“No voter to be left behind”
HAND BOOK FOR OBSERVERS

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Election Commission of India
Nirvachan Sadan, Ashoka Road, New Delhi-110001

“No voter to be left behind”
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1. **BACKGROUND**

   1. Different democracies have different types of Election Observation. The Election Observation includes the observation by domestic Observers as well as Observers by external agencies such as United Nations, Commonwealth, and other external election watch groups and so on. However, in the Indian context, the election Observation has always been a domestic initiative. The concept of election observation by the domestic Observers itself has been evolved over a period of time, as the complaints during the election process were far and few in the initial years. There was no concept of deputing Election Observers from one State to another State. Initially, as and when complaints were received, some officials from the Election Commission's headquarters were deputed. Over a period of time the number of complaints gradually increased, however, the deputation of Election Commission's officials had a serious limitation.

   2. Commission started deputing some senior officials from the same State to observe election process in a constituency or a group of constituencies. But the concept of deputing senior officers as the Election Commission’s Observers took a firm root only from the beginning of the year 1990s. Over a period of nearly last two decades, the deputation of Election Observers from one State to another State has become an integral part of the election management in the country. Currently, mostly the officers who belong to All India Services and Central Services like IRS, CBDT and CBEC, IDES are being deputed as the election observers.

2. **STATUTORY BASIS OF APPOINTMENT**

   1. Observers of the Election Commission of India are appointed under the powers conferred on it by Section 20B of the Representation of the People Act, 1951 and the plenary powers available to the Commission under the Constitution of India. They are the appointees of the Commission working under the superintendence, control and discipline of the Commission for the period from their appointment until the process of election is completed.

   2. The Representation of the People Act, 1951 was amended in August, 1996 to add a new Section 20B. This provides statutory powers to the Observers to watch the conduct of elections and especially in respect of counting of votes.
Section 20B reads as follows: - “1[20B. Observers.-

(1) The Election Commission may nominate an Observer who shall be an officer of Government to watch the conduct of election or elections in a constituency or a group of constituencies and to perform such other functions as may be entrusted to him by the Election Commission.

(2) The Observer nominated under sub-section (1) shall have the power to direct the returning officer for the constituency or for any of the constituencies for which he has been nominated, to stop the counting of votes at any time before the declaration of the result or not to declare the result if in the opinion of the Observer booth capturing has taken place at a large number of polling stations or at places fixed for the poll or counting of votes or any ballot papers used at a polling station or at a place fixed for the poll are unlawfully taken out of the custody of the returning officer or are accidentally or intentionally destroyed or lost or are damaged or tampered with to such an extent that the result of the poll at that polling station or place cannot be ascertained.

(3) Where an Observer has directed the Returning Officer under this section to stop counting of votes or not to declare the result, the Observer shall forthwith report the matter to the Election Commission and thereupon the Election Commission shall, after taking all material circumstances into account, issue appropriate directions under Section 58A or Section 64A or Section 66.

Explanation.- For the purposes of sub-section (2) and sub-section (3), “Observer” shall include a Regional Commissioner or any such officer of the Election Commission as has been assigned under this section the duty of watching the conduct of election or elections in a constituency or group of constituencies by the Commission.

3. OVERVIEW OF OBSERVER'S DUTY

1. By dint of their seniority and long experience in the administrative services, General and Police Observers are expected to be in a position to assist the Commission in the conduct of free and fair polls.

2. They will also be able to oversee the efficient and effective management of the electoral process at the field level.
3. For all purposes, they will act as the eyes and ears of the Commission during the period of the election (and not the mouthpiece) and provide direct inputs to the Commission from the field as an interface with the election machinery the candidates, political parties, and electors to ensure that the Acts, rules, procedures, instructions and guidelines related to elections are strictly and impartially complied with by all concerned.

4. Their inputs/observations are confidential and solely for the use of the Commission and not for any other agency including media. They must not, therefore, interact with or respond to the queries of the Press even after the elections are over.

5. It is clarified that while the formal report/input/observation sent by the Observers are meant for the use of the Commission, it does not mean that the observers will not discuss with the CEO/RO/DEO about their observation on various aspects of election management in order to facilitate midcourse corrections.

6. However, the Observers shall not mark copies of their formal reports to the Commission, to any other person including CEO/RO/DEO.

7. It should be kept in mind that the objective of the deputation of the Observer is not to find fault but to facilitate field administration in ensuring a free and fair poll.

4. BRIEFING OF OBSERVERS

1. The appointment of an officer as an Observer and the intimation for the briefing meeting shall be communicated by the ECI through the nodal officer of the State and Central Government who shall coordinate with Election Commission for various issues including provision of list of officers for appointment as observers. No request for exemption shall be entertained for this meeting and any replacement should be done only with the permission of ECI. Replacement requests shall not be entertained without serious reasons.

5. TOURS AND ABSENCE FROM HEADQUARTERS

1. All Observers should seek prior permission from the Commission every time they want to leave the headquarters on personal work or on official work not connected with performance of their duties as Observers.
2. Any request in this regard for special permission shall be made to the Deputy Election Commissioner (in charge of the State/UT).

3. No Observer is allowed to go on a foreign trip during the period intervening between the briefing session and the completion of election process.

4. No requests in this regard should be made to the Commission. Only in case of receipt of late intimation about selection to attend a foreign training, which had been duly sponsored by the DOPT may recommend release of such officer by substituting an officer of equivalent or high rank.

5. All such requests shall be addressed by the respective Nodal Officers to the Commission.

6. **REQUESTS FOR LEAVE**

   1. No officer appointed as Observer or kept in Reserve List shall proceed on any kind of leave without prior approval of the Commission till the completion of the election in Constituency (ies) in which officer has been appointed as Observer or for which Observer has been kept in reserve.

   2. All correspondence in this regard shall be addressed to Deputy Election Commissioner (in charge of the State) by name.

7. **OBSERVER PORTAL**

   1. A web portal has been made for observers. Link to the Observer Portal is given on the website of the Commission (http://www.eci.nic.in).

   2. Observers have been communicated their user ID and Password in the briefing letter. They must change their password when they login for the first time.

   3. Observer Portal is the best method of communication between Observers and the Commission.

   4. All the latest instructions of the Commission are available on the portal. Message for Observers are also given on the message board of the portal.
5. Observers should, therefore, check the portal frequently. Similarly, observers should send their reports to the Commission by uploading on the Observers Portal.

6. Observers may give their mobile no. on portal so that notifications may be sent to the mobile for timely action by Observers.

8. ROLE OF OBSERVERS

1. Section 20B of the Representation of Peoples Act, 1951 has vested the Observers with some statutory powers. They are empowered to direct RO to stop counting or not to declare for the reasons specified in Section 20B.

Besides the above-mentioned statutory powers, they have got certain very important roles to play which include: -

a) Observing the processes of scrutiny of nominations and withdrawal of candidature by the RO, and Report back to the Commission promptly in case of any irregularity;

b) Examination of the video clipping of the nomination process as well as making proper investigation on the complaints received in connection with the process of nomination. Also to examine the unresolved grievances by the candidate/ political parties about the allotment of symbols;

c) Effective monitoring of implementation of MCC and detecting cases of violation of the model code of conduct by watching the video clippings of various meetings and, if needed, even by visiting important rallies to get first hand input, enforcement of the defacement of property act, training of Micro-Observers and such other things;

d) Though checking the account of expenditure of the candidates is entrusted to Expenditure Observers, however, General Observer are also required to do so, in case of exigencies, if directed by the Commission.

e) Tracking dispatch of postal ballot papers to the service voters, ensuring the setting up of the facilitation counters for polling officials, police and security personnel etc., in accordance with the
recent guidelines of the Commission and sending specific report in this regard to the Commission.

f) Checking randomization software, reviewing the process of randomization of the polling personnel, obtaining report from the DEO regarding first level randomization; and

g) Observing and regulating the counting process. Observer has to sign the round wise counting sheets as proof of his/her satisfaction. She/he can direct the Returning Officer to stop counting of votes or declaration of result, if she/he notices any irregularities and bring the matter to the notice of the Commission for further directions.

2. Apart from the direct executive role of the observer, as enlisted above, Observers are expected to observe and report on all the steps involved in election management. An illustrative list is as below:

A. Nominations, Scrutiny, Withdrawal and Symbol allotment

I. The General Observers, arrive on the last day of nomination and thus does not observe the process of nomination in person, however, during the first visit they should get the video recording of the nomination process from the RO and see the recordings to get an overview of compliance of ECI Instructions and report major violations, if any, with specific reference to Commission’s instructions regarding number of people allowed to be present during Nominations.

II. Scrutiny is a quasi-judicial process and should be conducted by the RO without any outside influence. However, Observer can ensure that RO is aware of the latest instructions; he has the latest list of disqualified candidates and the latest symbol order.

The Observer should observe the scrutiny process and report glaring error to the Commission. The observer should send tabular information of all rejected cases with reasons thereof. Observers should, however, abstain from directing or advising the RO. Observer may remind RO that the scrutiny proceedings can be adjourned in case an opportunity is to be provided or if any legal provision needs to be examined that requires time.
III. Allotment of symbol is a process that is very technical and requires due care. It should be ensured that RO is aware of the provision of issue of reserved symbols and free symbols. He should have the latest list of political parties and election symbols. Another important aspect to be kept in mind is the symbol concession orders issued by Commission. After allotment of symbols, the list of contesting candidates should be prepared in Form 7A.

B. Electoral Roll Related

I. It should be ensured the EPICs prepared during the last days are properly distributed to the electors and are not left with some intermediary.

II. Although no deletions can be made from the roll, absentee and dead and duplicate voters should still continue to be tracked and a separate list of such voters should be prepared Polling Station-wise that can be used on the day of Poll.

III. The last supplement is prepared after the date of withdrawal by manually marking the mother roll and previous supplement based on the last supplement. This activity has to be closely observed and ensured that efforts have been made to avoid any mistakes at this stage.

IV. It should be ensured that the copies given to the candidates are exactly the same as that which would be used on the poll day by the polling party. Observer should see the latest instructions of the Election Commission, dated 11.12.2013 on this matter.

C. Campaign Period

I. During the campaign period, General Observers should monitor the implementation of Model Code of Conduct (MCC) and measures to prevent occurrence of electoral offenses. In this regard, the Observers should bring lapse to the notice of DEO, CEO and report to the Commission, if required but abstain from any executive action on their part.

II. Meeting with candidates to explain the provisions of Model Code of Conduct and the instructions of Commission thereunder.

III. Observe various events like political meets, visits of star campaigners etc.
IV. Monitor the work done by teams constituted for enforcement of MCC.

V. Monitor dummy candidates, surrogate advertisements and paid news.

VI. Review video recordings of activities of those candidates for whom video trailing has been resorted to.

D. Pre-Poll Election Management

I. Monitor preparation of dispatch of postal ballot papers to service voters immediately after the preparation of list of contesting candidates i.e. Form 7-A.

II. The first randomization of the election staff is done before the Observers arrive. The second and third randomization is, however, done in the presence of Observers.

III. First level of EVMs/VVPATs randomization is done before the arrival of the Observer but the second level randomization is done in the presence of Observers.

IV. Training is an activity on which special emphasis should be provided. Observers should monitor that proper training is arranged for the election staff, especially with regard to recent instructions of EC and related to operation of EVMs/VVPATs.

V. Monitor adherence to the instructions of the Commission regarding issue of postal ballot papers to the polling staff and voting through them.

VI. Visit polling stations and monitor that all polling stations are visited by election official for verification from fitness angle. Verify whether the list of polling stations is approved by the Commission and the assured minimum basic facilities have been provided.

VII. Go through the exercise of Vulnerability mapping and identification of critical booths and critical clusters done by the DEO/SP and finalize and list of critical polling stations and critical clusters.

VIII. Discuss and approve the District Security Plan with the DEO and the SP and review the law and order issue in general. Review the availability of CPF, SAF...
and District Police. Review the preventive measures taken by the law and order implementation machinery.

IX. Review the Communication Plan and confirm dry runs.

X. Review Control Room arrangement and complaint monitoring system.

XI. Training and placement of Micro Observers

XII. Ensure that proper arrangements for dispatch have been made. The dispatch should normally be on the day before the poll and any exception should have prior approval of the Commission.

XIII. Review counting arrangements.

E. Poll Day Management

I. Monitor placement of Sector Officers and Micro Observers.

II. Monitor conduct of mock polls and receipt of mock poll certificate in prescribed format signed by PO. Review the polling stations with no or only one polling agent.

III. Review the pace of poll and percentage of polling at regular intervals.

IV. Keep track of occurrence of any special events during the poll day.

V. Keep track of any delays or temporary suspension of poll.

VI. Report anything exceptional to the CEO and the Commission.

VII. Ensure that proper arrangements for receipt of polling staff and polling material are made. Every receiving team should be well equipped with a checklist of items to be received. Ensure that the non-statutory documents are not locked with the EVMs/VVPATs in that strong room.

VIII. Ensure that a “special counter” is setup for receipt of polling parties from those polling stations where any special events has been reported and on receipt, proper documentation, along with the statement/report of the Presiding Officer, if required, is done.
F. Post Poll

I. Scrutiny of documents relating to poll is an important analytical tool to analyze proper conduct of elections and taking re-poll decision. Scrutiny is done for those polling stations that fall within the criteria as per Commission’s instructions in the presence of Observer on the next day of the poll.

II. Report to the Commission about the conduct of poll and requirement of re-poll, if any.

G. Counting

I. Review the arrangements for counting made by the DEO.

II. The randomization of counting staff is done in the presence of Observer.

III. Monitor that the counting of postal ballot taken up before the EVMs but the EVM counting is not held up till the completion of postal ballot counting.

IV. The Observer has to ensure that the results as tabulated by the counting staff and the additional counting staff, drawn from the central government establishment, tally.

V. Conduct random test for two EVMs in every round and take corrective action as per the directions of ECI, in case any mistakes are found.

VI. Ensure that during the counting, round-wise results are announced as and when they are finalized.

VII. Certify proper completion of counting process and allow RO to declare results, if satisfied with the counting process.

VIII. Report cases of recount to the Commission.

9. REPORTS BY OBSERVERS

1. Both General and Police Observers are required to submit arrival and departure report to the Commission immediately after reaching constituency(ies)/District and also, just before leaving the constituency(ies) / District. (Format of the arrival/departure report is attached at Annexure-II).
2. Apart from the arrival and departure reports, the Commission, now, expects 5 mandatory reports from the General Observers and 4 mandatory reports from Police Observers against the previously required 6 and 5 reports respectively. However, in case of any serious deviations, the Observers should bring it to the notice of ECI through interim report(s) as and when necessary.

3. In case of General Observers –
   
   I. 1st Report – To be submitted immediately after the withdrawal of candidature.
   
   II. 2nd Report - To be submitted 2 days before the poll-day (P-2 days).
   
   III. 3rd Report – To be submitted immediately after the completion of poll.
   
   IV. 4th Report- To be submitted after scrutiny of form 17A on the day after the poll.
   
   V. 5th Report- To be submitted after the counting of the votes.

4. In case of Police Observers-
   
   I. 1st Report- To be submitted on the 2nd day of reaching the allocated district.
   
   II. 2nd Report- To be submitted on the 5th day of reaching the allocated district.
   
   III. 3rd Report- To be submitted 2 days before the poll day (P-2 days).
   
   IV. 4th Report- To be submitted immediately after the completion of poll.

5. Oral communication with the Commission, on urgent matters which cannot be kept pending till the written report, through telephone or through any other fast and reliable means, during the field visit will be welcome. All telephonic communication should preferably be held with the Secretary concerned and must be followed by a written message in confirmation.
10. **POSTAL BALLOT FOR OBSERVERS**

1. Rules 17 to 20 of the Conduct of Elections Rules, 1961 provide that voters on election duty are entitled to vote by post. The term “Voters on Election Duty” includes a public servant, who is an elector in the constituency and is by reason of his/her being on election duty, is unable to vote at the polling station where he/she is entitled to vote. Observers are also covered in this category. As Commission does not appoint any officer as observer in the Home State/State of posting.

2. If an Observer is registered as an elector in any constituency, he/she can apply for a postal ballot paper to the Returning Officer of the Constituency concerned in Form 12. The Observers may write or contact the Returning Officer of the Constituency concerned and present his/her duly filled in Form 12, to obtain a Postal Ballot Paper.

11. **ARRIVAL OF OBSERVERS IN THE CONSTITUENCIES**

1. The Observer is mandated to report in the constituency on the last day of filing of nominations in forenoon.

2. The DEO may appoint an English knowing officer as the liaison officer for the Observer and the liaison officer receive the Observer at the point of his/her arrival in the State and escort him/her to the place of stay.

3. The DEO has to make arrangements for accommodation, vehicle and communication, like Internet, fax, office stationery etc.

4. The information/particulars as enumerated in the check list (Annexure-I) are to be provided to the Observer on his/her arrival along with the District Election Plan and a map, by the DEO/RO.

12. **INTERFACE OF ROs/AROs AND DEO**

1. The DEO will organize a structured meeting with the Observers as early as possible. All the ROs, AROs, SP, other election officials including the nodal officers for media cell, model code of conduct and the designated officers for Expenditure monitoring should be present in the meeting to apprise the Observers about the specific issues needing their special attention.
2. The Observer should proactively use this meeting to familiarize with the state of preparedness of the district administration in all aspects.

3. The Observer should monitor that:

   (i) The posting of requisite officers for RO and ARO has been completed (including for counting)

   (ii) The identification of all the venues, which will be used for dispatching, receiving and counting, has been done and reviewed.

   (iii) The list of polling stations has been finalized.

   (iv) The machinery to monitor and implement model code of conduct and for election expenditure monitoring is in place.

   (v) The primary list of polling personnel has been prepared.

   (vi) The arrangements for receiving information from public and political parties-control room arrangements and inter coordination of police and DEO, RO control rooms, has been made.

4. After reviewing the check list (Annexure-I) the Observer shall take up the matter with the ECI, if any deficiency is found in the election preparedness.

13. **SCRUTINY OF NOMINATION PAPERS**

1. The Observer is expected to observe the scrutiny process and finalization of the contesting candidates after withdrawal very closely. The role of Observer in scrutiny is to observe the events, rather than guide formally. However, in a situation where there is some confusion, the observer shall report to the Commission but under no circumstances shall give instructions to the RO.

2. The Observers are expected to be present during the Scrutiny of Nominations. However, before the scrutiny, it is important that the Observers verify from the Returning Officers the availability of latest instructions and orders of the Commission, which are specifically relevant for the Returning Officers in discharging their statutory functions for scrutinizing the nominations.
3. The following items are important:

(a) The latest list of “Political Parties and Election Symbols” published by the Commission.


(c) The latest copy of the List of Disqualified Persons.

(d) Instructions and copies of latest versions of Forms A&B which are utilized by the political parties to indicate the names of their official candidates who are eligible for being allotted the symbol reserved for the party.

(e) An authentic copy of the Electoral Roll for the constituency.

4. It is important for the Observers to go through these instructions carefully in advance before they interact with the Returning Officers. They will confirm that Returning Officers have not only received the latest instructions but have understood the implications clearly.

14. **ALLOTMENT OF SYMBOLS**

1. Immediately after the process of withdrawal of nominations is completed, the Returning Officers are to take up the process of Allotment of Symbols. The Observers will be available for overseeing this important activity. The RO should have the latest list of Political Parties and Election Symbols and any relevant symbol concession orders issued by the Commission with regard to political parties not recognized in the particular State but recognized in some other State and orders regarding allotment of Common Symbol to registered unrecognized parties.

