

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi 110 001

K.N. Bhar
Secretary

No.51/8/16/4/2010-EMS

Dated: 4th August, 2010

To,

1. Chairman-cum-Managing Director
Bharat Electronics Limited,
Nagavara, Outer Ring Road,
Bangalore-560045,
Karnataka.
2. The Chief Electoral Officer,
Bihar, Patna.
3. Chairman-cum-Managing Director,
Electronics Corporation of India Limited,
Hyderabad-500015,
Andhra Pradesh.
4. The Chief Electoral Officers of all States and Union Territories (except Bihar).

Sub: Protocol for First Level Checking (FLC) of EVMs.

Sir,

In consolidation of all instructions issued by the Commission on FLC, following instructions are hereby issued for the protocol to be followed in FLC: -

1. FLC when to be done.

FLC of EVMs shall be done before every bye-election and General Election. It will be done sufficiently in advance so that all checks are carried out without any undue haste in the presence of representatives of political parties. FLC of EVM shall be completed, in any case, before finalization of the list of contesting candidates in an election.

2.

FLC to be done in the presence of representatives of political parties.

Depending on the number of EVMs to be checked in FLC, the DEO shall prepare a schedule for the FLC of EVM in consultation with the EVM manufacturers (ECIL & BEL) and the CEO. The schedule will be made in such a manner that sufficient time is available for FLC of EVMs by engineers of manufacturers. The 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. 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 Annexure –A in which signatures of all political parties shall be taken every day as token of their presence.

3. Arrangements in the premises of FLC.

FLC shall be carried out in a large hall which can accommodate EVMs to be checked. The hall should be able to accommodate officers nominated by the DEO, engineers of BEL and ECIL and also representatives of political parties. Before the hall is used for FLC, it shall be fully sanitized to ensure that the hall is free from any other electronic device or components of electronic devices. Every entry to the hall shall be guarded by police force. Every hall shall have a door frame, metal detector. 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 Officer. Nobody will be allowed to carry any electronic device inside the hall including cell phones, camera and spy pens etc.. Similarly, nobody will be allowed to carry anything out of the FLC hall.

4. Manpower in FLC.

FLC shall be carried out only by authorized engineers of BEL and ECIL. BEL and ECIL shall be fully responsible for the integrity, efficiency and competence of their engineers. 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 and ECIL to the DEO. No engineers, technicians or other technical staff except authorized engineers/technical staff of BEL and 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.

5. Work to be done during FLC.

At the time of FLC, the following shall be done:-

- a) Removal of address tags, Ballot Papers, cleaning of superscriptions on CU & BU, clearing of earlier poll data, dusting of CU & BU etc. These activities are carried-out in the secured place/protected place provided by the District Election Officers.

- b) Visual Inspection of CU/BU: Physical verification of Carrying Cases, Control Unit, Ballot Unit, Connecting Cable, Connector, Latches etc. to ensure no breakages.
- c) 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 and ECIL engineers shall carry out test prescribed by the manufacturers to confirm that all components of the EVM are original. BEL and ECIL engineers will certify in Annexure-B that all the components of the EVMs are original. If any EVM is found to be defective, it will be kept aside and then taken to the factory of BEL and ECIL for repairs.** No repair of the machine shall be carried out in the field. Opening of the plastic cabinet cover of the machines is not permitted in the field. Changing of components of the machines in the field is strictly prohibited. Detailed step-by-step instructions of checking of the machine shall be issued separately by BEL and ECIL for their respective machines. These instructions will include a list of equipment, which the engineers will be required to carry with them in FLC hall. Security personnel will not allow any other equipment to be carried into the FLC hall.
- d) Conduct of Mock Poll: Casting of votes against all 16 candidate switches, observation of result & clearing of mock poll data will be done for each EVM. In **10% percent** of EVMs 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 representatives of political parties shall be taken in a register in Annexure –C as a token of having done mock poll themselves.
- e) 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 10% 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 in Annexure-D 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.

6. Sealing of plastic cabinet of Control Unit of EVMs with pink paper seal.

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 in Annexure – E 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. Signatures of 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 candidature 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.

7. 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.

8. Copy of the letter should be given to all National and State level political parties. Copy of this letter should also be given to all the contesting candidates after the last date of withdrawal of candidatures in any elections.

Yours faithfully,

(K.N. Bhar)

Annexure-A
(Register for First Level Checking of EVMs)

Name of State/UT:

Name of District:

Address of FLC hall:

Date:

S.No.	Name of National/State Party	Name of representative of political party with party affiliation	Identity document No. with date	Signature of representative	Remarks, if any.

Note: If the representative of a party is absent the proof of due service of notice to the party should be pasted in the register.

(Name and signature of engineers of BEL/ECIL with ID No.)

(Name, designation, signature of officers nominated by District Election Officer)

Annexure-B
(Certification of EVMs by BEL/ECIL)

Name of State/UT:

Name of District:

Address of hall:

Date:

It is certified that tests prescribed by BEL/ECIL to ascertain that all components are original were carried out on the EVMs listed below on..... (date). On the basis of these tests it is certified that all components of the EVMs listed below are original.

CU Identification No.

BU Identification No.

<u>CU Identification No.</u>	<u>BU Identification No.</u>

(Name & signature of BEL/ECIL engineers with ID No.)

Annexure-E
(Register for Sealing of Control Unit of EVMs using Pink Paper Seal)

Name of State/UT:

Name of District:

Address of FLC hall:

Date:

It is certified that the sealing of the Control Units using Pink Paper Seals has been done in my presence. I have put my signature on the Pink Paper Seals after sealing of the Control Units and I am satisfied with the sealing of the Control Units.

Sl.No.	Unique ID No. of Control Unit	Pink Paper Seal Number

S.No.	Name of National/State Party	Name of representative of political party with party affiliation	Identity document No. with date	Signature of representative

(Name, designation, signature of officers nominated by District Election Officer)