

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.51/8/16/9/2009-EMS (Vol-IX)

Dated: 24th June,2010

To

Shri V.V. Rao,
HIG – 155, Phase – V,
KPHB Colony, KKP,
Hyderabad – 500072
Andhra Pradesh.

Subject: Allegation of vulnerability/tamperability of the ECI-EVMs.

Ref:

1. The Commission's letter dated 22.07.2009.
2. The Commission's letter dated 31.07.2009.
3. Your letter dated 04.08.2009.
4. Your letter dated 08.08.2009.
5. The Commission's letter dated 12.08.2009.
6. Your letter dated 13.08.2009.
7. The Commission's letter dated 22.08.2009.
8. Your letter dated 27.08.2009.
9. The Commission's letter dated 01.09.2009.
10. Your letter dated 03.09.2009.
11. Your letter dated 10.11.2009.
12. Your letter dated 25.11.2009.
13. The Commission's letter dated 14.12.2009.
14. Your letter dated 22.12.2009.
15. The Commission's letter dated 12.01.2010.
16. Your letter dated 16.01.2010.
17. The Commission's letter dated 02.02.2010.
18. The Commission's letter dated 15.03.2010.
19. Your letter dated 18.03.2010.
20. The Commission's letter dated 29.03.2010.
21. Your letter dated 24.04.2010.

Sir,

The Commission has received your above cited letter dated 24.04.2010. It may be pointed out that EVMs were used for the first time in the year 1982. Since then many improvements in design, technology, functionality and administrative safeguards have been brought about. It may be noted that improving electoral system is a continuing process. The Commission has an open mind about all positive suggestions for improvements. Based on long experience many improvements have been brought about in EVM technology as well as in administrative safeguards. The confidence of the Commission stems from these safeguards, which were built into the electoral system over the years. These safeguards have already been explained to you and a copy is enclosed for your ready reference. You will notice that at every stage, the entire electoral process is made fully transparent with involvement of political parties, candidates and

their representatives. The Commission also appoints its Observers and Micro Observers in the field at every election to keep a close watch on the electoral process and also has begun to undertake widespread videography of important events.

The Commission had written in its letter dated 29th March 2010 that you have made sweeping allegations in your writ petition, without mentioning the name of any constituency or polling station where the EVMs used by the ECI were manipulated or tampered with. It is a fact that no specific instance of EVM manipulation or tampering has been given in your writ petition. Now in your latest letter you have referred to a book written by Mr. G.V.L. Narasimha Rao .It may be noted that your writ petition was filed on 09.07.2009 while this book was published in 2010. Obviously there can be no reference of this book in your writ petition. The Commission had no reason to comment on this book in any of the letters addressed to you. The Commission has obtained reports on all circumstances of alleged malfunctioning of EVMs mentioned in the Book 'Democracy at Risk' by Mr. G.V.L. Narasimha Rao. A copy of the reports is enclosed for your reference. It is clear from these reports that these allegations are unfounded. The Commission has full confidence in the Expert Committee.

You were given several opportunities for demonstration of alleged tamperability including opening and inspection of EVMs. The Commission cannot permit any more opening of the machines as it has been seen that on previous occasions when opening of machines was permitted, your teammates began the process of reverse engineering. You were stopped only when your teammates started copying the internal design of EVM, noting down internal components and taking measurements as this can result in reverse engineering of the EVM. The Commission cannot permit it, nor can the Commission permit replacement or modification of any component. The Commission has already communicated to you the conditions under which demonstration of alleged tamperability can be done vide its letter dated 12th January, 2nd February and 29th March, 2010. It may be noted that these are the only conditions in which machines are available in the field. The Commission is willing to give you yet another opportunity to demonstrate alleged vulnerability/tamperability of EVMs under these conditions. You are also welcome to give any suggestions for any further improvement you may have. Please communicate a suitable time and date for the same between 20th and 23rd July, 2010.

Yours faithfully,

(K. N. BHAR)
SECRETARY