2. As soon as the allotment of symbols is completed, a List of Contesting Candidates and Symbols allotted to them is prepared and published in Form
7A Special care should be taken regarding order in which the names of candidates appear in the list and Commission’s instructions in this regard should be strictly adhered to. This is a very important document and it is of utmost importance that copies of the same reach the Chief Electoral Officer at the earliest. The Returning Officers will make arrangements to send the original copy to the Chief Electoral Officer in the State /Union Territory through special messenger. The latter will consolidate these and send it through special messenger or camp bag to the Commission.

3. In case of Parliament election, the Commission publishes a Consolidated List of Contesting Candidates in English and Hindi. It is likely that some of the nominations may be filed in the local language. The Returning Officer will nevertheless prepare two sets of the copies of the Form 7A in English and Hindi and ensure that these are sent to the Commission through the process aforementioned. However, if the RO is unable to prepare the Hindi version, this can be left to the CEO who will get it done at his level. In any case, the English version and the version in the local language should invariably be sent by the ROs. In case of Assembly election, the CEO of the State publishes it in the official language of the State.

15. ELECTORAL ROLLS

1. Several complaints have been received in the Commission that during past elections the electoral rolls provided at the polling booths were different from the electoral rolls that were provided to the candidates. The Commission has viewed such complaints with concern and decided as follows:

(a) The electoral roll supplied to the polling booths shall be certified to be true copy of the one that has been provided to the candidates / political parties and the marked copy kept by the Returning Officer as per Conduct of Elections Rules, 1961 by one officer and one subordinate to the specifically responsible for the purpose.

(b) These officers shall sign the electoral roll supplied to the polling booths, on all pages.

(c) A copy of the electoral roll, which will be used on the day of election at polling booths (copy of the one given to the candidates / political parties), shall also be given to the Observer. The Observer
shall check the authenticity of the roll provided at polling booths vis-à-vis the roll given to the candidates on the day of poll at the polling stations visited by him/her. The Observers will discuss this subject thoroughly with the RO and ensure that there is no room for any complaint on this score. This aspect should also be explained to the candidates and political parties during discussion.

2. The Observers should monitor the action plan prepared for covering the residual electors, issue of EPIC, identification of electors absent without family linkage, expired electors and duplicate entries and preparation of polling station wise list of such entries. Commission has mandated that if any elector figuring out in this list appears for voting, the strict identity checks should be applied.

16. **MEETING WITH THE CANDIDATES**

The RO should conduct a meeting in the presence of Observer with all the contesting candidates and party representatives on the last day of withdrawal or on the next day and brief them about –

a) Important aspects of the model code of conduct,

b) Expenditure reporting formats, rate list etc. and frequency of reporting required, time and place of reporting of expenditure,

c) Issuance of permissions for vehicles, processions and public meetings

d) Date and time of EVM/VVPAT preparation and candidates’ role in it. Candidates should also be briefed about the working of VVPAT system.

e) Interaction of Observers with the candidates/political parties/electors (with specific details of time, contact numbers and place for meeting the Observers).

f) Important aspects of conduct of elections (like appointment of polling agent, counting agent, election agent – their rights & duties).

g) The Observers should explain the concept of worry list. Wherever a candidate has apprehension about any unfair practice, procedural lapse, he will bring them to the notice of the Observer through the worry list indicating details of polling centers and reasons for such apprehension.
h) Latest instructions of the Commission or important changes from past practices should be brought to the knowledge & notice of candidates.

17. VISIT OF AREAS IN THE CONSTITUENCY AND POLLING STATIONS

1. After finalization of contesting candidates by the RO, the Observer should visit as many polling stations (areas thereof) to understand the constituency in social, economic and political context. During their visits, the Observers shall definitely visit all new polling station, sensitive polling stations and distant polling stations.

18. REVIEW OF OVERALL PREPAREDNESS OF LAW & ORDER MACHINERY

1. The Observer should have a detailed discussion at a mutually convenient time not later than 4 days of his/her arrival about the following:

(a) Adequacy of police personnel,

(b) Requirement of Central Forces,

(c) Preventive actions taken (preventive detentions, bonds & arms deposition)

(d) Identification of critical clusters and polling stations through vulnerability mapping

(e) Sector plans for policing on the day of poll,

(f) Response strategy on the day of poll and transportation of EVMs/VVPATs, and

(g) Discussion about sensitivity of inter-district, national and international boundaries.
2. The vulnerability index mapping of the district should have been completed. The Observer should ensure whether this has been done and critical clusters and polling stations are identified. The sector plan for police patrolling and the requirement for additional force should be reviewed in this context.

3. The distilleries in the district should be monitored for the stock position of liquor and any abnormal increase in outflow during the election period should be checked. This should be compared to the average of the last six months.

19. OBSERVATION OF IMPLEMENTATION OF MODEL CODE OF CONDUCT

1. It has been the most important and crucial task of Observers to ensure non-partisan and effective implementation of Model Code of Conduct.

2. The main areas for strict vigil are:

(a) Use of vehicles for campaigning without required permission,

(b) Use of muscle power to mobilize or restrain people from voting,

(c) Flow of liquor and money and ‘gifts’ to ensure voting in favor of a particular candidate,

(d) Divisive tactics through inflammatory and condemnable speeches/acts, and

(e) Dealing with defacement of property as per prevailing law, if any, of the state, in case of absence of any such law as per the latest instruction of the ECI.

3. To ensure effective enforcement, the Observer should check whether the enforcement squads are formed with clear territorial jurisdiction to have accountability. The teams of enforcement should consist of civil and police personnel.
4. A detailed instruction in this regard is available in Commission’s Website in the link given below: http://eci.nic.in/eci_main1/current/MCC1_26122016.pdf

20. APPROACH OF THE OBSERVER IN IMPLEMENTATION OF MODEL CODE OF CONDUCT

1. The approach of observer should be to get the complaint inquired by DEO/RO through the inquiry officer and tracking how the inquiry is conducted and how the concurrent corrective measure is affected. The Observer should advise the RO/DEO about the violations and appropriate action to be taken. However, in case of lapses on part of the authorities even after advice of the Observers, the Observers should immediately communicate lapses to the ECI. Observer should use videography as an effective tool to implement Model Code of Conduct.

2. Observers are eyes and ears of the ECI and not the executives in the field. There are several instances where implementation of Model Code of Conduct has been handled for the same issue in different manner in different constituencies. Some instances are given as case studies to sensitize you to this aspect-

Situation A

An Observer found a vehicle with a party flag and lot of workers with a microphone campaigning for a candidate without a permit.

a. He detains the vehicle with the help of his PSO and calls for the police and orders them to take a particular action, issues a specific instruction in writing.

b. He reports the matter on phone to the concerned SP and subsequently writes a letter and warrants an ATR from the SP and RO. In case of non-action, the lapse is reported to ECI.

c. He gives an instruction to immediately arrest the people in the vehicle to the police in writing.
The ECI would appreciate the option ‘b’ in this case. However, to ensure ripple effect, the incident and the action taken should be publicized in the media to create further deterrence through the RO. In any case the Observer is not expected to interact and brief the media personally.

**Situation B**

There is a complaint from a particular political party that there is possession of illegal arms in a particular location by another contesting party. The complaining party does not disclose the location and requests for a police party to raid in a location to be specified later.

a. The Observer agrees to the demand and orders the SP to send a police party.

b. The Observer takes the complaint and location confidentially, asks the SP to act on it and report back. He also sends a videography team with the police party

c. The Observer takes the police party and goes to the specified location and raids it.

The ECI would recommend the option ‘b’ in this case a observers have to think and act independently after receiving a complaint and not physically move with one party or other as that is also seen as partisan.

**Situation C**

Every party has a list of star campaigners designated who shall be funded centrally from the party level for their travel and campaigning. One of the star campaigners deliver inflammatory speeches hurting the sentiments of a particular section of society and this is widely covered by media at national and local levels.

a. This episode and the contents of speech is recorded and reported to ECI and at the same time appropriate action by the Election machinery has been initiated. The Action Taken is proportionate to the gravity of the lapse.
b. This episode is not reported to ECI and action has been initiated at the local level which is covered by local media.

c. It was not acted against at all.

The ECI would recommend option ‘a’ as the lapse is being covered by national media and the damage is no more localized and therefore the non-reporting of this even to ECI shall have negative effect on the general scenario of elections at the national level.

**Situation D**

An observer witnesses that a public property has been defaced by posters, which is a serious violation of model code of conduct. He had to deal with this.

a. The Observer gets out of the vehicle and tears the posters himself.

b. He informs the RO and asks the RO to send the enforcement squad responsible for territorial jurisdiction. He documents the violation through videography. After a day or two checks whether that violation has been dealt with and also ensures booking of that expenditure in the accounts.

The option ‘b’ is the desired response. ECI encourages effective observation rather than self-implementation of the Model Code of Conduct.

3. ECI envisages appropriate and timely action against lapses and at the same time proportionate flow of this information of action taken to the appropriate levels like local, district, State and national level to have a deterrence effect.

4. Every move of campaigning has an implication of election expenditure. The Observers are expected to correlate all the permissions taken and the expenditure statements submitted. In case of some expenditure not being reported, the standard rates prevailing in the district should be adopted.
21. **WATCH ON EXPENDITURE INCURRED ON ELECTION CAMPAIGN BY THE CANDIDATES/POLITICAL PARTIES**

1. The Commission appoints separate Expenditure Observers to monitor election expenses. For the purpose a separate manual/ guidelines has been prepared by ECI. The observers should familiarize themselves with the expenditure monitoring guidelines.

2. Past experiences indicate that use of money power starts right from the distribution of tickets by the political parties. Subsequently, it takes various forms, which are enlisted herein below. However, it must be kept in mind that the enlisted ways of spending money are only indicative. There can be many other ways of spending money which should engage the attention of the Observers.

   a) Booth-wise agents are appointed to purchase floating votes;
   
   b) Large donations to clubs and organizations to influence its members;
   
   c) Largesse to petty party workers to dole out the same to electors;
   
   d) Rented crowds for party meetings;
   
   e) Rallies and campaigns with purchasable crowd;
   
   f) Presence of candidates at social occasions like mass weddings, feasts, puja's, jagrans, inaugurals, etc. where gifts are given on behalf of candidates;
   
   g) Acceptance of felicitations by the contesting candidates at any educational or charitable organizations;
   
   h) Distribution of free liquor/liquor passes to the electors;
   
   i) Use of dummy candidates at election to utilize his quota of electioneering vehicles, etc.
j) Surrogate advertisements in print and electronic media whereby candidature is canvassed by unconnected persons/organizations so as to avoid the expenditure on the same being accounted for in the expenditure of the contesting candidates;

k) Bringing cinema celebrities and sportspersons to campaign;

l) Providing voters with caps, vests, umbrellas, bi-cycles, etc.

3. It shall be the duty of the Observers to ensure that all the instructions of the Commission are followed meticulously and there are no aberrations in their application. It is, therefore, imperative that the Observers should familiarize themselves with the extant instructions issued by the Commission, a compendium of which is given in the in observer kit.

4. The gist and highlights of various instructions on the issue of election expenditure is given hereunder for the benefit of the Observers:

a) Section 77 of the Representation of the People Act 1951 stipulates that every candidate at an election shall, either by himself or by his election agent, keep a separate and correct account of all expenditure in connection with the election between the date on which he has been nominated and the date of the declaration of the result thereof, both the dates inclusive.

b) Section 78 of the said Act further stipulates that every contesting candidate at an election shall within thirty days from the date of the election of the returned candidate, lodge with the District Election Officer, an account of the election expenses which shall be a true copy of all the account kept by him or by his election agent u/s 77.

c) In order to facilitate monitoring of election expenditure, each candidate is required to open a separate bank account exclusively for the purpose of election expenditure. This account shall be opened at least one day before the date on which the candidate files his nomination papers. All money to be spent on electioneering shall be deposited in this bank account irrespective of its funding from any source including candidate’s own fund.
d) Even if a contesting candidate does not seriously contest the election for any reason whatsoever and incurs only a nominal expenditure on his security deposit, etc., he is required by law to lodge his account of election expenses.

e) Contesting candidates, who fail to comply with the requirement of law regarding the lodging of account of election expenses, are liable to be disqualified by the Election Commission u/s 10A of the Representation of the People Act, 1951 for a period of three years.

f) The Election Commission of India has prescribed a format of the register which is required to be maintained by the contesting candidates along with supporting vouchers, bills, etc. arranged in a proper chronological order.

g) Along with the Register, the Election Commission of India has prescribed a format of “Abstract of Election Expenses” which has also to be filled up by the contesting candidates.

h) The contesting candidates are further required to furnish an affidavit along with the “Register of day to day expenses” and “Abstract of Expenses”.

i) The prescribed register/forms/extracts of rules relating to lodging of returns of accounts of election expenses should be printed and made available to the contesting candidates in Hindi, English or the approved local language in which the electoral rolls are printed.

j) The supporting vouchers of the day to day expenses should necessarily bear the signature in full of the contesting candidate or his election agent.

k) The register along with the Abstract of expenses and the prescribed affidavit has to be made available by the contesting candidates for inspection by the Returning Officer/Designated Officer thrice before the date of poll. However, it has to be ensured that there is a gap of about four days in between each inspection and the first inspection may be on or after the 3rd day from the last date of with drawal of nominations.
l) If a candidate is contesting elections for more than one constituency, he is required to maintain and lodge a separate account of his election expenditure in respect of each such constituency.

m) The accounts of the candidate will be scrutinized by the Returning Officer/Designated Officers and he shall keep two photocopies of the relevant pages of the register. One copy of the relevant pages of the register shall be displayed on the notice board of the Returning Officer and the other copy will be retained in a separate file for each constituency as proof of record with the Returning Officer and furnish to the DEO on conclusion of the whole electoral process.

n) Where a candidate does not produce the register containing his daily account of election expenses before the designated officer/observer, despite notice, the DEO shall cause a complaint to be lodged u/s 171-I of the IPC against the errant candidates.

o) Any person desiring a copy of these day-to-day accounts, should be provided the same by the Returning Officer, subject to the payment of usual copying charges.

p) The candidate, while maintaining their register of accounts of election expenditure, should also account for all expenditure including those incurred prior to the date of nomination for preparation of campaign material, etc. which are actually used during the post-nomination period in connection with the election.

q) The expenditure incurred by the leaders of the political parties on account of their travel for propagating the programs of the party shall NOT be considered as expenditure in connection with election incurred or authorized by the candidate or his agent, provided the names of the leaders for this purpose are communicated to the Commission and the CEO of the State within a period of seven days from the date of notification of the election.

r) In the event of failure of the political party to provide such names within the stipulated time, the aforesaid expenditure on travel of all leaders in the case of such parties will necessarily be included in the account of the election expenses of the candidate concerns.
s) The Hon’ble Supreme Court in Kanwar Lal Gupta Vs. Amarnath Chawla (A.I.R. 1975 SC 308) has held that the expenditure incurred by the political party, as distinguished from expenditure on general party propaganda, which can be identified with the election of the given candidate would be liable to be added to the expenditure of that candidate as being impliedly authorized by the candidate. The Apex Court has further held that a party candidate does not stand apart from the political party and if the political party does not want the candidate to incur the disqualification, it must exercise control over the expenditure which may be incurred by it directly to promote the electoral prospects of the candidate.

t) The expenditure on bullet proof cars and all others cars used by all the Ministers of Union and States and all other leaders of political parties shall be borne by the candidates.

u) All vehicles (including two-wheelers, motor-bikes, scooters and mopeds, etc.) being used by the candidates for the election campaign are required to be lodged with the DEO.

v) Whenever political parties or candidates use aircraft/helicopter for election campaign, prior information should be given to the CEO of the state. While giving such information, the following information also need to be furnished: -

(a) Number of aircrafts/helicopters used;
(b) Name of the hiring companies;
(c) Hire charges paid/payable;
(d) Areas covered;
(e) Number of sorties involved;
(f) Passenger manifest;

w) The expenditure incurred by a political party on advertisements in connection with the election of a particular candidate or a group of
candidates shall be treated as expenditure authorized by the candidates concerned and shall be accounted for in the election expenses of the candidates concerned. In case where the political party for the benefit of group of candidates incurs the expenditure then the expenditure is to be apportioned equally amongst the candidates.

x) The expenses on construction of barricades/rostrums etc. when done initially by the government agencies on account of security considerations on behalf of the party organizers are to be booked as expenditure of a candidate in whose constituency the said meeting takes place or to a group of candidates who are present at the time when the leader of a political party addresses such a meeting. In cases where there are more than one candidate of the political party present at the time of the said meeting of the ‘leader’, the expenditure will be apportioned equally amongst all, and the District Election Officer of the district where such a meeting takes place shall obtain the final costs from the concerned government agencies within three days of the event and intimate to the candidates their private share of expenditure. This information will also be intimated to the Returning Officer/District Election Officer of the Constituency/District to which the other candidates belong.

y) Where the aforesaid expenditure are incurred from the organizer’s own funds, the same will be reflected in the accounts of the concerned candidates or a group of candidates present in the meeting of the leader.

z) It has been decided by the Commission that the candidates’ booths set up outside the polling stations should hereinafter be deemed to have been set up by the candidates as part of their individual campaign and not by way of general party propaganda and as such all expenditure incurred on such candidate’s booths (kiosks) shall be deemed to have been incurred/authorized by the candidate/his election agent so as to be included in his account of election expenses (not falling under exempted category). The DEOs have to notify the rates of the candidates’ booths set up outside the polling stations taking into consideration the cost of infrastructure used and also the notional expenses on daily allowances and refreshment etc. to the party workers manning those kiosks.
5. The Observers are advised to familiarize themselves completely with the aforesaid instructions of the Commission and prevail upon the Designated Officer to abide by the same. Wherever aberrations are noticed, the Designated Officers should be encouraged to issue notices through the Returning Officers to the erring candidates and make a note of the same in the register whenever they are produced for inspection.

22. MEDIA CERTIFICATION AND MONITORING COMMITTEE (MCMC):

1. There shall be a Media Certification and Monitoring Committee in each district. This Committee will have the additional members- (i) DEO/ Deputy DEO, (ii) DPRO, (iii) Central Govt. I&B Ministry official and (iv) Independent citizen/journalist as may be recommended by the PCI. Besides carrying out the already assigned work of certification of advertisements, this Committee will also monitor both print and electronic media including cable networks, and record either in CD or DVD, keep a photocopy of all advertisement / paid news / election related news of the contesting candidates/ political parties.

2. The DEO will ensure that this Committee is provided with all the national and local newspapers, having wide circulation in the constituency, three to four TV sets with connections of all the local and national News channels and one recording device and separate rooms so that they can watch and record all the advertisements/discussions related to the election. The Committee will also look into MCC violations in the Media sphere and send a report to the DEO with copy to the General Observer. The MCMC shall see all the newspapers, print media, electronic media, cable network, mobile network and other modes of mass communication like bulk SMSs etc., and keep record of the advertisements, advertorials, messages, discussions and interviews relating to the candidates and parties. This committee will submit a Daily Report with respect to each candidate to the accounting team with copy to RO and Expenditure Observer with respect to expenditure incurred by the candidate on election advertising including the assessed cases of Paid News, along with supportive paper cuttings/clippings, recordings of relevant TV and Radio advertisements, which will also be included in the Shadow Observation Register. The RO will issue notice to the candidate with regard to the incidents of Paid News in consultation with the Expenditure Observer for not showing the expenditure on such publication.
23. EXPENDITURE MONITORING CONTROL ROOM AND CALL CENTRE

1. A 24x7 Call Centre will be established in the Control Room at the district level to operate from the date of notification of election. The call center will be given toll free telephone number with 3 or 4 hunting lines which will be widely publicized for the public to inform corrupt practices related to election. A senior officer will be put in-charge of the control room and call center who will be responsible for receiving and recording the complaints and passing them on to the respective officer for action without any delay. The call center will be provided with sufficient staff to man the telephone lines round the clock.

