

EVM Challenge By Election Commission of India

Certain political parties have cast aspersions on the credibility and integrity of EVMs that were used in the recently held General Assembly Elections of five states namely Punjab, Goa, Manipur, Uttarakhand and Uttar Pradesh in Feb- Mar 2017. Some representations were also received on the same subject. Election Commission of India sought evidence from the complainants. No evidence has been received by the Commission. Thereafter, a meeting with all National and State Recognised Political Parties was held on 12 May 2017 to explain in details and clarify the technical and administrative protocols of ECI as used during the complete electoral process and that make ECI EVMs non-tamperable.

Now, Election Commission of India invites the nominees of National and State Recognized political parties, who contested and claimed that the EVM machines held under the ownership of Election Commission of India and used in the recently held General Assembly Elections of five states namely Punjab, Goa, Manipur, Uttarakhand and Uttar Pradesh in Feb-Mar 2017 were tampered or that these could be tampered even under technical and administrative safeguards of ECI, to demonstrate this claim at the ECI Headquarters within the framework of the extant administrative and security protocols prescribed by the Commission.

Salient features of the EVM Challenge of the Commission are as follows:

Challenge Statement I:

That the EVMs used in the General Elections to five States-2017 were tampered to favour a particular candidate/political party by altering the results stored in the EVMs after the polls. The claimants will hence have to alter the results in the Control Units used during these polls in exactly the same scenario as the EVMs remain in within the technical and administrative safeguards of ECI after the poll, i.e. during the storage in strong rooms or during counting, through

- a. using press of combination of keys on CU or BU or BOTH, or
- b. by communication to CU or BU or Both via external wireless/Bluetooth/mobile phone etc because machines during storage remain sealed.

Challenge Statement II

That the EVMs used in the General Elections to the five States-2017 were tampered before or during the poll day. The claimants will hence have to alter the results in the EVMs used during these polls in exactly the same scenario as the EVMs remain in within the technical and administrative safeguards of ECI before the poll, i.e. during the storage in strong rooms or during the poll, through

- c. using press of combination of keys of CU or BU or Both, or
- d. by communication to CU or BU or Both via external wireless/Bluetooth/mobile phone etc.

Common Procedure for Challenge I and Challenge II

1. The EVM Challenge is open for participation from the National and State Recognized Political Parties only which participated in the five States' Assemblies Elections viz. Goa, Punjab, Manipur, Uttarakhand and Uttar Pradesh.
2. Each National and State Recognized Party intending to participate may nominate a maximum of 3 persons only to participate in the EVM Challenge. Each Party shall intimate the names of **maximum 3 authorized persons**, if any, who wish to accompany the chosen EVMs from the Warehouses to the Commission at New Delhi during transportation at their own cost.
3. The Political Parties willing to participate in the EVM Challenge must mandatorily confirm their interest to ECI **by 5.00 pm on 26 May 2017** through the email **(evmchallenge@eci.gov.in)**, wherein the details of the Nominated members must be furnished as per the prescribed Proforma. Only those Political Parties, which respond by 5.00 pm on 26 May 2017 with the ECI, shall be allowed to participate in the EVM Challenge. The response of the political parties shall mandatorily be made on the official letter-head of the party duly signed by the President or General Secretary of the political party concerned, which shall be scanned and emailed to the email id above.
4. Further, if the Nominees of any Political Party, to whom a Challenge date-time Slot has been allotted, fail to report at the designated time and venue without prior intimation or approval, shall forfeit their right of participation in the EVM Challenge.
5. Each Political Party will be allowed to choose a maximum of 4 EVMs of their choice from any 4 Polling Stations out of the five poll-gone States. Example: Maximum of 4 EVMs only from 4 Polling Stations can be chosen, either from 1 AC or from multiple ACs in a State or from any of the 5 States. It is clarified that any EVMs involved in EP (Election Petition) or those under any sealing by the orders of a competent Court, shall not be part of this EVM Challenge. If a Political Party does not wish to specify a particular EVM but wants ECI to provide any EVM of Commission's choice, then the same should be intimated by **26 May 2017**.
6. The choice of the EVMs shall be emailed (**evmchallenge@eci.gov.in**) in the prescribed proforma by **5.00 pm on 26 May 2017**.
7. The chosen EVM machines, including Control Units (CU), Ballot Units (BU) (one or more as deployed) and VVPAT (wherever deployed) shall be brought to the ECI at New

Delhi, on as-is-such basis, in compliance of the extent of established protocol of ECI regarding opening of EVM strong-rooms/warehouse and EVM transportation.

