

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi –110 001

No. 576/3/EVM/ECI/LET/FUNC/JUD/SDR/Vol-II/2017

Dated: 3rd October, 2017

To,

The Chief Electoral Officer's

1. Punjab
2. Kerala

Subject: -Bye-Elections to the House of the People and State Legislative Assembly, 2017 – Use of Electronic Voting Machines and VVPAT.

Sir,

I am directed to forward herewith the Commission's Direction bearing No. 576/3/EVM/ECI/LET/FUNC/JUD/SDR/Vol-II/2017, dated 3rd October, 2017, issued in pursuance of Section 61A of the Representation of the People Act, 1951, specifying **1-Gurdaspur Parliamentary Constituency in Punjab and 41-Vengara Assembly Constituency in Kerala**, as the Constituencies where giving and recording of votes at the current bye-elections to the House of the People and State Legislative Assembly, **notified on 15-09-2017** shall be by means of Electronic Voting Machines. The Commission has also specified that in the aforesaid Constituencies, a Printer with a drop box shall be attached to all voting machines being used in the said constituencies for printing Paper Trail of the vote. The Direction may be published in the Official Gazette of the States immediately and two copies of the Gazette may be forwarded to the Commission for its information and record.

2. I am further directed to invite your attention to the rules 49A, 49B, 49P and 49T(2) of the Conduct of Elections Rules, 1961, relating to the designs of voting machines, form and language(s) of the ballot paper on the balloting unit, design and language of tendered ballot paper and the manner of sealing of voting machines after the poll. The related instruction in this regard contained in Chapter-XI, 'Postal Ballot Papers and Ballot Papers for Voting Machines', of Returning Officers' Handbook, 2014 edition may kindly be followed. Attention is also invited to the instructions regarding use of VVPAT system and sealing of the paper slip after counting is completed.

3. The above mentioned instructions may be brought to the notice of the Returning Officers of the Constituencies concerned for their information and compliance.

4. The aforesaid decision of the Commission may also be given wide publicity.

5. As regards counting of votes, your attention is invited to the provisions of rules 50 to 54A, 60 to 66A and 55C to 57C of the Conduct of Elections Rules, 1961, and also the Commission's detailed directions and instructions relating to counting of votes as contained in Chapter XV of the Returning Officers' Handbook, 2014 (where EVMs are used) and the other supplementary instructions issued on the subject, from time to time. The Returning Officers should be instructed to follow the said directions and instructions scrupulously.

6. Kindly acknowledge receipt.

Yours faithfully,



(Abhishek Tiwari)
Section Officer

To be published in the Gazette
Of India, Part-II, Section 3(iii)
Immediately.
To be republished in the State
Government Gazette Immediately..

ELECTION COMMISSION OF INDIA
Nirvachan Sadan, Ashoka Road, New Delhi – 110001.

Dated : 3rd October, 2017.

DIRECTION

No.576/3/EVM/ECI/LET/FUNC/JUD/SDR/VOL-II/2017:- Whereas, Section 61A of the Representation of the People Act, 1951, provides that 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 of India may, having regard to the circumstances of each case, specify; and

2. Whereas, as per the proviso to rule 49A of the Conduct of Elections Rules, 1961, a Printer with a drop box of such design, as may be approved by the Election Commission of India, may also be attached to voting machine for printing a paper trail of the vote, in such constituency or constituencies or parts thereof as the Election Commission of India may direct; and

3. Whereas, the Commission has considered the circumstances in **1-Gurdaspur Parliamentary Constituency in Punjab and 41-Vengara Assembly Constituency in Kerala** in which bye-elections are currently in progress, and is satisfied that sufficient number of Electronic Voting Machines and Printers for Paper Trail are available for taking the poll in the abovementioned Parliamentary and Assembly Constituency, the polling personnel are well trained in efficient handling of the Electronic Voting Machines and Printer for Paper Trail and the electors are also fully conversant with the operation of the Electronic Voting Machines and the said Printers;

4. Now, therefore, the Election Commission of India, in exercise of its powers under the said Section 61A of the Representation of the People Act, 1951,, and rule 49A of the Conduct of Elections Rules, 1961, hereby specifies **1-Gurdaspur Parliamentary Constituency in Punjab**

and 41-Vengara Assembly Constituency in Kerala as the constituencies in which the votes at the current bye-elections to the House of the People in Punjab and State Legislative Assembly of Kerala from the said constituencies, notified on 15.09.2017, shall be given and recorded by means of Electronic Voting Machines and Printers for Paper Trail in the manner prescribed, under the Conduct of Elections Rules, 1961, and the supplementary instructions issued by the Commission from time to time on the subject.

5. The Commission also hereby approves the design of the Electronic Voting Machine and the Printer with the drop box as developed by the Bharat Electronics Ltd., Bangalore and Electronics Corporation of India Ltd., Hyderabad, which shall be attached to the said voting machines, to be used for the giving and recording of votes in the above said Parliamentary and Assembly Constituency.

By Order,



(N.T. BHUTIA)
SECRETARY