24. DISTRICT MEDIA CELL

1. The DEO shall create a cell for dealing with media headed by Public Relation Officer and the main functions shall be-

a. The cell shall collect various clippings about the elections and also the advertisements from all the newspapers including the vernacular languages and provide this with translation if required to the Observer through the liaison officer. This should be done on a day-to-day basis by the media cell. Liaison officer may do this exercise depending on the location of the Observer and an allowance shall be provided for this to the liaison officer.

b. Prepare and circulate the note on various steps initiated during the day against violations of MCC to the Media. These notes shall not include any direct quotes to the media by the Observer, and

c. They should also ensure that videography of all the public meetings are done and passed on to the Observers. They should aid the Observers in viewing and bringing forth any violations of MCC to the notice of the Observers.

25. PREPARATION OF POLLING PARTIES AND TRAINING

1. To ensure transparency, the Commission has formulated a comprehensive three-stage randomization plan for selection and deployment of polling staff. In the first stage of randomization, polling staff is randomly selected from a
complete database of all Government employees working in the district. This process would have been completed before arrival of the Observer. However, the Observer should examine the outcome of the process and ensure that the selection has been random.

2. The second stage of randomization is for polling teams and assignment of the Assembly Constituency to which they shall be deployed. The polling station to which these teams will be going would be known only after the third stage of randomization, which is usually done on the day just before dispatch. For election to Lok Sabha, the Commission has directed that the polling staff may be randomized within their Parliamentary Constituency, as far as possible, so that they can vote through EDC.

3. Success of the poll process depends a lot on the quality of training imparted to the polling staff. Observer should monitor the training process and take care that:

a) All the staff appointed for poll duty is trained.

b) The trainers are well versed with the election process. It is a good practice to use the Sector Officers as trainers.

c) Training is imparted in small groups and not very large groups to ensure that proper focus is maintained.

d) Training covers all aspects of poll management, including EVM(CU, BU and VVPAT) and Non EVM aspects, Forms and certificates to be filled by the staff.

e) Special focus should be given to the latest instructions issued by the Commission since most of the polling staff would be unaware of them.

26. ELECTRONIC VOTING MACHINE
[Refer to ANNEXURE III]

1. The Observers will check on the stock of EVMs available in the district and whether they have been serviced by the engineers of the manufacturing firms (either ECIL of BEL depending on the make of the machine used in that
State). The Commission issues detailed guidelines to the Chief Electoral Officers and the District Election Officers for training and awareness generation on the use of EVMs. It has to be seen whether these training programs have been taken up properly and the people are aware of the method of casting vote on the EVM. The training of Presiding Officers and polling personnel, especially the second polling officer who controls the “Ballot” button, on the use of EVMs is critical.

2. Observers should familiarize themselves with the latest instructions on EVM/VVPAT.

27. **VOTER VERIFIABLE PAPER AUDIT TRAIL SYSTEM (VVPAT)**

[Refer to ANNEXURE III]

1. VVPAT was introduced in 2013 to provide even greater transparency to the poll process. The VVPAT is an additional unit attached to the EVM, which prints a small slip of paper that carries the symbol, name and serial number of the candidate voted by Voter, which is visible for 7 (seven) seconds in the viewing window.

2. The voter after pressing the button on BU can view the printed slip on VVPAT through the viewing window and thus can verify that the vote is recorded for the Candidate of his/her choice.

3. These paper slips are automatically cut and stored in a sealed compartment of VVPAT and can be used later to crosscheck the votes in CU as per the prescribed procedure by ECI. The printing of slip in VVPAT is an additional verification to the voter, besides glowing of LED near candidate button and the beep in EVM system.

27a. **Randomization of EVMs/VVPATs**

The Commission has also mandated randomization of EVMs/VVPATs to avoid apprehension of any attempt of manipulation of EVMs/VVPATs. This randomization is done in two stages. In the first stage, which is done before the arrival of the Observers, EVMs/VVPATs are allotted to a particular Constituency and in the second stage, which is done in the presence of the Observer, an EVM/VVPAT is allotted to a particular polling station.
28. PREPARATIONS FOR DATE OF POLL

1. Effective checks to curb electoral malpractice or vitiation of the poll process by way of booth capturing, rigging, creating a scare of fear and panic among electorate and effectively preventing them from casting their votes are major concerns.

2. The methods adopted by unscrupulous elements vary from State to State and from constituency to constituency. The Observers are expected to familiarize themselves about the tricks of the trade prevalent in the area as well as identify the specific areas prone to such mischief.

3. The Observers between or amongst them should carefully plan out, in confidence, the areas, which they would focus on, during the actual period of poll. This will be kept confidential and is not to be shared with anyone including the District Election Officers, ROs, Escort and Liaison Officers and PSOs.

29. VISIT TO DISPATCH CENTERS

The Observers will visit the dispersal centres for dispatching the polling parties to different location and make a brief report on the manner in which the operations are being conducted. They will particularly see that the random formation of polling parties is being truly and correctly implemented.

30. MICRO OBSERVERS

1. The employees of the Central Government/PSUs are appointed as Micro Observers. The Micro Observers are expected to observe the polling process on the day of poll. They are assigned duty in the polling station. They shall be part of the polling team and be seated in the polling station. They are to be present in the polling station before the mock poll starts. They shall report about the poll day in the given format, Report of Micro observers.

2. Micro Observers are to be trained by the Observers two days before the poll with the help of RO and posted in the polling stations, which are critical. Therefore, an arrangement is required wherein Micro Observers are stationed at a central location on the day of polls and they are moved to specific polling stations as per requirement (like absence of polling agents, critical polling stations etc.)
3. Micro Observers need not cover all the critical polling stations. They should be used effectively and not on an extensive basis unless required. The Micro Observers may be sent with the polling parities in case they are required to perform duty at remote locations.

31. **SPECIAL OBSERVERS**

In case of some districts where special circumstances prevail, the ECI may send Special Observers who shall be working on specific agenda delineated by ECI and they are on par with the other Observers working in the constituencies. They report to the ECI directly and have no supervisory role over other Observers. However, to enable them to get a clear picture of the happenings going on in the constituency, they are required to discuss and get information from other Observers of the district/constituency.

32. **POLL DAY ACTIVITIES**

1. One of the most important responsibilities of the Observers is to oversee the actual poll. On the date of poll, Observers available in the constituency should tour the maximum number of booths as is physically possible during the hours of polling. For this purpose, they will mutually decide as to which polling stations they will visit on the poll day. Also to save time they may consider carrying some packed food and start field visits well before the poll begins. The presence of the Observers in the field on the date of poll and their visits to polling stations should be an effective deterrent against electoral malpractice and vitiation of the poll process. The Observers will ensure prompt and effective action on this score by interacting with the District Administration constantly through telephone, wireless, VHF Radio sets etc.

2. Commission has mandated conduct of mock poll before the actual poll begins to demonstrate proper functioning of the EVM/VVPAT to the polling agents. To this effect, the Presiding Officer has to sign a certificate in the format prescribed by the Commission. Observers should monitor that the mock-polls have been conducted and the POs have issued the certificate to that effect. Importantly, it should be ensured that result of mock poll is cleared and Paper Slips of mock poll in VVPAT Box are removed before commencing poll.
3. They should look for any unusual activity or lack of activity around a polling station to sense whether any electoral malpractice has vitiated or is likely to vitiate free and fair polls. Absence of women in the queues may be an indicator of something unusual. The Observers should in advance study and acquaint themselves with the pattern of electoral malpractices in the past elections in different areas. On this basis, they can look for tell tale signs, of any irregularities. They should constantly remain in touch with the RO, ARO, Sector Magistrates and other officers on duty to get feedback as well as to convey anything specific for corrective action to be taken by the concerned authorities on the basis of what the Observers have actually seen in the field.

4. They should also go inside Polling stations and check for the progress of polling, the compliance of prescribed procedures by the polling officials in conducting the poll, the presence of polling agents, the updating of entries in the Presiding Officer’s diary and such other matters that need verification. Register of Voters (Form 17A) must be checked with display of total votes polled on EVM and Observer must sign the visit sheet along with his observation and record the time of his/her visit. Special attention should be paid in the case of polling stations where polling agent of only one candidate is present.

5. The Observers will also take stock of the collection of the EVMs/VVPATs and the transport of polling parties and polling materials under appropriate security arrangement. The convoys once started should only stop at the destination, that is, the strong room where these are to be stored.

6. An important point to be noted is that Form 17C has been completely and correctly filled in by the Presiding Officer and these are deposited along with the Presiding Officer’s diary at the collection centres and strong room.

33. **RECEPTION OF POLLING PARTIES**

1. There is need to focus on polling stations wherein

   a. Polling was disrupted temporarily due to EVM failure or any other reason.

   b. Serious complaints were received and
c. Confirmation regarding mock poll certificate not received.

The Returning Officer has to prepare a report of such polling stations with their names and numbers and send it to DEO and Observer by 4 P.M. and the polled EVMs/VVPATs and other documents pertaining to these polling stations are to be received in a special counter and not in the regular counters as a rule. The Presiding Officer’s diaries have to be checked thoroughly for these polling stations.

2. At the reception centre, it should be ensured that a copy of Form 17-C is kept with the respective EVM in strong room. Other documents should not be kept in the EVM/VVPAT strong room. Other document should be kept separately in a separate strong room to facilitate access when required.

34. SCRUTINY OF REGISTER OF VOTERS AND OTHER DOCUMENTS

1. In order to deter electoral malpractices, the Commission has directed that scrutiny of various documents like Presiding Officers diaries, Register of Voter (Form 17A), Micro Observers reports, Visit Sheets, report of Zonal Magistrates etc. shall be taken up after completion of poll for polling station selected on the basis of detailed criteria laid down by the Commission. This scrutiny shall be taken up at 11:00 AM on the day next to the day of poll.

2. The scrutiny of the Register of Voters and other documents shall be taken up as laid down by the Commission and the Observer should ensure that his/her travel plan is so laid out that his/her departure from the constituency is not before 36 hours after completion of poll.

35. RE-POLL AND ADJOURNED POLL CASES

1. The report of the Observer is the most important input for the Commission for taking a decision on ordering re-polls. The Observers should therefore be vigilant and alert about any incident or activity, which might or might have vitiated the poll process so that they can send a specific report to the Commission on this matter. Sometimes, information received from other sources are referred back to the Observers on telephone by the concerned Secretary or Deputy Election Commissioner and the Observers are expected to make such enquiries and verification as are possible within the constraints
of the time available. After this and after taking into consideration other inputs made available to the Commission, re-poll is ordered in such of the polling stations as is considered necessary and appropriate by the Commission.

2. It is of utmost importance that the re-poll itself is not vitiated in any manner. The Observers will give specific and comprehensive report on the actual conduct of re-poll. The re-poll, if any, is normally held on the second day following the date of poll unless specified otherwise.

36. **END OF POLL REPORT**

The Observers will send a report in the prescribed form at the end of poll showing the role of polling agents and the number and nature of complaints received in regard to each polling station. In addition to this, the Observer has to send a comprehensive report highlighting all-important factors, in case any re-poll is recommended by him/her for a particular polling station or a group of polling stations.

37. **COUNTING OF VOTES**

1. The Commission has prescribed a format for approval of counting centres and the Returning Officers have been directed to personally inspect each counting centre and send their proposals to the Commission for its approval. During the initial stage of their visit, i.e. before the scrutiny of nomination papers, the Observers will check if the data in the format has been sent to the Commission for approval by that time.

2. During this very stage of the visit itself, the Observers between them will also inspect each counting centre for a preliminary assessment of the facilities in the counting centre and to verify that these are as per specification prescribed by the Commission. In addition to what is given in the ‘handbook for Returning Officer’, the recent instructions given by the Commission should be read by the Observers thoroughly and, on this basis, they will interact with the Returning Officers to effect any further improvement as may be necessary for making the arrangements in the counting centres, up to the standard prescribed by the Commission.

3. One of the most important features relates to provision of specific facilities for the Observers and media in the counting centres. It is now mandatory for the Returning Officer to provide a separate room or a cubicle for the
Observer or Observer in each counting centre with one STD telephone and a fax machine.

4. The Observers will ensure that RO/DEO and the technical staff assisting them have tested the GENESYS software and are ready for fast transmission of final result to ECI using this software. They will have to use the password given to them and transmit the data to ECI. As this data gets loaded to the website automatically, it is essential that wrong data is not transmitted on the counting day. Hence doing the “dummy run” on designated date is also essential.

5. The statutory provisions regarding Observers specifically focus on their role during the counting process and empower them to stop counting and to direct the RO/ARO not to declare the result in circumstances mentioned in Section 20B of the Representation of the People Act, 1951. The statute thus enjoins a special responsibility on the part of the Observers to oversee and supervise the counting process and also to provide a direct immediate communication to the Commission. The Commission accordingly expects that Observers will have a key role in the superintendence of the counting process.

6. The staff selected for counting has to be randomized on the day of the counting early morning before the counting begins. The Commission is particularly concerned that the entire counting arrangement should be orderly and well structured. The Commission attaches great importance to the fact that the actual counting is done in such a manner that it is not only smooth and efficient but more importantly transparent and correct. Reasonable opportunity is to be afforded, as per existing instructions of the Commission, to let the counting agents of the candidates get a clear view of the counting process as it goes on each counting table. There should be no room for any doubt.

7. The Commission has issued detailed orders regarding the arrangements for counting. These include the specifications for selections of counting centres and for managing the counting process.

8. For ensuring accuracy of the result of counting, a round wise statement shall be prepared by the Returning Officer. Both the Returning Officer and Observer shall personally verify that number of votes posted against the
name of each candidate in respect of every counting table tally with the figures as shown in part II of Form 17C (result of counting) pertaining to that table. They shall append their initial below the total of each counting table. A copy of the detailed table/wise, polling station-wise, round-wise break up of the votes will be kept by the Observer in his/her folder.

9. As a measure to cross check the correctness of counting, observers are required to randomly select two EVMs counted in a round and with the help of additional counting staff provided to them to assist in this regard ascertain once again count of votes polled by each candidate and after getting satisfied, then only countersign the relevant column of proforma for recording of votes. The Additional Counting staff shall prepare the result of two randomly selected EVMs in the prescribed proforma for recording of votes.

10. The tallying process at the end of each round of counting should be completed in a systematic manner and the round-wise progress announced within the halls by the concerned ARO-in-charge and also written on black/white board, which should be clearly visible to all. Immediately thereafter, this should be announced over the public address system. These public announcements could be centralized, in a counting centre with multiple halls.

11. The Observers will also ensure that as soon as the final results and the winning candidate are announced and all the relevant papers are signed by the RO, the final detailed result is transmitted to ECI website. For this Genesys software shall be used.

12. The Observers should ensure after the declaration of result that the RO sends to CEO the duly filled and corrected copies of

   a) Final Result Sheet in Form 20,

   b) Declaration of Result in Form 21C,

   c) Return of Election in Form 21E.

13. It may be noted that only the name, which is given in the Nomination Form, is normally valid for all future references and use in the other related documents. The list of contesting candidates in Form 7A should reflect this
name exactly and correctly with same spellings as given in the Nomination Form, unless the RO allows any deviation under Rule 8 of the Conduct of Elections Rules, 1961. Eventually the name of the candidate who is returned from the constituency is given in the declaration of the result in Form 21C. It is absolutely imperative that this Form 21C, as also the return of the election in Form 21E and the certificate of the election in Form 22 contain exactly the same name as given in the list of contesting candidates in Form 7A. Consistency of the names in the Forms 7A, Ballot Paper and Forms 21C, 21E, 22 has to be maintained without fail. The Observers will impress upon the Returning Officers about this aspect and ensure that full compliance is made.
### Counting Arrangements Report

<table>
<thead>
<tr>
<th>SI no.</th>
<th>Necessary Actions for Preparedness for Counting of votes</th>
<th>Y/N</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Whether proper management for reception of Postal Ballots has been arranged?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Whether counting staff has gone under proper training?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Whether necessary entry passes have been issued to media persons concerned and counting agents?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Whether proper security arrangements have been made at the strong room as per Commission’s instructions?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Whether proper security arrangement have been made at the Counting centers as per Commission’s Instruction?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>Whether CCTVs/ Videography arrangements have been made as per extant instructions of the Commission?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td>Whether proper arrangements have been planned for depositing of Electronic Gadgets at the Counting centers?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td>Whether Political parties has been advised to properly train their counting agents?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9.</td>
<td>Whether proper arrangements have been made for deployment of micro-observers at each table in counting centers?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10.</td>
<td>Whether all arrangements for the Counting Centers have been made properly as per Commission’s Instruction?</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Name of the Observer:

Observer Code:

Assembly Constituency/District/State:

Signature:
38. GENERAL OBSERVERS REPORTS
The First Report (immediately after the withdrawal of candidature).