8. The representatives of the Political Parties at State Level are at liberty to witness the opening of EVM Strong-rooms at the District/AC level where the EVMs are presently stored, inspect the machines for the various seals (as in protocol) and accompany the machines during their transportation to ECI in sealed trunks, if they so desire.
9. As these EVMs were used in the recently held elections and were stored post-counting, the EVMs would still have the candidate setting and the result of the said election.
10. The results of the machines as recorded during the counting in the previous elections shall be available in paper form also, having details like total votes polled and votes cast for each candidates etc.
11. A Challenge Slot of 4 Hours shall be allotted to each participating Political Party, wherein their registered nominees shall be given access to one of their chosen EVMs (CU+BU + VVPAT if deployed) for the purpose of PROVING the Challenge Statement 1 and 2. In case the first chosen EVM is in-operative as a result of transportation, then the second of the chosen EVM shall be allowed to be used for the challenge and so on. However, if a Political Party desires to avail of more time, the request shall be made in writing to the Commission, which shall decide the issue on merits and demands of reasonability.
12. The nominees may before proceeding for challenge if they want, check the result of previous election already stored in CU and verify that these are same as given by ECI in item 10 above as per ECI protocol of declaring results from CU. This step is optional and will be recorded if they opt for it in writing. The result of re-count also will be recorded.
13. The Nominees of the participating Political Parties shall be allowed the following methods on the Challenge EVMs to prove the challenge:
 - a. Pressing any sequence of buttons on the CU or BU or Both.
 - b. The use of any external wireless/Bluetooth/Mobile Phone device/Transmitter.
14. All Key Presses made by the Challenger shall be declared prior to the actual execution of key presses and these will manually recorded by the ECI Counter Staff for keeping a “written record of exact process of conduct” of the “challenge proving” poll. In case the challenger wishes to use mobile or blue tooth during poll, he should inform the Election officials and this should also be recorded. This is especially relevant, in case the Challenger wishes to conduct any mock poll or full poll by either by use of key presses or mobile phone / blue-tooth during his tamper attempt to prove the Challenge Statements.
15. All Key Presses shall be made in clear and unhindered view of the ECI Counter Staff and the recording Cameras and made with a Specially Designed Presser, so as to avoid any confusion or ambiguity in the key presses made by the Challenger using his fingers.

16. **Visual Inspection:** EVMs can be opened and visually inspected during Challenge-II as this is allowed during First Level Check (FLC). However, EVMs cannot be opened during Challenge- I as EVMs are always kept sealed after the Poll.
17. During the Challenge period, a representation on any dispute or interpretation issue pertaining to the Challenge can be filed by the participants with ECI Officers. The decision of the ECI Officer In-charge shall be final.
18. The EVM Challenge shall be organized from **03.06.2017 onwards** at **7th Floor, Nirvachan Sadan, Ashoka Road, new Delhi.**

Challenge Conclusion:

1. The Challenger under Challenge - I shall be deemed to have "FAILED" if:
 - a. The EVM becomes non-functional after the tamper attempt made by the Challenger. (Reason: ECI EVMs are designed to go into error mode if any unwarranted technical operations are conducted rather than recording any wrong results).
 - b. The EVM is functional and results displayed on the CU after conduct of challenge attempt are the same as ECI declared results stored on the chosen CU (prior to the pressing of CLEAR Button).
 - c. If the Challenger violates any of the guidelines prescribed for the EVM Challenge.
 - d. The challenger withdraws from current challenge.
2. The Challenger under Challenge - II shall be deemed to have "FAILED" if:
 - a. The EVM becomes non-functional after the tamper attempt made by the Challenger. (Reason: ECI EVMs are designed to go into error mode if any unwarranted technical operations are conducted rather than recording any wrong results).
 - b. The EVM remains functional and after erasing the earlier stored result, a mock poll or full poll is conducted by the Challenger along with his challenge attempt and manually recorded votes(by ECI staff) are the same as that stored on the chosen CU after the said mock/full poll.
 - c. If the Challenger violates any of the guidelines prescribed for the EVM Challenge.
 - d. The challenger withdraws from current challenge.