

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No. 51/8/7/2015-EMS

Dated:4th February, 2015

To

The Chief Electoral Officer
NCT of Delhi,
Delhi.

Subject: Instructions on the use of EVMs – redressal of complaint reg.

Sir,

In continuation of the Commission's instruction of even number dated 2nd February, 2015, I am directed to state that if there is a complaint from any voter on malfunctioning of EVM at the time of polling and the Presiding Officer after diagnosing the nature of complaint is of the view that a 'test vote' is necessary to be cast to verify the complaint, the Presiding Officer shall obtain a written complaint from the elector as to the allegation, after warning the elector about the consequence of making a false complaint. For this purpose, sufficient sheets of plain paper should be made available to the Presiding Officer.

(2). If the elector gives the written complaint referred to above, 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 verify the complaint.

(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.

(4). If, however, the allegation is found to be false and it is found that the EVM is working absolutely fine then, in respect of the test vote recorded by the elector mentioned above, 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".

(iv) at the time of counting of votes, the number of such 'test votes', if any, shall be deducted from the tally of votes of respective candidate(s) for whom such votes have been cast. Such discarded votes shall be shown as 'rejected votes' in Part-II of Form 17C and Form 20, with similar remarks.

Yours faithfully,

(K.N.BHAR)
SECRETARY