OBSERVER REPORT – 1

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Subject</th>
<th>Observer's Report</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Scrutiny of Nominations</td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>Whether Scrutiny had been done by the R.O. himself, if no, whether ARO has been authorized by the R.O. in writing. Provide details</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Whether the Commission’s instruction regarding number of persons allowed to be present during nomination process was observed/complied (this may be confirmed by viewing the video coverage of nomination process).</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Whether Scrutiny of nomination papers was done properly in accordance with Sections 33, 34 and 36 of the R.P. Act 1951 read with rule 4 of the C.E. Rules 1961.</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Names of Candidates whose nominations were rejected with brief but clear reasons. (Attach copy of summary orders passed by the R.O. in each case)</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Local address with telephone/mobile no. of the Observer, after arrival in the consistency.</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Whether Observer’s name, Contact No. and the meeting hours with venue were advertised? (Attach a copy of Advertisement)</td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td>Whether a complete data base of the poll personnel – State and Central Government employees – is available for deployment?</td>
<td></td>
</tr>
<tr>
<td>No.</td>
<td>Question</td>
<td></td>
</tr>
<tr>
<td>-----</td>
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<td></td>
</tr>
<tr>
<td>8.</td>
<td>Whether the sector officers, flying squads, check posts, video viewing teams, complaint monitoring system, control room etc. in force?</td>
<td></td>
</tr>
<tr>
<td>9.</td>
<td>Whether election related officers who are in their home district or those who have completed 3 years of service in the Constituency had been identified?</td>
<td></td>
</tr>
<tr>
<td>10.</td>
<td>Whether training centers, counting centers, strong rooms finalized?</td>
<td></td>
</tr>
<tr>
<td>11.</td>
<td>Whether certain orders like suspension of arms license, order pertaining to defacement, use of loud speakers, declaring poll day as local holiday, appointment of sectoral magistrates, vesting powers under CrPC for executive magistrates, requisition orders for polling stations, counting centers, requisition order for vehicles, etc. have been issued</td>
<td></td>
</tr>
<tr>
<td>12.</td>
<td>Whether the required election materials had been procured?</td>
<td></td>
</tr>
<tr>
<td>13.</td>
<td>Whether the postal ballot requirement has been worked out? – List of persons under preventive detention, drivers cleaners of requisitioned vehicles, police personnel on election duty, service electors list updated</td>
<td></td>
</tr>
<tr>
<td>14.</td>
<td>Whether all arrangements for the poll personnel training done?</td>
<td></td>
</tr>
<tr>
<td>15.</td>
<td>Whether the route maps for every polling station, sector maps, route chart, and transport plans for Observers, poll personnel, Micro observers etc. made?</td>
<td></td>
</tr>
<tr>
<td>16.</td>
<td>Whether the vehicle requirement for transport plan assessed?</td>
<td></td>
</tr>
<tr>
<td>17.</td>
<td>Security Measures/MCC Related</td>
<td></td>
</tr>
<tr>
<td>17.</td>
<td>Whether security force deployment plans have been finalized for the districts and all assembly constituencies?</td>
<td></td>
</tr>
<tr>
<td>18.</td>
<td>Whether detailed planning for CPF patrolling and route marches in sensitive areas(with dates and routes) and other Confidence Building Measures have been done?</td>
<td></td>
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<td></td>
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<tr>
<td>19.</td>
<td>Whether security arrangement has been prepared for polling personal moving to remote/Sensitive polling station</td>
<td></td>
</tr>
<tr>
<td>20.</td>
<td>Whether Vulnerability mapping has been done effectively</td>
<td></td>
</tr>
<tr>
<td>21.</td>
<td>Whether important aspects of Model Code of Conduct were briefed to the political parties/Candidates. (Describe the main issues).</td>
<td></td>
</tr>
<tr>
<td>22.</td>
<td>What was the time, date &amp; venue of the meeting with the political parties and contesting candidates? The names of the candidates or their representatives along with their party affiliation who attended.</td>
<td></td>
</tr>
<tr>
<td>23.</td>
<td>Whether prior intimation regarding date and time of 2nd randomization of EVM/VVPAT followed by EVM/VVPAT preparation and second level check of EVM/VVPAT has been given to candidates with proper acknowledgement receipt.</td>
<td></td>
</tr>
<tr>
<td>24.</td>
<td>Whether the concept of worry list was explained to the Candidates, and they advised to submit their worry list.</td>
<td></td>
</tr>
<tr>
<td>25.</td>
<td>Whether political parties were advised to properly train their polling and counting agents (Describe the main aspects).</td>
<td></td>
</tr>
<tr>
<td>26.</td>
<td>Whether adequate publicity on MCC is done</td>
<td></td>
</tr>
<tr>
<td>27.</td>
<td>Whether Control room, media center and complaint monitoring mechanism has been set up properly</td>
<td></td>
</tr>
<tr>
<td>28.</td>
<td>Whether Flying squads, check posts and checknakkas have been setup?</td>
<td></td>
</tr>
<tr>
<td>29.</td>
<td>What arrangements made to review the live feed from CCTVs/Webcasting at Nakas etc. and SOP for action on any illegal activity noticed in live feed.</td>
<td></td>
</tr>
<tr>
<td>30.</td>
<td>Whether Videography teams have been appointed and are available at officer’s disposal</td>
<td></td>
</tr>
<tr>
<td>31.</td>
<td>Whether Single window for granting permissions / passes at RO level</td>
<td></td>
</tr>
<tr>
<td>32.</td>
<td>Whether Mechanism to control defacement of property has been setup</td>
<td></td>
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<tr>
<td>33.</td>
<td>Whether Mechanism to collect and compile information about search, seizures of cash, liquor, and filing of cases for MCC violations and monitoring the same</td>
<td></td>
</tr>
<tr>
<td>34.</td>
<td>Remarks if any.</td>
<td></td>
</tr>
</tbody>
</table>

Signature of the Observer
The Second Report (To be Submitted on P-2 days)

**OBSERVER REPORT – 2**

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Subject</th>
<th>Observer’s Report</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Electoral Roll/EVM/VVPAT Related</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>Whether a copy of the electoral roll handed over to Candidates of recognized Political parties. Whether a copy of written receipts obtained from each of them. Report the exceptions.</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Whether list of EVMs/VVPATs used in the assembly constituency including the training EVMs/VVPATs and reserved EVMs/VVPATs for replacement has been given to political parties/candidates.</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Whether Random verification of 10% or more of CU/BU was done by the R.O. in presence of political parties/candidates. Whether candidate verified the EVMs/VVPATs (2nd level check) to their satisfaction. Please describe.</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Whether candidates were allowed to take help from the engineers/master trainers in order to eliminate doubt about the malfunctioning of EVM/VVPATs.</td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Whether all stages of Randomization of EVM/VVPAT mentioned in the Commission letter 51/8/16/4/2017-EMS dated 05-12-2017 and 51/8/VVPAT/2017-EMS dated 30/08/2017 have been fully covered with videography and record kept properly.</td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>What is the arrangement to escort the polled EVM back?</td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td>What is transportation and receipt arrangement for polled EVM/VVPAT?</td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td>What is strong room guarding plan? Is the general atmosphere conducive for holding of free and fair poll? If no, state detailed reasons.</td>
<td></td>
</tr>
</tbody>
</table>
9. Whether FLC completed? And the Zero level randomization (separating training machines from the poll machines) and First randomization completed?

10. Whether political parties were involved during the process of First level randomization? Randomized list provided to political parties and ROs and proper log books maintained?

11. What is the number of VVPATs used?

12. Whether VVPATs have been tested and whether full load test performed?

13. Whether the maximum no of voters exceed 1500 in any polling station, in PS where VVPAT is used, better to keep it at 1200 only.

### Polling Personnel


15. Whether arrangement has been made for creating a data base for deployment of polling/police personnel?

16. Similarly, for micro observers what are the training and deployment arrangements?

17. Whether vulnerability mapping have been done and critical polling stations and clusters have been identified?

18. Whether adequate preventive steps have been taken for maintenance of Law and Order?

19. What is the security arrangement for polling stations and poll personnel (briefly the force deployment parameter)?

20. How many polling stations with static outside force, how many with video coverage and how many through micro observers?

### Polling Stations – Poll Day Preparations

21. Poll Day Arrangements – Control room, Voter assistance booths, regular reporting to ECI about incidents and violence, for monitoring Law and Order, receipt arrangements, strong rooms, Training OROs about 17 A scrutiny formats etc.

22. Whether arrangements for regular media briefings have been made?

23. Whether all vacancies of EROs/AEROs are filled up.
<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>24.</td>
<td>Whether Count of 17 types of errors before final publication has been carried out and rectified</td>
</tr>
<tr>
<td>25.</td>
<td>Whether count of duplicates names in the electoral roll has been identified and deleted</td>
</tr>
<tr>
<td>26.</td>
<td>Whether exercise has been done to delete dead/shifted and absentee</td>
</tr>
<tr>
<td>27.</td>
<td>Whether proper checking of the names of VIPs – Ministers, MLA, etc. has been carried out</td>
</tr>
<tr>
<td>28.</td>
<td>Whether the IT Applications like Samadhan, Suvidha and Sugam are working properly.</td>
</tr>
<tr>
<td>29.</td>
<td>Whether the list of polling stations has been prepared, published and provided to political parties, RO, ARO, Observers, Police authorities etc. And whether three copies of the same is provided to the contesting candidates.</td>
</tr>
<tr>
<td>30.</td>
<td>Whether ECI approval has been obtained on the list of Polling (including the auxiliary) stations. Are there any changes in the already approved list?</td>
</tr>
<tr>
<td>31.</td>
<td>Whether basic minimum facilities like electricity, drinking water, shade, toilet etc. and ramps the physically challenged voters and a standard voting compartment has been arranged at all polling stations. Details.</td>
</tr>
<tr>
<td>32.</td>
<td>Whether the RO / ARO conducted inspections of all polling stations and a report prepared in the format A (in page 9 of the DEO Checklist).</td>
</tr>
<tr>
<td>33.</td>
<td>Whether any model polling stations planned?</td>
</tr>
<tr>
<td>34.</td>
<td>Whether proper arrangements have been made to facilitate the differently abled electors at polling stations?</td>
</tr>
<tr>
<td>35.</td>
<td>Whether Live web casting / CCTV arrangements made to monitor election process at distant polling stations?</td>
</tr>
<tr>
<td>36.</td>
<td>Whether references / photographs / posters of Ministers / MLAs depicting the achievements of the Government in power removed in polling stations</td>
</tr>
<tr>
<td>37.</td>
<td>Whether comprehensive District Election Management Plan has been prepared as per the Commission’s instructions. Comment on quality.</td>
</tr>
<tr>
<td>38.</td>
<td>Details of measures taken for confidence building in vulnerability/hamlets.</td>
</tr>
</tbody>
</table>

**Vulnerability Mapping**
<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>39</td>
<td>Are there any vulnerable polling stations? Any PS where violence, booth capturing, intimidation, political rivalry etc. incidents reported in past elections?</td>
</tr>
</tbody>
</table>
| 40 | Whether list of vulnerable pockets/hamlets have been identified by the DM/SP and RO.  
   (i) PSs of high % of Non-EPIC voters.  
   (ii) PSs of high % of missing voters without family links.  
   (iii) PSs having vulnerable pockets -SO’s, Police’s and/ candidate’s “worry list”.  
   (iv) PSs where polling was more than 75% and where more than 75% of votes have been polled in favour of one candidate in last election.  
   (v) Re-poll reported due to malpractices, and where electoral violence has taken place during last election.  
   (vi) Anti-social elements and their areas of influence. |
| 41 | Whether sector officer has prepared Zonal Magistrate Plan with the sketch map for Polling Stations, List of telephone No. of Polling Stations and election related officers, police stations, list of responsible persons, list of Anti-Social elements etc. |
| 42 | What is the date of arrival of the CPF. |
| 43 | Whether daily action plan of the CPF was prepared in consultation with DEO/RO. Comment on effective CPF usage so far and shortcoming if any. |
| 44 | Whether strict monitoring of all ‘Paid News’ cases was undertaken and cases referred to DEO/RO/ Media Certification & Monitoring Committee(MCMC). |
| 45 | Any Other Comment: |

**Security Measures**

**Paid News Cases**

**Signature of the Observer**
**The Third Report (Immediately after completion of Poll)**

**OBSERVER REPORT – 3**

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Subject</th>
<th>Observer’s Report</th>
</tr>
</thead>
<tbody>
<tr>
<td>1)</td>
<td>Total number of Polling Station.</td>
<td></td>
</tr>
<tr>
<td>2)</td>
<td>Whether mock poll done and certificate issued in all Polling Stations. If no, indicate the specific number of Polling Station.</td>
<td></td>
</tr>
<tr>
<td>3)</td>
<td>Number of Polling Stations where there was only one election agent / polling agent was present (indicate the specific Polling Stations).</td>
<td></td>
</tr>
<tr>
<td>4)</td>
<td>No. of polling stations with video cameras</td>
<td></td>
</tr>
<tr>
<td>5)</td>
<td>No of polling stations with micro observers</td>
<td></td>
</tr>
<tr>
<td>6)</td>
<td>Number of EVMs replaced after the start of poll (indicate the specific polling Stations.) and describe the defect in the EVM – EVM No. and make to be clearly mentioned.</td>
<td></td>
</tr>
<tr>
<td>7)</td>
<td>No. and name of polling stations where complaints of violation of polls were received during the course of poll. Describe the nature of complaints and action taken.</td>
<td></td>
</tr>
<tr>
<td>8)</td>
<td>Number of Polling Stations where poll was interrupted for more than two hours or start of poll delayed by two hours or more in starting (indicate the specific Polling stations)</td>
<td></td>
</tr>
<tr>
<td>9)</td>
<td>Number of Polling Stations, where the interrupted poll could not continue (indicate the specific polling stations)</td>
<td></td>
</tr>
<tr>
<td>10)</td>
<td>No. of polling station where there is, in the opinion of observer, a need for re-poll (based on point no. 7, 8 &amp; 9 above).</td>
<td></td>
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<td></td>
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<td></td>
</tr>
<tr>
<td>11)</td>
<td>Whether there was malfunctioning of any VVPATs machine</td>
<td></td>
</tr>
<tr>
<td>12)</td>
<td>Remarks if any.</td>
<td></td>
</tr>
</tbody>
</table>

**Signature of the Observer**
The Fourth Report (immediately after the Scrutiny of 17 A (Register of Voters) and other documents on the day after the poll)

**OBSERVER REPORT – 4**

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Subject</th>
<th>Observer's Report</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Whether proper intimation was given in advance, in writing (under proper acknowledgment).</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Whether Scrutiny of Form 17 A (Register of Voters) and other documents such as Form 17 C, Presiding Officer's diary, Micro observer's reports, Sector Officer's visit Sheets (in the presence of candidates/election agents or their authorized representatives) done. Who were present? For how many polling stations?</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Whether proper log-books has been maintained for recording the time and purpose of opening and closing storage room where election records are kept.</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Whether the room was opened in the presence of observer and candidates/election agents/representatives</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Whether after the scrutiny of Form 17A, 17C, marked copies of electoral rolls etc., have been resealed by the Retuning Officer.</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Whether the election agents/representatives present have put their seal or signature thereon – who/which of the candidates?</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Whether after scrutiny of Form 17 A, 17C and other documents and materials the R.O. and Observer makes any recommendations to the Commission for re-poll. If yes describe the reasons for each recommended polling station separately.</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Remarks if any.</td>
<td></td>
</tr>
</tbody>
</table>

Signature of the Observer
The Fifth Report (immediately after the Counting of Votes).

OBSERVER REPORT – 5

<table>
<thead>
<tr>
<th>No.</th>
<th>Subject</th>
<th>Observer’s Report</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Whether arrangements for counting has been done as per the instruction of the Commission’s letters No. 470/2007/PLN-I dated 11.1.2007, 29.08.2007 and 470/INST/2009/EPS dated 08.09.2009? If No, what are the discrepancies?</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Whether randomization of counting staff was done as per the instruction of the Commission in the morning?</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Whether political parties were advised to properly train their polling and counting agents.</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Whether pairing of counting supervisor and counting assistant was done as per the instruction of the Commission?</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>How many tables were arranged?</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>How many rounds were planned?</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>How many Micro-Observer were deployed for each table?</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>How many postal ballot papers were counted?</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Whether after each round or counting, random checking of 2(two) EVMs was done by the observer?</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Whether the counting agents of the candidates were present at the time of counting?</td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>Whether the signature of the counting agents taken in part –II of form 17 C?</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>Whether the total votes shown in part-II of form 17 C tally with the votes counted in EVM?</td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>Whether the seating arrangements of the counting agents were done as per the Commission’s instruction?</td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>Whether continuous Videography of counting was done?</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Question</td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>-------------------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>Whether the EVM no. was tallied with the EVM list supplied to the polling stations?</td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>Whether Green paper seal no for each counted EVM checked and verified?</td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>Whether the round wise result was immediately put on the blackboard in counting hall at the close of each round and before the beginning of next round?</td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>Whether there was any demand for re-totaling with what result? Describe.</td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>Whether any significant incident occurred during counting of votes? If yes, give details</td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>Whether there was any case of counting of VVPAT slips under Rule 56D of Conduct of Elections Rules, 1961.</td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>Name and number of Polling Stations where VVPAT slips were counted</td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>Whether the number of VVPAT slips matched with the number of votes cast in Control Unit.</td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>Whether candidates/ counting agents were present at the time of declaration of result?</td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>Time when counting started and ended. When was the result announced? If there was any time lag, please describe the reasons.</td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>Is the observer satisfied about the counting &amp; declarations of results? (Observer should enclose round wise tabulation sheets with post copy)</td>
<td></td>
</tr>
<tr>
<td>26</td>
<td>Remarks if any.</td>
<td></td>
</tr>
</tbody>
</table>

Signature of the Observer
# 39. POLICE OBSERVERS REPORTS

**OBSERVER (POLICE)**

**FIRST REPORT**

(To be Submitted on 2nd day of reaching the allocated district)

<table>
<thead>
<tr>
<th>Code No. &amp; Name of Observer (Police)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>State:</td>
<td>--</td>
</tr>
<tr>
<td>District:</td>
<td>--</td>
</tr>
<tr>
<td>Date:</td>
<td>--</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Item</th>
<th>Report</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Date &amp; Time of Arrival at allocated District</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Particulars of Stay in the District with Telephone and Fax number</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Camp Office Address with Telephone and Fax number</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Mobile Phone Number</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Have you gone through the booklets/CDs given in the Observer Kit?</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Whether you had a meeting with -</td>
<td>Date of meeting &amp; Brief of the discussion held:</td>
</tr>
<tr>
<td>a)</td>
<td>District Magistrate (Collector)</td>
<td></td>
</tr>
<tr>
<td>b)</td>
<td>Superintendent of Police</td>
<td>Date of meeting &amp; Brief of the discussion held:</td>
</tr>
<tr>
<td>c)</td>
<td>General Observers of the District</td>
<td>Date of meeting &amp; Brief of the discussion held:</td>
</tr>
<tr>
<td>d)</td>
<td>Expenditure Observers of the District</td>
<td>Date of meeting &amp; Brief of the discussion held:</td>
</tr>
</tbody>
</table>
7. Any significant information regarding the pattern of law and order situation in the district

8. **Comments on Seizure of unlicensed Arms / Weapons / Cartridges / Explosives**

<table>
<thead>
<tr>
<th>Category</th>
<th>Number</th>
<th>Itemized details of the Seizure:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Weapons</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cartridges</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Explosives</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

9. Comments on illicit arms manufacturing Centers raided and seizures made

<table>
<thead>
<tr>
<th>Number of Raids</th>
<th>Itemized details of the Seizure:</th>
</tr>
</thead>
</table>

9.1 Comments on Licensed Arms deposited / impounded and Cancelled

<table>
<thead>
<tr>
<th>Deposited</th>
<th>Itemized details of the Seizure:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Impounded</td>
<td></td>
</tr>
<tr>
<td>Cancelled</td>
<td></td>
</tr>
</tbody>
</table>

10. No. of persons bound down u/s 107 / 116 Cr.P.C. etc. & other preventive sections

<table>
<thead>
<tr>
<th>Number</th>
<th>Comments:</th>
</tr>
</thead>
</table>

11. **Comments on -**

<table>
<thead>
<tr>
<th>a) Incidents of violence related to poll campaign, political rivalry etc.</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>b) Total Killed (Since date of announcement of Election schedule)</td>
<td>Number</td>
</tr>
<tr>
<td>c) Total injured (Since date of announcement of Election schedule)</td>
<td>Number</td>
</tr>
<tr>
<td>d) Damage to Property (in Lacs Since date of announcement of Election schedule)</td>
<td>Rupees</td>
</tr>
<tr>
<td></td>
<td>Comments on any Liquor/ Cash seized (Since date of announcement of Election schedule)</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>12</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Status of Execution of NBW</th>
<th>Number of Execution</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>13</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Comments and level of satisfaction regarding-</th>
<th>Remarks:</th>
</tr>
</thead>
<tbody>
<tr>
<td>14</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

  a) Deployment & performance of flying squads
  b) Night Patrols
  c) Area Domination by CPF/ State Police
  d) Training of Police Personnel at all levels
  e) Working of check-posts

<table>
<thead>
<tr>
<th></th>
<th>Remarks with dates and places of such activities:</th>
</tr>
</thead>
<tbody>
<tr>
<td>14</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Any other specific activity or finding, which you may like to bring to the notice of the Commission</th>
</tr>
</thead>
<tbody>
<tr>
<td>15</td>
<td>Remarks:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Any major incident which may have impact on forthcoming polls.</th>
</tr>
</thead>
<tbody>
<tr>
<td>16</td>
<td>Remarks:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Any information regarding intimidation of voters</th>
</tr>
</thead>
<tbody>
<tr>
<td>17</td>
<td>Remarks:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Level of satisfaction regarding whether sufficient action taken to stop such intimidation</th>
</tr>
</thead>
<tbody>
<tr>
<td>18</td>
<td>Remarks:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Suggestion, if any</th>
</tr>
</thead>
<tbody>
<tr>
<td>19</td>
<td></td>
</tr>
</tbody>
</table>

