

**GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA**

UNSTARRED QUESTION NO:3357
ANSWERED ON:10.12.2009
CHANGES IN ELECTRONIC VOTING MACHINES
Lal Shri Kirodi

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether the Rajasthan High Court has directed the Election Commission to consider the representation received by it regarding changing of electronic voting machines;
- (b) if so, the reaction of the Election Commission in this regard; and
- (c) the steps taken by the Government to ensure the secrecy/safety and proper functioning of these machines?

Answer

MINISTER OF LAW AND JUSTICE (DR. M. VEERAPPA MOILY)

(a): The Election Commission has intimated that no Orders or Directions regarding Electronic Voting Machines have been received from the Rajasthan High Court.

(b): Does not arise.

(c): A Statement specifying the steps taken by the Election Commission to ensure the secrecy/safety and proper functioning of these machines is laid on the Table of the House.

Statement referred to in reply to part (c) of the Lok Sabha Unstarred Question No. 3357 for the 10th December, 2009

The steps taken to ensure the secrecy/safety and proper functioning of Electronic Voting Machines (EVMs)

The following Administrative measures and safeguards are taken to ensure the secrecy/safety and proper functioning of the EVMs.

During non-election period, the EVMs are kept in the custody of the District Election Officer.

Preparatory to the elections, the EVMs undergo a first level checking. Every aspect of EVM's functionality is checked by the Bharat Electronics Limited/Electronics Corporation of India Limited (manufacturers) engineers and serviced.

To provide further confidence and comfort, two level randomization of EVMs is done with the involvement of political parties, candidates and their agents for the random allotment of the EVMs to various constituencies and subsequently to various polling stations.

After the list of candidates is finalized (after withdrawal of candidatures), EVMs are prepared for poll. Preparing the EVMs for the poll involves setting the control units and ballot units in the presence of the candidates/their agents, provision for various thread seals and paper seals and protection against any unauthorized access to the EVMs after preparation.

Thereafter, the EVMs are put in a storage/strong room in the presence of the candidates or their agents and the room is sealed in their presence. Candidates/their agents are also authorised to put their seals/locks on the storage/strong room.

On the day of departure of polling parties for the poll day, EVMs are taken out from the storage/strong room in the presence of the candidates or their agents and the Commission's Observers.

Before actual poll, mock poll is conducted at the polling station in presence of the polling agents to ensure and demonstrate the correct functionality of the EVM. A written certificate is given by the Presiding Officer and the polling agents who participated in the mock poll.

After this, control unit is sealed by thread and paper seals and the polling agents of the candidates are authorised to put their signatures on such paper seals.

At the poll the voter is first identified, serial number of the voter is entered in the Register of Voters (Form 17A), his/her signature obtained in the said Register of Voters, and the particulars of identification documents are noted therein. Thereafter, indelible ink is marked on the index finger of the left hand of the voter.

At the next table, the indelible ink mark is verified by the Polling Officer/Presiding Officer. Thereafter, the Polling Officer/Presiding Officer enables the Ballot Unit (kept behind a screen in the voting compartment) by pressing `Ballot Button` on the Control Unit. Thereupon, a Ready Lamp (Green Colour Light) goes `ON` in the Ballot Unit kept inside the voting compartment. The voter then proceeds to the Voting Compartment where the Ballot Unit is kept and votes there in secrecy.

The Ballot Unit has a conventional Ballot Paper (with names and symbols of the contestants) displayed and secured under a transparent protective cover. Alongside the ballot paper placed in the ballot unit, there is a candidate`s button next to each candidate`s symbol. The voter presses the blue button (`candidate`s button`) on the ballot unit against the Candidate/Symbol of his/her choice. Immediately, a light adjacent to the blue button glows `red` followed by a long beep sound, indicating that the vote has been recorded for that candidate.

After conclusion of poll, the control unit is closed for poll by pressing the `close` button after which no further vote can be recorded in the machine. The EVM is then sealed further and candidates/their polling agents also allowed to put their seals thereon.

These are then escorted back to the strong room. On their way back to strong room, the polling agents have a right to accompany and escort the EVMs. The ECI facilitates this.

The EVMs are put into the strong room under full video coverage and in the presence of the candidates and their agents as well as the Observers of the Commission.

The candidates/their agents have a right to put their own seal on the lock of the strong room or even to put their own lock on it.

The candidates are allowed to guard the strong room, where the EVMs are kept, round the clock, and DEO/RO makes basic arrangements where needed for such guard parties to stay.

On the counting day, again the seal of the EVM strong room is opened in the presence of the candidates or their agents and the EVMs taken out to the Counting Tables.

After the counting, EVMs are put back into the strong room in the presence of candidates/their agents.