

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No- PN/ECI/40/2009

Dated 1st August, 2009

Subject- Electronic Voting Machines- regarding

Press Note

The Supreme Court of India, while disposing of a petition filed by Shri V. V. Rao and three others, raising questions about use of Electronic Voting Machines in the elections, on 27 July 2009 observed that the petitioners could approach the Election Commission in the matter. The Election Commission had already on 22nd July 2009, written to one of the petitioners to come and demonstrate the 'so called manipulation of the EVM'. Following the apex court's orders, the petitioners approached the Election Commission to consider the points raised by them. The Commission has replied back to the petitioners on 31st July 2009, reiterating its invitation to them to come and demonstrate the points made in their allegations about possible tampering of EVMs, preferably in the week starting from 3rd of August 2009.

Similar petitions have been filed before three High Courts in the country. These are the Madras High Court, the Bombay High Court and the High Court of Madhya Pradesh (Jabalpur bench). These petitions also raise allegations about the possibility of tampering with the EVMs. The Election Commission has invited these petitioners to come and demonstrate their points before the Commission.

In this connection, the Commission has taken note of certain news reports and more recently one advertisement suggesting that the Electronic Voting Machines used for polling can be tampered with. The Commission has also received a few communications from individuals and political parties raising the possibility of manipulation of the EVMs.

The Election Commission remains entirely satisfied that EVMs cannot be tampered with. These are fully tamper-proof. So far, no one has been able to demonstrate that EVMs used by the Election Commission can be tampered or manipulated. EVMs have served the country's elections well. These were introduced after long ranging political, technical and administrative consultations since 1979. The use of machines has helped prevent several electoral malpractices and resulted in more efficient conduct of elections. Judgments from various courts have upheld the use of EVMs and technical experts have endorsed the machines from time to time. In fact, the

Karnataka High Court has hailed the EVM as 'a national pride'. Similarly, the Madras High Court, after elaborate consideration of the issue in a batch of petitions in 2001, rejected allegations that the EVMs could be tampered.

The issues recently raised by petitioners in the Courts and by some others, broadly allege the possibility of tampering with the machine during the manufacturing process or while operating the machine. It has also been mentioned that some of the western countries have given up using the EVMs. The fact is that unlike the machines used by other countries, which are based on operating systems, the software in the EVM chip is one time programmable and is burnt into the chip at the time of manufacture. Nothing can be written on the chip after manufacture. The EVM in India is a fully stand-alone machine without being part of any network and with no provision for any input. In addition, elaborate administrative measures and procedural checks are in place to make the EVM doubly safe against any possible tampering or misuse. So, it is completely tamper proof.

At the same time, the Election Commission is fully alive to its onerous responsibility not to allow even a small shade of doubt about any aspect of its operation. While the Commission completely rejects the contention regarding fallibility of the EVMs, it has now decided to go the extra distance by inviting all those who have expressed reservations about the machine to come and demonstrate the points made in their allegations. Those who have made petitions before the Courts have been invited for the purpose along with the political parties who have written to the Commission. The demonstration has been scheduled at the headquarters of the Election Commission of India in New Delhi in the first week of August 2009. This will be done in the presence of a technical experts group as well as engineers representing the EVM manufacturers. The Election Commission expects that the demonstration would once for all set at rest any misgiving anywhere, in the interest of the country's electoral democracy.

(R.K.SRIVASTAVA)
SECRETARY