Signature of the Observer
# OBSERVER (POLICE) SECOND REPORT

(To be submitted on the 5th day of reaching the allocated district)

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Item</th>
<th>Report</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Training of all Police Personnel on pre-poll and poll duties conducted. Please furnish your comments thereon.</td>
<td>Comments:</td>
</tr>
<tr>
<td>2</td>
<td>Whether check-posts have been set up and shift duty is in place thereof to see whether illegal Arms/Ammunitions, liquor etc. are not moving into the district.</td>
<td>Comments:</td>
</tr>
<tr>
<td>3</td>
<td>Whether flying squads have been formed. Please furnish your comments thereon.</td>
<td>Comments:</td>
</tr>
<tr>
<td>4</td>
<td>Whether Night Patrols have been mobilized in the district. Please furnish your comments thereon.</td>
<td>Comments:</td>
</tr>
<tr>
<td>5</td>
<td>Whether area domination through route plan is sufficient and each route plan is being covered or not. Please furnish your comments.</td>
<td>Comments:</td>
</tr>
<tr>
<td>6</td>
<td>Whether Security forces have been briefed on:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>a) pre-poll duties (Area domination)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) security/sensitivity aspects of the area of their deployment.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) Comments on (a) &amp; (b) above</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Status of Execution of NBW</td>
<td>Number of Execution:</td>
</tr>
<tr>
<td>8</td>
<td>Whether NBWs have been executed at thana level. Details thereof-</td>
<td></td>
</tr>
</tbody>
</table>

Signature of the Observer
<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Subject</th>
<th>Input</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Observation about Seizure of unlicensed Arms / Weapons / Cartridges / Explosives</td>
<td></td>
<td>Itemized details of Seizure with dates:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Weapons</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Cartridges</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Explosives</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Observation about illicit arms manufacturing Centres raided and seizures made</td>
<td>Number of Raids</td>
<td>Itemized details of Seizure with dates:</td>
</tr>
<tr>
<td>3</td>
<td>Observation about Licensed Arms deposited / impounded and Cancelled</td>
<td></td>
<td>Remarks:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Deposited</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Impounded</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Cancelled</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>No. of persons bound down u/s 107 / 116 Cr.P.C. etc. &amp; other preventive sections</td>
<td>Number</td>
<td>Remarks:</td>
</tr>
<tr>
<td>5</td>
<td>Observation about -</td>
<td>Number</td>
<td>Details with dates of the major incidents:</td>
</tr>
<tr>
<td></td>
<td>a) Incidents of violence related to poll campaign, political rivalry etc.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>b) Total Killed (Since date of announcement of Election schedule)</td>
<td>Number</td>
<td>No. of Male/ Females died and details of action taken:</td>
</tr>
<tr>
<td>7</td>
<td>c) Total injured (Since date of announcement of Election schedule)</td>
<td>Number</td>
<td>No. of Male/ Females injured and details of action taken:</td>
</tr>
<tr>
<td>8</td>
<td>d) Damage to Property (in Lacs Since date of announcement of Election schedule)</td>
<td>Rupees</td>
<td>Cause of damage and action taken:</td>
</tr>
<tr>
<td></td>
<td>Comments on any Liquor/Cash seized (Since date of announcement of Election schedule)</td>
<td>Liquor (in Ltrs.)</td>
<td>Remarks:</td>
</tr>
<tr>
<td>---</td>
<td>---------------------------------------------------------------------------------</td>
<td>------------------</td>
<td>----------</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Cash (in Rs.)</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td><strong>Observation about -</strong> &lt;br&gt;a) Deployment &amp; performance of flying squads</td>
<td>Satisfied</td>
<td>Remarks:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>No</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>If no, give comments</td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>b) Night Patrols</td>
<td>Satisfied</td>
<td>Remarks:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>No</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>If no, give comments</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>c) Area Domination by CPF/State Police</td>
<td>Satisfied</td>
<td>Remarks:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>No</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>If no, give comments</td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>d) Training of Police Personnel at all levels</td>
<td>Satisfied</td>
<td>Remarks:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>No</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>If no, give comments</td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>e) Working of check-posts</td>
<td>Satisfied</td>
<td>Remarks:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>No</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>If no, give comments</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Status of Execution of NBW</td>
<td>Number of Execution</td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>-----------------------------</td>
<td>---------------------</td>
<td>---</td>
</tr>
<tr>
<td>15</td>
<td>Any other specific activity or finding, which you may like to bring to the notice of the Commission</td>
<td>Remarks:</td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>Any major incident which may have impact on forthcoming polls.</td>
<td>Remarks:</td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>Suggestion, if any</td>
<td>Remarks:</td>
<td></td>
</tr>
</tbody>
</table>

Signature of the Observer
**OBSERVER (POLICE)**

**FOURTH REPORT - POLL DAY REPORT**

*(TO BE SENT IMMEDIATELY AFTER POLLS ARE OVER IN THE DISTRICT)*

<table>
<thead>
<tr>
<th>Code No. &amp; Name of Observer (Police)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>State:</td>
<td>--</td>
</tr>
<tr>
<td>District:</td>
<td>--</td>
</tr>
<tr>
<td>Date:</td>
<td>--</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Item</th>
<th>Report</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>a) No. of incidents of violence on poll day.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) Total Killed</td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) Total injured</td>
<td></td>
</tr>
<tr>
<td></td>
<td>d) Damage to Property (in Lacs)</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Details of any Liquor/Arms/Cash seized</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Liquor</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Arms</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Cash</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Reports on Security at Polling Stations.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Satisfied</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td></td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>If no, give comments</td>
<td></td>
</tr>
</tbody>
</table>

**INCIDENT REPORT**

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>District</th>
<th>Assembly Constituency</th>
<th>Polling Station</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Signature of the Observer
40. DOS AND DON'TS FOR OBSERVERS

**DOs**

1. Attend the briefing and debriefing session fixed by the Commission.

2. Draw up your tour programs sufficiently in advance and intimate to the Chief Electoral Officer, District Election Officer and the Returning Officer of the constituency concerned.

3. Note carefully the numbers of visits, duration of visits and the period of visits given by the Commission and strictly act according to this.

4. Ensure that your tour Programme is duly publicized within the constituencies allotted to you.

5. Identification of areas / polling stations which might require closer attention:
   
   I. Visiting polling stations/areas, especially those for which vulnerability mapping is done.
   
   II. Visiting polling stations/areas, which have previous history of malpractices, irregularities and other such incidents.
   
   III. Visiting newly created polling stations is necessary.
   
   IV. Visiting polling stations/areas which might become sensitive during course of election due to any other reasons.

6. Monitor that adequate stock of all election materials are actually available as per the inventory of these items.


8. Familiarize yourself with the use of EVMs/VVPATs, and attend some training rehearsals.

9. Ensure that sufficient publicity regarding EVM/VVPATs has been given so that media and general public have no misgivings about EVMs/VVPATs.

10. Make an independent assessment of the Law and Order situation in general.
11. The observers are expected to guide advice and facilitate the efforts and initiatives of the DEO/RO in making necessary poll arrangements and conducting the elections in a free, fair, transparent, peaceful and participatory manner.

12. Make a random check of as many polling stations as possible and verify them.

13. Monitor instances of violation of Model Code, ban on transfer etc.

14. Monitor the deployment of central forces to have maximum impact.

15. Send a report to the Commission within 24 hours of your return to the headquarters after the visit. In addition, also please send spot report(s) from time to time as considered necessary.

16. Bring any development that merits immediate remedial action or attention of the Commission, to Returning Officer’s / Commission’s notice without any loss of time. Such information should not be deferred till the regular reports are submitted.

17. Upload on Observer Portal or send your report in a closed envelope addressed to the Secretary concerned looking after the particular State / Union Territory.

18. Attend meetings of the political parties called by the District Election Officers / Returning Officers.

19. Make independent assessment of the expenditure incurred by a candidate, political party or any other person.

20. Speak to the local people and check posters, pamphlets etc. to arrive at an independent assessment.

21. Inspect the register of Election Expenditure prescribed by the Commission.

22. Obtain prior permission of the Commission before leaving the headquarters.

23. Maintain proper conduct in the Constituency as ECI Observers are keenly observed.
24. The Observers shall, at all times, conduct themselves in consonance with the highest standards of professional, ethical and personal conduct, as is expected of a responsible and mature officer of the Commission.

25. The Observers shall discharge their observation duties with due diligence, honesty and responsibility.

26. Observers must be respectful of the local customs, traditions and cultures and refrain from expressing their personal opinions, perspectives and political preferences.

27. The observers must appreciate and respect the democratic processes and fundamental values of constitutional democracy enshrined in our Constitution.

28. The observers should follow the virtues of simplicity and avoid any lavish lifestyle or extravagance.

29. The observers must display the highest level of due diligence and professional acumen in conveying their opinions and reports to the commission about any election-related incident.

30. Any out-of-box suggestion regarding the improvement in election process should be given only in the final report.

31. Any instruction to the election machinery for a new experiment/measure should NOT be given without prior approval of the Commission.

32. All reports to the Commission should be prepared solely on the basis of accurate, reliable and verifiable information and not on hearsays, half-truths, rumors or unfounded anecdotal references.

33. The Observers must maintain strict confidentiality in submission of their reports and assessments to the Commission.
**DON'TS**

1. Do not ask for any exemption from the briefing session.

2. Do not travel to the Constituency with your families.

3. Do not go to the State capital to meet the Chief Electoral Officer if the route to the constituency from your headquarters does not pass through the State capital.

4. Do not call meetings of the political parties on your own.

5. Do not make any unreasonable demands to the Chief Electoral Officer / District Election Officer / Returning Officer regarding accommodation, vehicles, security etc.

6. Do not leave your headquarters once you have been allotted specific constituencies without the prior written permission of the Commission.

7. Do not plan for arrival to the Constituency on the day of scrutiny.

8. Do not plan for departure from the Constituency on the day next to the day of poll or on the day of counting.

9. Do not defer submitting reports of any development, which requires immediate remedial action; bring it to the Commission’s notice by fastest means.

10. Observer has no executive role and role clarity is a must. For example, Observers should not pull the posters off the walls to clean up defacement.

11. The Observers shall not be a party to any illegal, unauthorized or illegitimate activity or engage in acts, which can bring discredit and disrepute to the Commission and invite criticism from media, political parties, candidates or any other quarter.
12. The Observers must not make any unauthorized public statements and exercise due caution before taking any definitive position in any election-related matter.

13. Discretion is much more preferable to any grand-standing or over-confident utterance.

14. The observers must not accept any offers of hospitality, avoid shopping at special discounts or attendance at private clubs/gymnasiums and avoid recreational/scenic tours/trips etc. during their stay in the assigned Districts/ACs.

15. The observers should not appear to be partial and exhibit political neutrality through their conduct and behavior.

16. The Observers are the eyes and ears of the Commission and not the mouthpiece.

17. The observers shall NOT interact with any media persons (except to receive any inputs or information offered by them), or give any form of press briefings or press releases regarding their assessment or actions, without the express authorization from the Commission.

18. The observers must abstain from expressing any views or opinions which may be directly or indirectly construed as support or preference for, or prejudice against any particular political party, coalition or candidate even in their private discourse with their colleagues or the election officials. This also applies to their interaction through electronic medium like WhatsApp, Twitter, Facebook or other social media platforms.

19. Observers must ensure that no part of the report or election related information is shared with any unauthorized person or agency.

20. The over-arching spirit guiding the observers is cooperation and collaboration and not inquisition and enquiry.
21. The Observers are not deployed on a fault-finding mission, but to objectively assess the poll preparedness, identify the critical gaps and guide the DEO/RO to address them.

22. If any shortcoming or lacunae in the actions or performance of any election official in the state is not being addressed despite reminding the field machinery, it should be communicated to the CEO and the Commission, instead of direct confrontation or over-zealous criticism.
Review Points for Central Observers

1. Polling Station:
   - Assured Minimum Facilities (AMP), standard voting compartment (with increased height of voting compartment).
   - Voter Assistance Booth for ease of voters.
   - All Women Managed Polling Station.
   - Special Facilitation for differently-abled, visually-challenged, women, elderly, leprosy affected etc.
   - Voter Facilitation Posters.

2. Electoral Roll:
   - Modified Photo Voter Slip (with larger photo of the voter and location of the polling booth) distribution arrangements & monitoring.
   - Voter guide distribution.

3. Model Code of Conduct:
   - Mechanism of strict enforcement of MCC- flying squads, excise teams, border check posts etc.
   - Arrangements for “SOPs for last 72 hrs. till counting” and strict compliance.

4. Vulnerability Mapping:
   - Whether list of vulnerable pockets/hamlets have been identified by the DM/SP and RO and have they visited them.
   - Whether proper arrangement has been made for monitoring liquor production units and liquor outlets. Details of action taken on this front so far.
5. Quality and Fidelity of the Transportation Plan and Communication Plan and arrangements for communication-shadow areas.

6. Training and deployment of Micro-observers.

7. Training of polling staff with special focus on electoral process, EVMs & VVPATs.

8. Deployment of Forces:
   • Whether deployment of CPFs and SAPs has been prepared as per the directions of the Commission.
   • Whether vulnerable and critical polling stations have been identified and proper security measures have been adopted.
   • Whether CPF has been used for route-marches/area domination in the vulnerable pockets/hamlets. Details of dates/time of such visits by CPF.
   • Whether daily action plan of the CPF has been prepared in consultation with DEO/RO. Comment of effective CPF usage so far and shortcoming if any.

9. Complaint Redressal Mechanism:
   • Whether complaint redressal mechanism based on website and Call Centers has been constituted.
   • Whether the Call Center number has been given wide publicity.

10. IT Application:
    • Whether new IT applications like SAMADHAN, SUVIDHA, SUGAM single window permission system, vehicle management system etc. has been put in place. Details of action taken so far.
    • Whether arrangements for Webcasting at identified critical polling stations have been made.
    • Whether arrangements for CCTV monitoring and webcasting at various border check-posts, check-nakas and other sensitive and critical locations across the constituencies have also been made.
11. **Arrangements for Poll Day Monitoring.**

12. **Arrangements at the EVM Strong Room:**
   - Whether proper arrangements have been made for video recording of the EVM/VVPAT strong room.
   - Whether proper arrangements have been made for temporary stay/shelter for the representatives of the political parties outside the EVM/VVPAT strong room.
   - Whether proper lighting arrangements have been made.
   - Whether plans for using the forces for securing the strong rooms where the EVMs and VVPATs are stored and for securing the counting centers and for other purposes, as required, have been formulated.

13. **EVM Arrangements:**
   - Whether mock poll conducted during candidate setting on 5% randomly selected EVMs/VVPATs.
   - Whether all polling officials adequately trained on handling of EVMs & VVPATs in batch sizes of less than 50? How many batches conducted?
   - Whether arrangements are being made to conduct hands on training and doubt clearing on EVMs during dispersal of polling parties.
   - How many EVMs/VVPATS found faulty during Candidate Setting? Are these entered in ETS?
   - Whether Commission’s instructions regarding fitting of Sector Officer’s vehicles with GPS tracking for real time monitoring of movement of reserve EVMs and VVPATs have been implemented in letter and spirit?
   - Whether adequate staff has been deployed for monitoring of round the clock monitoring of EVM control rooms?

14. **Counting Day Arrangements:**
   - Whether proper management for reception of postal ballots has been arranged.
   - Whether proper security arrangement have been made at the strong room as per Commission's instructions.
   - Whether CCTVs/Videography arrangements have been as per extant instructions of the Commission.
• Whether proper arrangements have been made for deployment of micro-observers at each table in counting centers.

• Whether proper arrangements have been made for the Counting Halls as per the Commission’s instructions.

• Whether proper barricading has been done inside and outside the Counting Centers.

• Whether the paths for carrying EVMs to the Counting Centers have been properly sanitized with adequate security measures.

• Whether proper arrangements have been made for the verification of VVPAT paper slips as per Commission’s instruction vide letter no. 51/8/VVPAT/2017-EMS dated 13.10.2017 and 05.12.2017.

15. Any other important issue.
New IT Applications To Be Used For Forthcoming General Elections:

(a) **SAMADHAN: Public Grievance Redressal and Monitoring System**

A comprehensive, robust and reliable Public Grievance Redress System has been developed by the Election Commission to provide a common platform for all complaints, grievances, concerns and suggestions lodged by any member of the public, including our various stakeholders like political parties, candidates, civil society groups etc. A citizen has the multi-modal facility to lodge any election-related complaint via bouquet of channels/sources like Website, Email, letter, fax, SMS, Call-centre (Call-center Number is “1950”) etc. A Mobile App shall also be made available for the people, so that they can submit complaints with photographs/videos on the common platform.

(b) **SUVIDHA: Single Window Permission System**

A single window system for giving election-related permissions/clearances within 24 hours has been created. In this system, Candidates and Political Parties can apply for permissions for Meetings, Rallies, vehicles, temporary election office, loudspeakers etc at a single location, where back-end convergence of various authorities/departments has been done. This system is put in place at every RO level in each sub-division which will provide for applying, processing, granting and monitoring permissions in a synergistic manner. However, in case of permissions for Helicopter usage/landing and use of helipads, the application shall have to be submitted at least 36 hours in advance.

(c) **SUGAM: Vehicle Management System:**

It is an IT-based Vehicle Management System with the facility of issuance of requisition letters for vehicles, capturing of vehicle details with address, mobile number and bank details of owner and driver, transfer of vehicles from one district to another district etc.

(d) **Webcasting/CCTVs at Polling Stations:**

Webcasting at identified critical polling stations for LIVE monitoring of election process, to keep a check on illegal activities such as booth capturing, money distribution and bogus voting and to bring about complete transparency in the voting process shall be undertaken. Further, during the election process, CCTV monitoring and webcasting shall also be done at various border check-posts, check-nakas and other sensitive and critical locations across the constituencies to keep a strict vigil on any nefarious activities designed to vitiate the electoral process.
(e) **Polling/Police Personnel Deployment System:**

This application will be used for creating database of police/polling personnel, generation of command/appointment letters, sending SMS regarding deputation/training, tagging of patrolling party with force, generation of application for postal ballot, formation of polling party/police party after randomization, for sending polling personnel/police force from one district to another district etc.

(f) **E-Payment:**

The Commission has directed to the Chief Electoral Officer of Gujarat to make Payments through e-payment gateway for (i) Timely Payment for all the Civilian Officials/Police Officials deployed for “Election Duties” (ii) Timely Payment to all the Owners of the Vehicles which are Requisitioned for Election Purpose, (iii) Timely Payment for all the Vendors who provide Goods and Services for Election related Duties in all the Assembly Constituencies.

(g) **Voter Centric Information Dissemination Initiatives:**

It is the constant endeavour of the Commission to facilitate the voters across the country in accessing the multifarious election-related services and information. As part of this vision, an SMS-based search facility and Voter Friendly Interactive Website has already been launched and successfully working.

RONET:
RONET is ECI new IT application providing online decision support system for Chief Electoral officer / District Election Officer / Returning Officer for better Election Management.

RONET is a specialised MIS Decision Support System Software which provides Chief Electoral Officer (CEO), District Election Officer (DEO) and Returning Officer (RO) with the necessary information for making efficient, time-bound & intelligent decisions during the critical election process. RONET generates information in such a form that Election Officer understands and at a time when such a piece of information is needed and place the information under their direct control.

RONET provides updated information to CEO / DEO / RO about Polling staff deployment, Electronic Voting Machine (EVM) / Voter Verifiable Paper Audit Trail (VVPAT) deployment and host of other infrastructure and inventory details like Person with Disability database, Dispatch and Collection centre, Counting Centre, Polling Station, Critical Polling Booths, Webcasting of elections etc. The details of
the observers deployed in the constituency along with the contact details are available to RO/ DEO in the dashboard and also in the mobile. Suvidha, Sugam and Samadhan are all viewable from within RONET.

