

By Camp Bag/e-mail

ELECTION COMMISSION OF INDIA

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No.51/8/7/2009-EMS

Dated: 8th April, 2009

To

**The Chief Electoral Officers of
All States and Union Territories.**

Subject: Management of EVM crisis arisen out of excess number of candidates in various parts of the country – steps regarding.

Reference: Commission's letter No.51/8/7/2009-EMS, dated 5th April, 2009.

Sir/Madam,

The Commission has noted a trend of a higher number of candidates remaining in the fray after the last date of withdrawal of candidates in many Parliamentary Constituencies and in some of the Assembly Constituencies which are going for a simultaneous elections. Whenever the number of contesting candidates is more than 16 or multiples of 16 it impacts on the requirement of Ballot Units that would be needed and also the cascading effect that it would have on the space required in polling stations to seat all the polling agents, the larger voting compartment and additional materials required etc.

The Commission desires that the Chief Electoral Officers respond to the issue through better management of the EVMs particularly the BUs. It may be borne in mind that EVMs used for poll **cannot repeat cannot be reused until and unless the period for filing of Election petition in respect of that election is over.** Hence, in the current context repeat use of BU is not possible from one phase to another phase or in another state. The Commission desires that the following steps which are administrative as well as logistical in nature be taken with immediate effect:

1. **Constitute a Core Team for EVM Management:** drawing other officials if necessary, apart from the nodal officer of CEO's office. This team at the CEO's office will undertake an immediate review of PC-wise/AC-wise requirement of CU/BU after taking the number of contesting candidates in each constituency into account. This exercise should result in a complete inventory of CU/BU availability in terms of districts/PCs so that availability of surplus or the shortage can be identified in PC/assembly segment terms. If the training reserve/CU/BU to be actually deployed/deployment reserve are already identified that may be clearly indicated so that the excess availability/shortage of BU can be better appreciated. The Commission desires

that the deployment of Ballot Units should be optimized in such a manner that takes care of the excess requirement in particular constituencies by resorting to inter-PC transfers. The Commission desires that the CEOs should handle the excess requirement of the Ballot Unit as an intra-State task rather than request for additional BUs from the ECI. Wherever inter-State transfers need to be done, the CEO will monitor the logistics issues like arrangement of transfer, tracking of loading and unloading etc. on daily basis. The problem once identified and flagged, the response system should be put in place and monitored constantly and a daily report shall be submitted to the core team in the ECI headquarter (consisting of S/Sh S Suresh Kumar, IAS, OSD, K. Ajaya Kumar, Secretary and K.N. Bhar, U.S).

2. Reduce the reserve level for training and actual deployment

Currently, we are maintaining a reserve of 15% or more of EVMs to be used in case of contingencies. It is relevant to note that the actual replacement rate on the poll day is less than 1%. Most of these replacements involve only the replacement of CUs and the BUs get replaced only rarely. Hence, the CEOs can afford to take the following steps:-

- a. Reduce the over all reserve of EVM to the barest minimum. The overall CU reserve can be reduced even to 4%.
- b. While reserve CU can be made available with the sector officers or in some occasions at the polling station level, the access to reserve BUs can be more prudently rationalized by keeping the BUs either with the zonal officers or at some central locations such as Block Offices or Taluka/Tehsil Offices. Wherever such BUs are kept, proper communication system should be in place so that the need for replacement of BU, if any, can be quickly responded to. If such arrangement is in place, the DEOs/ROs can even operate at the reserve level of 2% with regard to BUs.
- c. This arrangement may be informed to the candidates that when the CU becomes defective only the CU will be replaced and BU will be replaced only when the BU will be defective.
- d. In either case, as per the existing instruction, proper accounting of such replacement shall be maintained so that the details of CU/BU used/replaced at any given polling station is maintained properly.

3. Reuse the Training EVMs: Normally the training of Staff and polling personnel would be completed by the time the EVMs are prepared for actual poll. After this is over, the EVM which are used for the training can be **again checked** by the BEL/ECIL technicians immediately and

can be sent for the use (randomly either through a system or manually) in the constituency going for election in the later phase. The list of such Ballot Unit should be supplied to the candidates.

4. Intra- State Transfer of Reserve BUs: The Commission has directed that reserve BUs should be immediately de-mobilised after the issue of repolls is settled and shifted to the BU deficit areas based on an assessment by the CEO. For example the 1st Phase reserve BUs can only be used in actual poll of the 3rd phase and so on.

5. Inter-State Transfer of Reserve BUs: Once the repoll from a constituency is finalized by the Commission the unused BUs should be de-mobilised and moved to a pre-identified central location having air connectivity for shifting to other state(s), if needed, to be decided by the Commission. This would be monitored directly from the ECI, if necessary, but the local logistics should be in a high state of readiness. All the states going to poll in the Phase – I, Phase – II, Phase – III and Phase – IV will **ensure that no un-pollled EVM (both CU & BU), even by mistake, are kept in the strong room.** Hence under no circumstances any BU not used in the poll shall be kept idle.

6. Continue to submit daily report to the **Commission Control Room by 5 pm every day in the proforma** in the referred letter

Yours faithfully

(K.N.Bhar)