the machine(s) does not tally with the total votes polled mentioned in the Form-17 C, the matter should be referred by the RO to the Commission for its decision.
- In such a case, the RO and Observer should also send a detailed report to the Commission in the format mentioned at Annexure-10, where the winning margin is more than the votes polled in the CU in question, and in Annexure-11, where such margin is less.

- In case any Control Unit does not display result, it should be kept back inside its carrying case and then be kept in the Returning Officer's custody in the counting hall.
- Counting of votes in other machines should continue as usual.
- When counting of votes in other machines is completed, the Returning Officer and Observer should see whether the margin of votes between the first candidate and the runner up is more or less than the votes polled in the malfunctioned machine (s).

- In both the cases where the margin of votes is more or less than the total votes polled in the malfunctioning machine (s), the RO should try to retrieve the result from this machine, with the help of engineers of BEL/ECIL, using Auxiliary Display Unit (ADU) in the presence of candidates or their election agents.
- If the result can be retrieved by using an ADU, the result of the election can be declared accordingly. In such a case, the Returning Officer and Observer should send a detailed report to the Commission in the format mentioned at Annexure-12.

- In case it is not possible to retrieve the result from the malfunctioning machine even by using ADU, then the Returning Officer should try to retrieve the result from the machine by taking a print out of the result with the help of engineers of BEL/ECIL.
- If the result can be retrieved by using a printer, the result of the election can be declared accordingly. In such a case, also the Returning Officer and Observer should also send a detailed report to the Commission in the format mentioned at Annexure-12.

- If the result from the malfunctioned machine can not be retrieved even by using printer, the matter should be referred by the RO to the Commission for its decision.
- In such a case, the RO and Observer should also send a detailed report to the Commission in the format mentioned at Annexure-13, where the winning margin of vote is more than the votes polled in the malfunctioned EVM, and in Annexure-14, where such margin is less.
- In no case the machine should be opened, or its outer or inner seals disturbed in any manner. There should be no attempt to repair the machine as it is strictly forbidden.

- After completion of counting, all the Control Units whether result has been retrieved from it or not should be kept back inside their respective carrying cases. The carrying cases should then be sealed once again.
- The Returning Officer and Observer should put their signatures on the seal.
- All candidates and their election agents should also be allowed to put their signature on the seal.
- The Control Unit should be then kept in the strong room (s).

Thank You