RONET can process payments to Election Duty Staff, vendors and for the hired election vehicles electronically and ePayment would be made to polling staff Police Officers, vendors and the vehicle owners whose vehicles are being used for the election purpose. To ensure seamless ePayments RONET has been connected with State Treasury Application.

Through this application, the contesting candidates can directly apply for permissions and in-turn the RO can view the permission requests in the RONET. During the polling days, the Returning Officer can directly communicate to polling party about training, material dispatch, EVM / WPAT deployment details, posting orders, postal ballots and pre-poll arrangements by sending SMS and Mobile Notifications. On the other hand, polling party can directly inform about poll day arrangements and voter turnout straight from their mobile app.

RONET also has citizen centric mobile app through which the citizens can directly lodge voter related issues or Model Code of Conduct complaints through the use of Mobile application. Further, the Citizen can see the polling booth, electoral roll name search and for the first time, the election results directly from their smart mobile phones.

The Observers should ensure that there is proper deployment and use of RONET application during the elections for effective decision support system.
ANNEXURE-I

54. CHECK LIST

INFORMATION/PARTICULARS TO BE PREPARED BY DEO AND RO TO BE PROVIDED TO THE OBSERVER ON ARRIVAL.

a) Constituency

i. No. & Name of the Constituency

ii. No. of vulnerable villages/hamlets

iii. Map of the district and map of the constituency highlighting vulnerable villages/hamlets

b) DEO

i. Name

ii. Batch of service

iii. Date of posting

c) SP/Commissioner for a city

(Please indicate the names as per jurisdiction. If the constituency involves more than two districts – both the officers should be mentioned)

i. Name

ii. Batch of service

iii. Date of posting
d) **RO and ARO**

i. Name

ii. Designation

iii. Date of joining the designated cadre

iv. Experience in conduct of elections

v. Date of posting

c) **Population**

i. Male

ii. Female

iii. Total

d) **Electorate details**

<table>
<thead>
<tr>
<th>Number of Electors</th>
<th>ELECTORS</th>
<th>EPIC holders</th>
<th>Photos in Rolls</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male</td>
<td>Female</td>
<td>Others</td>
<td>Service</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

g) **Electoral roll details**

i. Date of publication of revised electoral roll (revised w.r.t. 01-01 ---)

<table>
<thead>
<tr>
<th>Date</th>
<th>Month</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
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</table>

ii. Whether copies of electoral roll have been supplied to the recognized political parties

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>If yes, date thereof</th>
<th>If no, reason therefor</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</table>

iii. List of polling station wise changes made (a separate sheet to attached)

iv. Addition and deletion since the last publication date

<table>
<thead>
<tr>
<th>Polling Stations</th>
<th>Male Electors</th>
<th>Female Electors</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Additions</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Deletions</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Change</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Final Number</td>
<td></td>
<td></td>
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</table>

v. Date of printing of supplementary electoral roll (on a/c of continuous updation)

<table>
<thead>
<tr>
<th>Date</th>
<th>Month</th>
<th>Year</th>
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</table>

vi. Preparation of authenticated copies completed and supplied to political parties on

<table>
<thead>
<tr>
<th>Date</th>
<th>Month</th>
<th>Year</th>
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</table>

h) Polling Stations

a. No of polling stations

i) Whether the list has been approved by the ECI

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</table>

ii. Whether all the polling stations have been visited by the RO and ARO

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>No</th>
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<tbody>
<tr>
<td></td>
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</table>

iii. Polling Station Details

<table>
<thead>
<tr>
<th>Total No of Polling Stations</th>
<th>Single Polling Station Locations</th>
<th>Two PS location</th>
<th>Three PS location</th>
<th>Four PS location</th>
<th>Five PS location</th>
<th>Six PS location</th>
<th>More than Six PS location</th>
</tr>
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<tbody>
<tr>
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</tbody>
</table>
iv. Electors details of Polling Stations in the constituency

<table>
<thead>
<tr>
<th>Total No of Polling Stations</th>
<th>No of electors attached to the Polling Station</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Less than 300</td>
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<td></td>
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</table>

i. Identification of critical villages, urban clusters and polling stations

i. Vulnerability mapping done or not

ii. Critical polling stations identified or not (Detailed list with reasons)

j. EVMs/VVPATs

<table>
<thead>
<tr>
<th>Name of constituency</th>
<th>No. of EVMs/VVPATs required for polling booths</th>
<th>No. of EVMs/VVPATs in reserve</th>
<th>No. of EVMs/VVPATs marked for training</th>
<th>Total number required</th>
<th>Available number</th>
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</table>

k. Have EVMs been allocated AC-wise by the DEO after 1st randomization?  
Yes | No

Date and location planned for sealing and randomization of EVMs by RO

(i) Date:

(ii) Location:

l. Identification of centres for dispatch, receiving and counting and any special arrangements

<table>
<thead>
<tr>
<th>Name of Location</th>
<th>Activity</th>
<th>Facilities</th>
<th>Space</th>
<th>Lighting</th>
<th>Water/ &amp; toilets</th>
<th>Layout Plan</th>
</tr>
</thead>
<tbody>
<tr>
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<td></td>
<td>Adeq</td>
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<td></td>
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</tbody>
</table>

m. Availability of staff

Polling Personnel
<table>
<thead>
<tr>
<th>Total No of polling personnel required for the Constituency</th>
<th>No of State Govt. Official available</th>
<th>No of State PSUs officials available</th>
<th>No of Central Govt. Official available</th>
<th>No of Central PSUs officials available</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</table>

Police personnel

i. The total number of police personnel by designation

<table>
<thead>
<tr>
<th>SP</th>
<th>Dy SP</th>
<th>Pls</th>
<th>PSls</th>
<th>Constables</th>
</tr>
</thead>
<tbody>
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</table>

ii. Requirement of CPF

iii. Operation of police control room (police and RO, DEO) and the contact numbers

n. Preventive actions taken

i. Arms deposited

ii. Security bonds

iii. Preventive detentions

iv. NSA

v. Externment

vi. Prohibition cases, if applicable

vii. List of persons provided with security cover

viii. Copy of law & order report 1 and 2 sent to State HQ should be endorsed to Observer daily.

o. Arrangements for implementation of model code of conduct

i. Arrangements for prevention and removal of defacement of property
a. Territorial jurisdiction wise enforcement squads formed
   Yes No
b. District media cell constituted or not
   Yes No
ii. Instructions to all the officers, candidate, political parties actions envisaged for the lapses
   DONE NOT DONE
iii. Nodal officer for communicating about the venues, and rallies of political party/candidates meetings
   a. Name and contact details
   iv. Arrangements for expenditure observation at the constituency level.
   a. Designated officers at constituency level appointed
   Yes No
v. Preparation of list of prevailing market rates for regular campaign material required done
   Yes No

p. Arrangements for procurement of election material and printing of forms etc.

<table>
<thead>
<tr>
<th>No of indelible ink phials obtained</th>
<th>No of green paper seal obtained</th>
<th>No of paper strips seals obtained</th>
<th>Whether secret seals of commission received</th>
<th>Whether sufficient No of handbook for the Presiding Officers etc. available</th>
<th>Whether Statutory/Non-Statutory forms etc available</th>
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</table>

q. Randomization of polling personnel

i. Whether data base of polling personnel prepared? Yes No

ii. Date for formation of polling parties

<table>
<thead>
<tr>
<th>Date</th>
<th>Month</th>
<th>Year</th>
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</thead>
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</tbody>
</table>
iii. Date for allocation of polling stations to polling parties

<table>
<thead>
<tr>
<th>Date</th>
<th>Month</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
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</tbody>
</table>

r. **Training of Polling Personnel**

i. Whether training schedule for the polling personnel prepared? [Yes] [No]

ii. Whether schedule for EVM/VVPAT training for the polling personnel prepared? [Yes] [No]

iii. Whether schedule for training of the sector Magistrate / officers prepared? [Yes] [No]

s. **Dispatch arrangements**

i. Whether from HQ or any other location,

ii. Name of the location,

iii. Any need for early dispatch to specific polling stations,

iv. If yes, reasons.

t. **Receiving arrangements**

i. Location,

ii. No of tables for receiving,

iii. Plan for special counters.

u. **Strong room location and security arrangement**

i Location

ii Security arrangement

v. **Counting arrangement**
i. Appointment of additional AROs, if any,  
   | Yes | No |

ii. Location of counting – whether approval from the ECI,  
    | Yes | No |

iii. Testing of Genesis and operational feasibility,  
     | DONE | NOT DONE |

iv. Arrangement for receiving and counting of Postal Ballot Papers.  
   | Yes | No |
### Annexure -II

**55. Arrival/Departure Report of Observers**  
(To be Submitted Immediately after Arrival / Departure)

<table>
<thead>
<tr>
<th>Date of Reporting</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Name of Observer and code</td>
<td></td>
</tr>
<tr>
<td>Email Id</td>
<td></td>
</tr>
<tr>
<td>Number and Name of Constituency</td>
<td></td>
</tr>
<tr>
<td>Name of the District and State</td>
<td></td>
</tr>
<tr>
<td>Mobile No.</td>
<td></td>
</tr>
<tr>
<td>Fax No.</td>
<td></td>
</tr>
<tr>
<td>Constituency Mobile No.</td>
<td></td>
</tr>
<tr>
<td>Constituency Telephone No.</td>
<td></td>
</tr>
<tr>
<td>Constituency Fax No.</td>
<td></td>
</tr>
</tbody>
</table>

1. Date of arrival / Departure of Observer (please strike out the portion which is not applicable)
2. Was there any break taken by the Observer from the duty
3. If Yes, give details.
4. Was there late reporting to duty
5. If Yes, by how much time?

Place:

Date:  
Signature of Observer
ANNEXURE -III

56. **Electronic Voting Machine (EVM) & Voter Verifiable Paper Audit Trail (VVPAT)**

- In a meeting of all political parties held on 4th October, 2010, the parties expressed satisfaction with the EVM but some parties requested the Commission to consider introducing Voter Verifiable Paper Audit Trail for further transparency and verifiability in poll process. In India, the demand of VVPAT to increase transparency was floating in the air for some time after such a tool was first demonstrated in New York City in March 2001 and first used in Sacramento, California in 2002. The demand was referred to the Technical Expert Committee (TEC) by the ECI.

- Introduction of VVPAT implied that a paper slip is generated bearing name and symbol of the candidate along with recording of vote in Control Unit, so that in case of any dispute, paper slip could be counted to verify the result being shown on the EVM. Under VVPAT, a printer is attached to the balloting Unit and kept in the voting compartment. The paper slip remains visible on VVPAT for 07 seconds through a transparent window. The Commission referred the matter to its Technical Expert Committee (TEC) on EVMs for examining and making a recommendation in this regard. The Expert Committee had several rounds of meetings with the manufacturers of EVM, namely, BEL & ECIL, on this issue and then had met the political parties and other civil society members to explore the design requirement of the VVPAT system with the EVM.

- On the direction of the Expert Committee, the BEL and ECIL made a prototype and demonstrated before the Committee and the Commission in 2011. On the recommendation of the Expert Committee on EVM & VVPAT system, the Commission conducted simulated election for the field trial of VVPAT system in Ladakh (Jammu & Kashmir), Thiruvananthapuram (Kerala), Cherrapunjee (Meghalaya), East Delhi District (NCT of Delhi) and Jaisalmer (Rajasthan) in July 2011. All stake holders including senior leaders of political parties and civil society members participated and witnessed enthusiastically in the field trial. After 1st field trial of the VVPAT system, Commission made a detailed reassessment of the VVPAT system to further fine tune the VVPAT system. Accordingly, the manufacturers developed 2nd version of VVPAT prototype. The same was again subjected to 2nd field trial in the said five locations in July-August 2012.

- In the meeting of the Technical Expert Committee held on 19th February, 2013, the Committee approved the design of VVPAT and also recommended the Commission to take action on amendment of the rules for using VVPAT. The model was
demonstrated to all the political parties in an all-party meeting on 10th May, 2013. The Government of India notified the amended Conduct of Elections Rules, 1961 on 14th August, 2013, enabling the Commission to use VVPAT with EVMs. On 4th September, 2013, the Commission used VVPAT with EVMs first time in bye-election from 51-Noksen (ST) Assembly Constituency of Nagaland.

- On 8th October, 2013, the Hon’ble Supreme Court ordered introduction of VVPAT in phases in its judgment on a PIL and asked Government to sanction funds for procurement. As directed by the Hon’ble Supreme Court of India, the ECI introduced the VVPAT system in a phased manner so that full implementation could be achieved by 2019. In 2013, the ECI procured 20000 VVPATs. On 25th November, 2013, VVPATs were used in 10 ACs in Mizoram; on 4th December 2013, it was used in one AC in Delhi; and thereafter in subsequent elections.
The following table gives us the journey of VVPAT in India at a glance

<table>
<thead>
<tr>
<th>Date</th>
<th>Chronology of Events</th>
</tr>
</thead>
<tbody>
<tr>
<td>4th Oct 2010</td>
<td>An all-party meeting held. Agreement on incorporation of VVPATs along with EVMs.</td>
</tr>
<tr>
<td>July 2011</td>
<td>Field trial conducted after the prototype was manufactured, in Thiruvananthapuram (Kerala), Delhi, Cherapunjee (Meghalaya), Jaisalmer (Rajasthan) and Leh (Jammu &amp; Kashmir).</td>
</tr>
<tr>
<td>July-Aug 2012</td>
<td>A second field trial was conducted</td>
</tr>
<tr>
<td>19th Feb 2013</td>
<td>Final model was approved by TEC</td>
</tr>
<tr>
<td>10th May 2013</td>
<td>The Model was demonstrated to all political parties</td>
</tr>
<tr>
<td>14th Aug 2013</td>
<td>The conduct of Election Rules 1961 was amended and notified</td>
</tr>
<tr>
<td>4th Sep 2013</td>
<td>Election Commission of India used VVPAT along with EVMs in a bye-elections for 51-Noksen AC in Nagaland</td>
</tr>
<tr>
<td>8th Oct 2013</td>
<td>Hon'ble Supreme Court directed ECI to introduce the VVPAT system in a phased manner. full implementation to be achieved by 2019</td>
</tr>
<tr>
<td>25th Nov 2013</td>
<td>VVPATS were used in 10 ACs of Mizoram</td>
</tr>
<tr>
<td>4th Dec 2013</td>
<td>VVPAT was used in one AC in Delhi and thereafter in subsequent elections</td>
</tr>
<tr>
<td>Feb-Mar 2017</td>
<td>52000 VVPATs were used in 33 ACs in Punjab, 6 ACs in Manipur, 3ACs in Uttarakhand, 30 ACs in Uttar Pradesh and 40 ACs in Goa</td>
</tr>
<tr>
<td>April 2017</td>
<td>Approval of Government received for purchase of 16, 15,000 VVPATs at a total estimated cost of Rs.3173.47 Crores</td>
</tr>
</tbody>
</table>

So far, VVPATs have been used in 266 Assembly Constituencies and 9 Parliamentary Constituencies. In Goa elections in 2017, VVPAT was employed in all 40 LACs. ECI employed about 53,500 VVPATs in five States where elections were held recently.
ELECTRONIC VOTING MACHINE

- Voting machine consists of two units – (1) Control Unit and (2) Balloting Unit interconnected by cable.

- One balloting unit caters up to sixteen candidates and displays names of contesting candidates and the symbols

- There is a blue button on balloting unit by pressing which the voter can record his vote.

![Control Unit and Balloting Unit](image)

*Figure 1: Control Unit and Balloting Unit*

VOTER VERIFIABLE PAPER AUDIT TRAIL (VVPAT)

Introduction

In a meeting of all political parties held on 4th October, 2010, the parties expressed satisfaction with the EVM but some parties requested the Commission to consider introducing Voter Verifiable Paper Audit Trail for further transparency and verifiability in poll process. The Commission referred the matter to its Technical Expert Committee on EVMs for examining and making a recommendation in this regard. The Expert Committee had several rounds of meetings with the manufacturers of EVM, namely, BEL & ECIL, on this issue and then had met the political parties and other civil society members to explore the design requirement of the VVPAT system with the EVM.
On the direction of the Expert Committee, the BEL and ECIL made a prototype and demonstrated before the Committee and the Commission in 2011. On the recommendation of the Expert Committee on EVM & VVPAT system, the Commission conducted simulated election for the field trial of VVPAT system in Ladakh (Jammu & Kashmir), Thiruvananthapuram (Kerala), Cherrapunjee (Meghalaya), East Delhi District (NCT of Delhi) and Jaisalmer (Rajasthan) in July 2011. All stakeholders including senior leaders of political parties and civil society members participated and witnessed enthusiastically in the field trial. After 1st field trial of the VVPAT system, Commission made a detailed reassessment of the VVPAT system to further fine tune the VVPAT system. Accordingly, the manufacturers developed 2nd version of VVPAT prototype. The same was again subjected to 2nd field trial in the said five locations in July-August 2012.

In the meeting of the Technical Expert Committee held on 19.02.2013, the Committee approved the design of VVPAT and also recommended the Commission to take action on amendment of the rules for using VVPAT. The Government of India notified the amended Conduct of Elections Rules, 1961 on 14th August, 2013, enabling the Commission to use VVPAT with EVMs. The Commission used VVPAT with EVMs first time in bye-election from 51-Noksen (ST) Assembly Constituency of Nagaland. Thereafter, VVPATs have been used in selected constituencies in every election to Legislative Assemblies and 8 Parliamentary Constituencies in General Election to the House of the People-2014.

**Facts on VVPAT**

![VVPAT Components](image)

| Control Unit | VSDU | Printer (VVPAT) | Balloting Unit |

Voter Verifiable Paper Audit Trail is an independent system attached with the Electronic Voting Machines that allows the voters to verify that their votes are cast as intended. When a vote is cast, a slip is printed on the VVPAT printer containing the serial number, name and symbol of the candidate and remains exposed through a transparent window for 7 seconds. Thereafter, this printed slip automatically gets cut and falls in sealed drop box of the VVPAT. VVPAT
consists of a Printer and a VVPAT Status Display Unit (VSDU). VVPAT runs on a power pack (Battery) of 15 volts. Control Unit and VSDU are kept with the Presiding Officer/Polling Officer and Balloting Unit and Printer are kept in the voting compartment.

**Additional Polling Official**

While constituting polling parties, care should be taken to provide one extra polling official in each polling station to handle the VVPAT unit. The duty of this polling official will be to watch the VVPAT Status Display Unit (VSDU), kept on the presiding officer's table, continuously during the entire poll process. He will bring any error messages on VSDU to the notice of the Presiding Officer immediately. One additional power pack battery will be provided to every polling party. In case of low battery error message, the battery will be changed. For any other error message, the VVPAT printer unit will be changed. It may be noted that change of paper roll is not allowed during poll.

**Conduct of Mock Poll and sealing of EVM and VVPAT in the Polling Stations**

During the mock poll in the polling stations, the Balloting Unit(s) and VVPAT unit should be placed in the Voting Compartment and Control Unit and VSDU on the table of the Presiding Officer/Polling Officer who will operate the Control Unit after being properly connected. One polling officer should be present in the Voting Compartment along with polling agents to watch operations on the Balloting Unit and the printed ballot slip by the VVPAT Printer unit. This polling officer will keep a record of the votes cast. After the mock poll, Presiding Officer will ascertain the result in the Control Unit and count the ballot slips in respect of each candidate in the presence of the polling agents and confirm that the result tallies with the votes polled in respect of each candidate. The Presiding Officer shall ensure that the data of mock poll is cleared in the Control Unit, without fail, and also remove all the printed paper (ballot) slips from the drop box in the VVPAT unit. The printed paper slips of the mock poll should be stamped on their back side with rubber stamp having inscription “Micro Observer CK POLL SLIP” before keeping and sealing these printed paper slips in the thick black envelope supplied for the purpose. The envelope will be sealed with the seal of the presiding officer. The Presiding Officer and the polling agents present shall put their signatures on the envelope. The number and name of the polling station and number and name of Assembly Constituency along with the date of poll shall be written on the Envelope. Words: “Printed paper slips of Mock Poll” shall also be written on the envelope. The envelope shall then be kept in the special plastic box provided for the purpose. The plastic box shall be sealed with a Pink Paper Seal placed all around in such a manner that opening of the box shall not be possible without breaking the seal. The number and name of the polling station and number and name of Assembly Constituency along with the date of poll shall be written on the plastic box. The Presiding Officer and Polling Agents present shall put their signatures on the pink paper seal. This plastic box containing printed paper slips of the mock poll shall be kept along
with other documents relating to elections by the Returning Officer and shall be preserved till the period of filing of Election Petitions is over or in case an election petition is filed, till the final disposal by the Competent Court. Polling agents present will be allowed to verify that the drop box of VVPAT unit is now empty. Thereafter, Presiding Officer will prepare and sign the mock poll certificate (Annexure-15) in the revised format of Mock Poll Certificate enclosed herewith and seal the Control Unit as per procedure laid down in the Presiding Officers’ Handbook. The Presiding Officer shall also prepare the VVPAT system as under:

(i) The lower part of the VVPAT unit, i.e. drop box, shall be sealed with the thread and Address Tag before actual poll starts.

(ii) After that, BU and VSDU shall be connected to the VVPAT printer and connect the VVPAT printer to the Control Unit.

(iii) Switch ON the Control Unit, after making all connections.

This is a very critical step and this should be emphasized during training. Observer should visit maximum number of polling stations on the poll day to check that everything is being done in the manner prescribed by the Commission.

Complaint About Incorrect Printing Of Particulars On Paper Slip

If any voter alleges about the wrong printing of particulars of a candidate and/or symbol of that candidate on paper slip printed by the printer on pressing of concerned blue (candidate) button on the Balloting unit to which the printer is connected, the Presiding Officer of the polling station should provide him a ‘Form of Declaration’ (Annexure-III) to lodge a complaint and follow the procedure prescribed under rule 49MA, which reads as under:

“49MA. Procedure in case of complaint about particulars printed on paper slip.-

(1) Where printer for paper trail is used, if an elector after having recorded his vote under rule 49M alleges that the paper slip generated by the printer has shown the name or symbol of a candidate other than the one he voted for, the presiding officer shall obtain a written declaration from the elector as to the allegation, after warning the elector about the consequence of making a false declaration.

(2) If the elector gives the written declaration referred to in sub-rule (1), the presiding officer shall make a second entry related to that elector in Form 17A, and permit the elector to record a test vote in the voting machine in his presence and in the presence of the candidates or polling agents who may be present in the polling station, and observe the paper slip generated by the printer.
(3) If the allegation is found true, the presiding officer shall report the facts immediately to the returning officer, stop further recording of votes in that voting machine and act as per the direction that may be given by the Returning Officer.

(4) If, however, the allegation is found to be false and the paper slip so generated under sub-rule (1) matches with the test vote recorded by the elector under sub-rule (2), then, the presiding officer shall-

(i) Make a remark to that effect against the second entry relating to that elector in Form 17A mentioning the serial number and name of the candidate for whom such test votes has been recorded;

(ii) Obtain the signature or thumb impression of that elector against such remarks; and

(iii) make necessary entries regarding such test vote in item 5 in Part I of Form 17C.”

Action In Case Of Certain Contingencies During Poll

Certain contingencies may arise during the polling process, which may require certain actions. These are as follows: -

a. In case the CU or the BU does not work properly, replacement of the whole EVM including CU, BU and VVPAT is required. No mock poll is required to be taken.

b. In case the VSDU is showing “Low Battery”, the power pack battery of VVPAT should be replaced. It should be ensured that before taking out the power pack battery of VVPAT, control unit must be switched OFF and after installing new power pack battery in VVPAT, control unit should be switched ON. Control Unit should not be switched ‘ON’ without installing power pack in VVPAT.

c. In case there is any other error, like “Paper Low” error, the VVPAT will stop printing and the error shall be displayed on the VSDU. In such case the VVPAT unit is to be replaced. No mock-poll is required to be taken. Therefore, if VVPAT has not printed the paper slip, or the printed paper slip has not been cut, the last voter whose paper slip has not been printed by VVPAT or has not been cut should be allowed to cast his vote after the VVPAT has been replaced. In case the printed paper slip has not been cut and is hanging from the paper roll, no effort should be made to make it fall into the drop box. It should be allowed to remain hanging as it means that the vote has not been recorded in Control Unit and as it is not to be counted at the time of counting.
of the printed-paper slips. The details of such an occurrence should be clearly recorded in the Presiding Officer's dairy in the following format:

i. The date and time of the occurrence.

ii. The name of the voter and his serial number in the part in the electoral roll, who was allowed to cast his vote after replacement of VVPAT.

iii. Whether the voter cast his vote after replacement of VVPAT or went away without casting his vote.

iv. The total number of votes cast before the occurrence.
PRESENTATION ON Electronic Voting Machine (EVM) & Voter Verifiable Paper Audit Trail (VVPAT)

February 2019.

AGENDA

1. History
2. Technical Expert Committee (TEC)
3. Technical Security
4. Administrative safeguards
5. Debate around EVMs- Explained
6. Aspersions Vs. Confidence
7. Past Judgements
8. Voter Verifiable Paper Audit Trail (VVPAT)
HISTORY OF EVM
40 YEARS

HISTORY OF EVM – 40 YEARS

1977
CEC S L Shakdar talked about introducing an Electronic machine

1980-81
EVMs developed and demonstrated by Electronic Corporation of
India Limited (ECIL) and Bharat Electronic Limited (BEL)

1982-83
EVMs used in 50 polling stations of Parur LA in Kerala. Used
in 11 Assembly Constituencies: 8 states, 1UT

1984
Usage of EVMs suspended: SC ruling-EVMs cannot be used
till Representation of People (RP) Act is amended

1988
RP Act amended: enabling use EVMs wef 15.03.1989

2018
SC dismissed petition asking for return to Ballot papers!

- Since 2000, EVMs have been used in all elections. 3 Lok
  Sabha and 118 State Legislative Assemblies. Till date, more than
  250 crore voters have cast their votes with full confidence and satisfaction.
### CHRONOLOGY OF EVM-VVPAT IN INDIAN ELECTIONS

<table>
<thead>
<tr>
<th>Date</th>
<th>Chronology of Events</th>
</tr>
</thead>
<tbody>
<tr>
<td>1977</td>
<td>ECI mooted the idea of EVM</td>
</tr>
<tr>
<td>1979</td>
<td>A proto-type was developed</td>
</tr>
<tr>
<td>6th August, 1980</td>
<td>Demonstration by ECI before the representatives of political parties</td>
</tr>
<tr>
<td>January 1981</td>
<td>BEL approached ECI for manufacturing EVMs</td>
</tr>
<tr>
<td>29th July, 1981</td>
<td>ECI held a meeting with the representatives of BEL, ECIL, the Ministry of Law and</td>
</tr>
<tr>
<td></td>
<td>Chief Electoral Officers of some state</td>
</tr>
<tr>
<td>19th May, 1982</td>
<td>EVMs first used in 70-Parur AC in Kerala</td>
</tr>
<tr>
<td>1982-83</td>
<td>EVMs used in 10 Bye-elections in different parts of the Country</td>
</tr>
</tbody>
</table>

### Additional Information

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>5th March, 1984</td>
<td>Supreme Court of India held that EVMs cannot be used in elections</td>
</tr>
<tr>
<td>December 1988</td>
<td>A new Section 61A was included in the Representation of the People Act 1951</td>
</tr>
<tr>
<td></td>
<td>(The Supreme Court upheld the validity of section 61A in 2001)</td>
</tr>
<tr>
<td>15th March, 1989</td>
<td>The amendment came into force</td>
</tr>
<tr>
<td>January 1990</td>
<td>Electoral Reforms Committee (ERC) formed by Government of India</td>
</tr>
<tr>
<td>April 1990</td>
<td>Technical Experts Committee recommended the use of EVMs</td>
</tr>
<tr>
<td>24th March, 1992</td>
<td>Necessary amendments to the Conduct of Elections Rules 1961 were notified by the Government</td>
</tr>
<tr>
<td>1996</td>
<td>A general consensus was reached on the use of EVMs for conducting Indian Elections</td>
</tr>
<tr>
<td>1999-2004</td>
<td>EVMs used in different state assembly elections</td>
</tr>
<tr>
<td>2004 - 2014</td>
<td>EVMs used in three consecutive elections to the Lok Sabha</td>
</tr>
<tr>
<td>14th August, 2013</td>
<td>The Conduct of Elections Rules 1961 were further amended and notified to provide for VVPATs</td>
</tr>
<tr>
<td>4th September, 2013</td>
<td>VVPAT was first used in a bye-election for 51-Noksen AC in Nagaland</td>
</tr>
<tr>
<td>8th October, 2013</td>
<td>Hon'ble Supreme Court directed the ECI to introduce the VVPAT in a phased manner</td>
</tr>
<tr>
<td>2013 – March 2017</td>
<td>Limited number of VVPATs introduced in phases by ECI except all 40 Assembly Constituencies of</td>
</tr>
<tr>
<td>April 2017</td>
<td>Goa.</td>
</tr>
</tbody>
</table>
| May 2017 – present | Approval received for purchase of 16,15,000 VVPATs at a cost of Rs. 3173.47** Core during 2017-18 and 2018-19. All required VVPATs are available for use in Lok Sabha 2019. ** Cost of 16,15,000 VVPATs reduced to Rs. 2616.30 Cr. After fixation of price by the Price Negotiation Committee. VVPATs being used in all General/Bye-elections to Parliamentary and Assembly Constituencies.
TECHNICAL EXPERT COMMITTEE (TEC)
INDEPENDENT EVALUATION

TEC- HISTORY

1st Technical Expert Committee (TEC) formed
January, 1990

TEC constituted for evaluation of upgraded EVMs
Submitted an Evaluation Report in 2006
December 2005

Recommended use of the EVMs unanimously
April 1990

Latest reconstitution
November 2010
Past TECs

Composition of First Technical Expert Committee on EVMs – 1990
1. Professor S. Sampath, Chairman Technical Advisory Committee, Defence Research & Development Organization (DRDO), Ministry of Defence
2. Professor PV Indiresan of the IIT Delhi
3. Dr. Rao C. Kasarabada, Director, Electronic Research & Development Centre (ERDC), Trivandrum

Composition of Second Technical Expert Committee – Dec 2005
1. Prof P.V. Indiresan, Ex-Director, IIT Madras as Chairman of TEC
2. Prof. D.T. Shahani of IIT Delhi
3. Prof. A.K. Agarwala of IIT Delhi

PRESENT TEC COMPOSITION

4 Eminent Professors from IITs: Renowned Experts in their Fields.

Prof D T Shahani,
Prof Emeritus, IIT-Delhi.

Prof Rajat Moona,
Director IIT Bhilai,
Former Director General CDAC.

Prof Dinesh K Sharma,
Prof Emeritus, IIT Bombay

Prof A K Aggarwala,
IIT Delhi
TECHNICAL SECURITY
DESIGN, PROCESS, MANUFACTURING

1. SECURED DESIGN FEATURES

- **Standalone Machine**
  - No Radio Frequency transmission or reception possible - No wireless communication possible

- **One Time Programmable (OTP) chip***
  - The Software burnt on the chip cannot be re-written/modified/erased

- **Dynamic Coding of Key Press**

- **Real Time Clock for time and date stamping key press**
2. SECURE DEVELOPMENT & MANUFACTURING

- Manufactured by Premium PSUs- M/s BEL & ECIL: Both deal with manufacturing of sensitive equipment critical to the safety and security of the Nation and have strong security protocols.

- In-house SOFTWARE (SW) Developed. Fully vetted by TEC. Never sub-contracted.

- Secure Manufacturing: 3-level Physical/Process access Control, Regular frisking at imp junctions, prohibition on outside e-gadgets, CCTV Coverage, Access Data and Process Data logging, alarm and alert generation.

- Third Party Testing by Standardization Testing & Quality Certification (STQC)* as per Standards & Quality Process set by TEC. Software is also tested & checked by STQC for authentication.

(*STQC is an organization under Ministry of Electronics and Information Technology involved in certifying organizations and products by independent testing/auditing.)
1. **Stakeholder Participation AT EACH & EVERY STEP INVOLVING EVMs & VVPATs.**
2. Allocation & Secure Movement
3. First Level Checking *(FLC)*
4. Candidate Setting
5. Randomization
6. Mock Poll
7. Poll Day Checks
8. Poll Closure & Transportation
9. Storage & Security
10. Counting Day Protocol
2. ALLOCATION & MOVEMENT

Planned Allocation
- EVMs are allocated to poll going State by the Commission

Received by District Election Officer (DEO) who is personally responsible for secured storage

EVM Management Software for inventory management of all EVMs nationwide.

Secured Transportation
- Any Movement of EVMs/VVPATs mandatorily managed through EVM Management System (EMS)
- Only Containerized Trucks or Sealed trucks used for Transportation
- All Trucks sealed with Lock and Paper Seals
- GPS tracking mandatory
- All movement under 24X7 Police Escort
- **Political parties informed in advance** about the opening, stocking and sealing of warehouses while shifting of EVMs/VVPATs
- Videography done of shifting process

3. FIRST LEVEL CHECKING (FLC)

- FLC in the **presence of representatives of political parties**
- Fully sanitized hall under videography and full security
- Full functionality and behavioural check is done
- Defective (non-functional) EVMs are kept aside and not used in election
- Recorded in EMS
**FLC PROCESS**

1. Mock Poll on All EVMs/VVPATs
2. Complete physical check up (switches, cable, latches etc) & functional test
3. 1200 votes in 1%, 1000 in 2% & 500 in 2% on randomly selected EVMs & 96 Votes in each VVPAT.
4. CU sealed after FLC using 'Pink Paper Seal'
5. Signing on seals by Engineers and representatives
6. EVMs/VVPATs stored in Strong Room under 24X7 security
7. Photocopies of record registers shared with political party representatives

---

**4. CANDIDATE SETTING**

**The Process**

1. Insert ballot paper in the Ballot Unit & Set Number of Candidates on CU. Load symbols in the VVPAT
2. Seal BU, CU & VVPAT
3. Mock Poll on Every EVM + 1000 vote on 5% EVMs

**Security Measures**

1. Done after finalization of the names of contesting candidates
2. Fully sanitized hall under videography and full security.
3. Done in the presence of candidates or their agents.
No voter to be left behind

5. RANDOMIZATION

- EVMs are Randomized twice using EVM Management System (EMS).
- Only FLC approved EVMs as per EMS get picked up for first randomisation

1st Randomization

2nd Randomization

- Done after FLC
- To allocate EVMs from district, randomly, to a particular Assembly Constituency (AC).
- In presence of representatives of political parties
- List of AC-wise Randomized EVMs shared with political parties.

5. RANDOMIZATION

- EVMs are Randomized twice using EVM Management Software (EMS).
- Only FLC approved EVMs recorded in EMS get picked up for first randomisation

1st Randomization

2nd Randomization

- Done just before ‘candidate setting’.
- To allocate EVMs available in an AC to specific polling stations.
- In presence of candidates/election agents and list shared.
No voter to be left behind

5. RANDOMIZATION

1st Randomization

District

2nd Randomization

AC 1

AC 2

PS**1

PS 2

PS (n)

*Assembly Constituency
**Polling Station

RANDOMIZATION- THE FOUNDATION OF EVM SECURITY

- Till first randomization- no one knows which EVM is going to which AC

- Till nomination finalisation- no one knows the sequence of names on the ballot paper

- Hence, till candidate setting no one (not even Returning Officer (RO)/DEO/Chief Electoral Officer (CEO)/Commission) knows which button on which BU will be assigned to which candidate, making even an attempt to tamper absolutely futile.

- Till 2nd Randomization- no one knows which EVM will go to which PS

- Added to this is the 3 stage Randomization of polling station officials.
6. POLL DAY MOCK POLL

- Before start of actual poll, Mock poll with at least 50 votes in the presence of candidates/their polling agents. CU count tallied with VVPAT slips.
- Mock poll data is erased and shown to the polling agents.
- The Presiding Officer issues the Mock Poll Certificate with signature of the representatives of candidates.

7. POLL DAY CHECKS

- Polling Agents
- Central Armed Police Force (CAPF), Micro-Observers, Webcasting/CCTV
- Frequent visits (Sector Officers / Senior officers/ Observers)
- 2 hourly reporting of votes polled
- Media
8. POLL CLOSURE & TRANSPORTATION

Poll Closed on EVM by pressing CLOSE button on CU

EVMs sealed in carrying cases & polling agents sign them

EVMs transported back to the reception centres under armed escort. Candidates’ representatives are allowed to follow them

9. SECURE STORAGE IN STRONGROOMS TILL COUNTING

- Polled EVMs kept in strong room, sealed in the presence of the Candidates and Observer
- Facilitation for Candidates to watch the Polled EVM Strong Room 24/7
- Starting from FLC of EVMs to Counting of votes, EVMs are kept in Strong-room with full 24/7 security
10. STORAGE & SECURITY

- EVM warehouse/strongroom with only one entry point.
- Entry secured by a double lock system with District Election Officer (DEO) & Dy DEO, each having custody of keys of one lock each.
- 24X7 Armed security.
- The opening & closing of EVM warehouse ONLY in presence of Political party representatives- advance written intimation mandatory.
- Entire EVM/VVPAT stock managed by ECI through EMS

**Post Polling:**
- Candidates allowed to put their own seals on locks.
- Two cordoned round-the-clock security for strong rooms having polled EVMs with CCTV feed to Candidates Camping Area.
- The CAPF secures the innermost perimeter immediately outside the strong room and the State Armed Police secures the outer perimeter.
- 24/7 security arrangement for unused EVMs/VVPATs also.

11. COUNTING DAY PROTOCOL

- On the day of counting, strong room opened in the presence of Candidates, RO and Observer under videography.
- Round-wise CU’s are brought to the counting tables from Strongrooms under CONTINUOUS CCTV Coverage.
- Unique ID number of the CU & the signed seals are verified and shown to the polling agents.
- EVMs & VVPATs are stored back in Strong Room in the presence of candidates/their representatives till the completion of the Election Petition period.
**ELECTION PETITION PERIOD**
**REGISTERING COMPLAINT**

**ELECTION PETITION (EP) PERIOD**

<table>
<thead>
<tr>
<th>Election Petitions can be filed within 45 days of result declaration</th>
</tr>
</thead>
<tbody>
<tr>
<td>EVMs (BU+CU) &amp; VVPATs remain under sealed conditions till EP position is ascertained.</td>
</tr>
<tr>
<td>EVMs and VVPATs under EP, are kept under safe custody of DEO (Strong Room) till final disposal of EP.</td>
</tr>
<tr>
<td>Remaining EVMs and VVPATs not in EP are now free for re-use.</td>
</tr>
</tbody>
</table>
DEBATE AROUND EVMs-EXPLAINED!
CLARIFICATION OF ALL ISSUES

DEBATES AROUND EVM

- Hacked EVM
- Vote Stuffing after Poll Closure
- Remotely Altered Control Unit Display
- Altered software code
- Memory Manipulation
- Replaced Microcontroller or Memory chips

International Comparison
“No voter to be left behind”

NO POSSIBILITY OF EVM HACKING

Hacking’ is unauthorised access to or control over computer network security systems for some illicit purpose.

In the case of ECI EVMs, the word ‘Hacking’ is not applicable for following reasons:
- The EVM is a stand alone machine and is not connected to any network through wire or wirelessly.
- The Software (SW) in the OTP Microcontroller can neither be read nor modified.

NO POSSIBILITY OF REMOTELY ALTERED CU DISPLAY THROUGH WIRELESS COMMUNICATION

- It is alleged this can be done by either replacing the original display module with another display fitted with a wireless device or inserting an extra circuit board which can communicate with an external unit via a wireless device and tamper the result by controlling the CU display used for declaring the result.

- Such a modification would require unfettered access to the EVM after FLC – Ruled out.
MEMORY MANIPULATION RULED OUT

• It is alleged that voting data can be altered by clipping a Memory Manipulator Integrated Circuit (IC) to the memory chip where Vote data is stored. This would need,
  • Full and free access to CUs after the Polling is over- Ruled Out !!
  • Breaking the seals and locks of the strong room in the presence of two layers of security plus the representatives of the candidates camping near the strong room- Ruled Out !!

REPLACEMENT OF MICROCONTROLLER/MEMORY CHIP or MOTHERBOARD BEFORE POLL/COUNTING IMPOSSIBLE

Administrative Safeguards
• Chip replacement would require access to EVM Warehouses – Ruled Out
• Any chip replacement before FLC will get caught during FLC
• Chip Replacement after FLC would require access to Strong Rooms and breaking of EVM Pink Paper seals– Ruled Out

Technical Security
• BUs and CUs communicate only amongst themselves and go into error mode if connected to any other machine. Thus, any modified EVM (with microcontroller/memory changed) would not be usable even if someone is able to hypothetically bypass security arrangements and modify EVM
TAMPERED SOURCE CODE “TROJAN” Ruled Out

- It is alleged that Trojan can be introduced in following manner
  - by reprogramming the chip, or
  - by the chip manufacturer during fusing of the software.

- Re-programming Ruled Out as these are OTP chips.
- Code tampering by the chip manufacturer Ruled Out as it will get caught during the code integrity check.

NO POSSIBILITY OF VOTE STUFFING AFTER POLL CLOSURE

Administrative safeguards
- Poll closed by pressing the “CLOSE” button on the CU after last vote.
- Representatives of candidates who are present signs on the seals
- EVM seals checked on counting day

What if seals broken and votes stuffed while transporting?
- EVM does not accept any votes after CLOSE button pressed in CU

What if CLOSE button not properly pressed and Votes Stuffed while transporting?
- Poll Closure time recorded in the PO’s diary and any votes polled in the EVM after this time can be identified due to time stamping of key presses
### DEFECTIVE VS TAMPERED

#### DEFECTIVE/NON-FUNCTIONING VS MANIPULATION/TAMPERED

<table>
<thead>
<tr>
<th>Defective/Non-functioning</th>
<th>Manipulation/Tampering</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dictionary meaning- ‘Failing to work or function properly’.</td>
<td>Dictionary Meaning- ‘To interfere in an illegal &amp; disruptive manner or to make alterations or adjustments, especially secretly so as to subvert an intended purpose or function’.</td>
</tr>
<tr>
<td>EVMs/VVPATs being electronic gadgets, can become defective due to a variety of reasons, including, inter alia, ageing components, temperature, humidity conditions, breakage of plastic / moveable parts etc</td>
<td>A tampered EVM must behave in a pre-defined and biased manner to favour a particular candidate and this partisan behavior of the machine must be replicable/demonstrable.</td>
</tr>
<tr>
<td>Such defects or faults in EVMs are detected during First Level Check, EVM preparation process, mock poll before the start of actual poll and in very few cases during the poll.</td>
<td>A tampered EVM must be able to hide the manipulations from the wide array of functionaries and processes for it to succeed.</td>
</tr>
<tr>
<td>All such defective EVMs are promptly removed from the election process and replaced with a fully functional EVM.</td>
<td>No evidence of any incident of any EVM Tampering, ever, has been produced.</td>
</tr>
<tr>
<td>No violation of poll process or votes possible. No wrong vote is ever recorded even in a ‘defective’ EVM.</td>
<td>Only allegations, no substance!!!</td>
</tr>
</tbody>
</table>

*Only 1-2% EVMs become defective/non-functional during polls & replaced with fully functional Units.*

*However, No incident of EVM tampering ever found.*
Defective EVMs
EVMs that fail to function due to any mechanical, structural or physical defect like faulty switches, broken button, faulty connections etc. However, these **NEVER record Wrong Vote**.

- EVMs are checked for defects during FLC, candidate setting, before start of poll and during poll.
- Serial Numbers and defects of these EVMs are noted and EVMs are sent to the manufacturers for analysis and repair.
- Manufacturers follow same security protocols during repair as they do for manufacturing new EVMs.

Electronic Voting in Other Countries
**VARIOUS FORMS OF ELECTRONIC VOTING/ INTERVENTIONS USED IN OTHER COUNTRIES**

**Electronic Voter Identification**
- **14 countries** using some form of Electronic/biometric based voter identification
- Brazil, Venezuela, USA, Switzerland, Romania, Belgium, Lithuania, Mongolia, Bhutan, Kyrgyzstan, Uganda, Namibia, Kenya, Jamaica

**Electronic Voting (Fully /Partially)**
- **16 countries** using electronic voting in some form through EVMs (Direct Recording Machines- DRM), some with Paper Trail.
- India, Namibia, Armenia, Bangladesh, Bhutan, Australia, Belgium, Bulgaria, Italy, Switzerland, Canada, Mexico, USA, Argentina, Brazil, Chile, Peru, Venezuela

**Electronic Counting**
- **13 countries** are using e-technology for counting of votes
- Argentina, Brazil, Venezuela, Dominican Republic, Lithuania, Bulgaria, Belgium, Australia, South Korea, Philippines, Mongolia, Bhutan, Namibia

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**Country Specific Details**

**Other countries using EVMs (DRMs):**

Namibia, Nepal, Armenia, Bangladesh, Bhutan, Australia, Belgium, Bulgaria, Italy, Switzerland, Canada, Mexico, USA, Argentina, Brazil, Chile, Peru, Venezuela

**United States of America:**

- Currently, in the USA, **the Direct Recording Machines (DRMs) are used in 27 states**, among which **paper audit trails are used in 15 states**. The other voting methods include: **Optical Scan Paper Ballot Systems, Ballot Marking Devices, and the Punch Card Ballot**.
**Why Some Countries Discontinued Electronic Voting**

<table>
<thead>
<tr>
<th><strong>ECI EVM</strong></th>
<th><strong>Foreign EVM</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Standalone</td>
<td>Mostly networked</td>
</tr>
<tr>
<td>Manufactured in Premium PSUs</td>
<td>Manufactured entirely by private entities</td>
</tr>
<tr>
<td>Verified and certified by an independent Technical Experts Committee</td>
<td>No such robust and independent certification/checks</td>
</tr>
<tr>
<td>Data is stored internally and not transferrable by any device</td>
<td>Voting data recorded in the DRM is transferred by means of Compact Disc (CD) etc</td>
</tr>
<tr>
<td>Full end to end security protocol and administrative safeguards for the use, storage, transportation and tracking</td>
<td>No such protocols, e.g. in Ireland</td>
</tr>
<tr>
<td>Administrative and physical security as per legal framework across the country.</td>
<td>No such legal framework, e.g. in Netherlands</td>
</tr>
<tr>
<td>Voter verifiability and auditability of every vote cast</td>
<td>Lack of such facility in the NEDAP machines- unconstitutional by German Supreme Court as lacked public examinability</td>
</tr>
</tbody>
</table>
ASPERIONS VS CONFIDENCE
Between MAR-DEC 2017

BHIND FINDINGS

Commission’s enquiry found 4 buttons of BU pressed in the following order and VVPAT printed corresponding slips

<table>
<thead>
<tr>
<th>Button no</th>
<th>Symbol</th>
<th>Name of Candidate</th>
</tr>
</thead>
<tbody>
<tr>
<td>03</td>
<td>Handpump</td>
<td>Raju Pal</td>
</tr>
<tr>
<td>04</td>
<td>Lotus</td>
<td>SatyaDev Oanchor</td>
</tr>
<tr>
<td>03</td>
<td>Handpump</td>
<td>Raju Pal</td>
</tr>
<tr>
<td>01</td>
<td>Hand</td>
<td>Ambuj Shukla</td>
</tr>
</tbody>
</table>

It is pertinent to mention here that is it completely false to say that the multiple times slips of lotus were printed during the demo on 31st March as alleged
Between March-May 2017

120 Petitions Received

41 alleging wrong results

17 Related to SEC

Evidence Sought from 24

Reply by 3

Evidence by none

EVM CHALLENGE - 2017

- Commission organized an EVM Challenge on 3rd June 2017.
- All National and State Political Parties invited to participate in the Challenge.
- Parties allowed to pick EVMs/VVPATs of their choice from the 5 poll-gone States (Uttar Pradesh, Punjab, Uttarakhand, Goa, Manipur), which were securely held in the Strongrooms under 24*7 armed security.
- Parties given opportunity to demonstrate EVM manipulation/tampering in the votes recorded in the EVMs/VVPATs of their choice, as variously alleged earlier.

- NO Political Party participated in the Challenge.
- Only 2 parties i.e. NCP & CPI-M reported to venue, ONLY TO UNDERSTAND THE EVM PROCESS BETTER and were given detailed briefing.

- The credibility and integrity of ECI-EVMs has always remained perfectly intact and unscathed.
## Aspersions in the 5 State Assembly Elections Nov-Dec 2018:

<table>
<thead>
<tr>
<th>Allegation/Aspersion</th>
<th>Fact</th>
<th>Action Taken</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. In Khurai (Madhya Pradesh) some reserve EVMs and VVPATs reached the strong room 48 hours after the polling was completed.</td>
<td>Violation of ECI instructions for deposition of all Reserve EVMs/VVPATs on the same day</td>
<td>Returning Officer and Assistant Returning Officer of Khurai were suspended.</td>
</tr>
<tr>
<td>2. CCTV cameras and an LED display installed outside the EVM strong room in Bhopal, MP did not function from 8.19 am to 9.35 am on 30th November, 2018- allegation of manipulations.</td>
<td>Due to power failure in the area, the recording could not be done.</td>
<td>An additional LED screen, an inverter and a generator were installed in order to ensure continuous power supply.</td>
</tr>
<tr>
<td>3. A Security personnel allegedly found using Laptop outside EVM strong room in Bemetara district of Chhattisgarh.</td>
<td>No manipulation in EVMs inside strongroom possible by laptop outside the building.</td>
<td>Sub-inspector of the 175th battalion of the BSF was removed from duty immediately.</td>
</tr>
</tbody>
</table>

## Aspersions in the 5 State Assembly Elections Nov-Dec 2018:

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<th>Fact</th>
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</tr>
</thead>
<tbody>
<tr>
<td>4. A sector officer with Reserve EVM at a private hotel owned by a candidate in MP</td>
<td>Sector Officer night halt at a private hotel-Violation of ECI instruction. However all seals were intact, and the Reserve EVM not used.</td>
<td>EVM taken out of election system. Sector Officer suspended.</td>
</tr>
<tr>
<td>5. 1 EVM was alleged to be found at a candidate’s residence in Pali, Rajasthan</td>
<td>Sector Officer had gone to her house, which was close to the candidate’s house. Violation of ECI Instructions. However all seals were intact, and the Reserve EVM not used.</td>
<td>EVM taken out of election system. The Sector Officer was suspended and the Returning Officer, Pali was transferred.</td>
</tr>
<tr>
<td>6. After the polling, 01 reserve EVM was found lying unclaimed on the Highway Number 27 near Mugawali village in Baran district (Kishanganj Assembly) in Rajasthan.</td>
<td>Fallen from the jeep while transporting. Violation of secure EVM transportation protocol.</td>
<td>Two officials, one Patwari and one Inspector were suspended. The said EVM was immediately seized and taken out of election process.</td>
</tr>
</tbody>
</table>
Madras High Court 2001
“There is also no question of introducing any virus or bugs for the reason that the EVMs cannot be compared to personal computers.”

Karnataka High Court 1999
‘This invention is undoubtedly a great achievement in the electronic and computer technology and a national pride’.

Kerala High Court 2002
In one EP the High Court recorded its appreciation on the efficiency of the mechanism of detecting votes cast by impersonators. Upheld by the Hon’ble Supreme Court in 2003
Bombay High Court: Order dated 23.02.2018:
In EP No. 15 of 2014, the Bombay High Court ordered a detailed forensic examination of the EVMs from CFSL, Hyderabad for checking any manipulation etc. The CFSL report clearly ruled out any tampering, alteration or manipulation in the EVMs, the report accepted by Hon’ble High Court and petition dismissed.

Hon’ble Supreme Court: Dismissed Ballot Paper Request

Order dated 22.11.2018:
In Writ Petition (Civil) No. 1332/2018, Nyaya Bhoomi & Anr Vs ECI, Hon’ble Supreme Court dismissed the petition requesting for return to Ballot paper system due to reservations and doubts expressed by many political parties.
High Court of Madhya Pradesh: Security and storage protocol of EVMs by ECI endorsed

- **Order dated 05.12.2018:**
  In Writ Petition (Civil) No. 28016/2018 Naresh Saraf Vs ECI & Anr, Hon’ble High Court of Madhya Pradesh expressed satisfaction at the security and storage protocols for EVMs and VVPATs established by the ECI and rejected petition to give directions for any changes.
VVPAT- allows the voters to verify that their votes are cast as intended.

- Voter Verifiable Paper Audit Trail is an independent system, attached with the Electronic Voting Machines, that allows the voters to verify that their votes are cast as intended.

- When a vote is cast, the elector shall be able to view through the transparent window of the VVPAT, the printed paper slip showing the serial no, name and the symbol of the candidate of his choice.

- The slip is visible through the VVPAT window after which it automatically gets cut and falls in the sealed drop box of the VVPAT.

- The life of printed VVPAT Slip is 5 years.

- Since June 2017, VVPATs are being used in all Elections.
VVPAT Complaint – Rule 49MA

In case a voter complains of wrong printing by VVPAT:

• He will report to Presiding Officer
• Presiding Officer will take a declaration explaining that if found false he can be penalized.
• PO will then record in 17A and permit him to cast a ‘test vote’ in presence of PO and Polling Agents
• If found false PO will record in 17A and 17C so that the test vote is not counted
• If found true then PO will stop poll and report to RO.

• Since the introduction of VVPATs, more than 18 crore voters have cast their votes with full satisfaction & ONLY 1 (one) complaint recd u/r 49MA, which was also FOUND TO BE FALSE.

VVPAT RECOUNTING PROCESS

• Counting of votes according to Rule 56C of Conduct of Election Rules, 1961.

• After announcement of result any candidate/ his agent may apply in writing to the RO for counting of paper slips of VVPAT under Rule 56D.

• The RO shall pass a speaking order on whether the slip counting to be allowed.

• Till date, in 16 (Sixteen) instances RO has allowed slip counting since 2017. All counts matched.
VVPAT RECOUNTING PROCESS

- Since June 2017, **100% VVPAT coverage with EVMs done in all General & Bye elections** to the Lok Sabha and State Assemblies- Goa (Feb 2017), Gujarat, HP, Nagaland, Meghalaya, Tripura, Karnataka, Mizoram, MP, Rajasthan, Chhattisgarh and Telangana. Only 1 complaint under 49MA, verified as per law, found incorrect & FIR lodged against the complainant.

- **Mandatory Verification of VVPAT slips of 1 (ONE) randomly selected PS per AC done in all States- 100% match, as expected, was found.**

- So far, VVPAT slip count done in **1500 randomly selected PS** and all these counts matched.

Why Going Back to Ballot not a Solution

1. Retrograde step in the era of Technology when all transactions are done with technology.

2. Average around 2000 invalid votes in each Constituency when ballots used.

3. Vote stuffing was very easy with Ballot papers, muscle power used to rule.

4. Counting of Ballot Papers was always prone to errors.
THANK YOU
जानियें कैसे दें अपना वोट
ई.व.एम. और वीबीपीएट का उपयोग करते हुए

1. मतदान सीटवे में प्रवेश करें
2. अपना रोट दें
3. लघुट को दें
4. फिट को दें

विहेत, पुनीत को नोट दिया जा रहा

URL: https://eci.gov.in
HOW TO CAST YOUR VOTE

1. ENTER THE BOOTH
   The Presiding Officer will enable the ballot Unit while you enter the polling compartment.

2. CAST YOUR VOTE
   Press the Blue Button on the Ballot Unit against the name/symbol of candidate of your choice.

3. SEE THE LIGHT
   The red light against the name/symbol of candidate chosen will glow.

4. SEE THE PRINT
   The Printer will print a ballot slip containing Serial Number, Name and Symbol of the chosen Candidate as shown.

See the print through the glass, as the printout will not be given to you.

The slip will be visible for about 7 seconds.

NOTE!
If you do not see the ballot slip and hear the loud beep please contact the Presiding officer.

ELECTION COMMISSION OF INDIA
URL: https://eci.gov.in
**HOW TO CAST YOUR VOTE USING EVM & VVPAT**

**1. ENTER THE BOOTH**
The Presiding Officer will enable the Ballot Unit while you enter the Polling Compartment.

**2. CAST YOUR VOTE**
Press the blue button on the Ballot Unit against the name/symbol of candidate of your choice.

**3. SEE THE LIGHT**
The red light against the name/symbol of candidate chosen will glow.

**4. SEE THE PRINT**
A Ballot slip having Serial no., Name & Symbol of the chosen candidate will be visible for about 7 seconds & will drop in the VVPAT box.

**Note**
If you do not see Ballot slip and hear the beep sound, please contact the Presiding Officer.

**ELECTION COMMISSION OF INDIA**
URL: https://eci.gov.in
VVPAT
Voter Verifiable Paper Audit Trail
Because Seeing is Believing...

The Voter Verifiable Paper Audit Trail (VVPAT) machine allows you to see a printed slip for about 7 seconds showing the Serial Number, Name & Symbol of your chosen candidate. It allows you to verify & confirm that your vote has gone to the candidate of your choice.

ELECTION COMMISSION OF INDIA
URL: https://eci.gov.in
The Voter Verifiable Paper Audit Trail (VVPAT) machine allows you to see a printed slip for about 7 seconds showing the Serial No., Name & Symbol of your chosen candidate. It allows you to verify & confirm that your vote has gone to the candidate of your choice.
“No voter to be left behind”

VVPAT

Voter Verifiable Paper Audit Trail

VVPAT will be used in all the polling stations in the forthcoming General Elections.

VVPAT will be kept in voting compartment along with Ballot Unit.

VVPAT has a transparent window which shows the printed paper slip when the vote is cast.

The printed paper slip will display the Name, Serial Number and Election Symbol of the candidate for about seven (7) seconds to the voter.

After about seven (7) seconds the printed paper slip will automatically get cut and drop in the sealed box below.

VVPAT further enhances transparency and reliability in poll process.

ELECTION COMMISSION OF INDIA
URL: https://eci.gov.in
“No voter to be left behind”

भारत निर्वाचन आयोग
Election Commission of India
Nirvachan Sadan, Ashoka Road, New Delhi-110001