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News / Explained / ECI's technical SOP for EVM verification is out: why verify and how?

ECI's technical SOP for EVM verification is out: why verify and how?

The Lok Sabha election results were declared on June 4. Some candidates are not happy. They can either file an Election Petition until July 19, or use a new window for remedy opened by the Supreme Court: demand a technical verification of a certain number of EVMs. Here's how.

Written by [Damini Nath](#)

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EVM machine vote counting for Kolkata Uttar lok Sabha Constituency at Netaji Indoor Stadium on Tuesday, June 04, 2024. (Express photo by Partha Paul)

The [Election Commission of India \(ECI\)](#) on Tuesday (July 16) released the [technical standard operating procedure \(SOP\)](#) for checking and verification of the burnt memory or microcontrollers of Electronic Voting Machines (EVMs) and Voter Verified Paper Audit Trail (VVPAT), in accordance with a verdict delivered by the Supreme Court in April.

Before this, on June 1, the ECI had released the administrative SOP. Thereafter, eight candidates who had contested the Lok Sabha election, and three candidates for the State Assembly elections in [Odisha](#) and [Andhra Pradesh](#), had applied for verification of the burnt memory.

The remedy of verification was made available to losing candidates by the Supreme Court in its April judgment. The candidates would have to bear the expenses of the verification process, the SC had said, but they would be refunded if any tampering was found.

What was the case before the Supreme Court, and what did it order?

The Supreme Court was hearing a challenge to EVMs. In its judgment delivered on April 26, in the middle of the Lok Sabha election, the court upheld the EVM system, and rejected the plea for a return to paper ballots and for 100% court-monitored VVPAT slips.

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However, the court directed the ECI to allow second- and third-placed candidates to seek verification of burnt memories of EVMs and VVPATs of up to 5% of machines in an Assembly constituency or an Assembly segment of a Lok Sabha constituency.

The two-judge Bench of Justices Sanjiv Khanna and Dipankar Datta said: “The burnt memory/ microcontroller in 5% of the EVMs, that is, the control unit, ballot unit and the VVPAT, per assembly constituency/ assembly segment of a parliamentary constituency shall be checked and verified by the team of engineers from the manufacturers of the EVMs, post the announcement of the results, for any tampering or modification, on a written request made by candidates who are at SI. No. 2 or SI. No. 3, behind the highest polled candidate.”

The court said that candidates or their representatives “shall identify the EVMs [to be verified] by the polling station or serial number”, and “shall have an option to remain present at the time of verification”. Requests for verification have to be made within seven days of the declaration of the result, the court said.

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“The actual cost or expenses for the said verification will be notified by the ECI, and the candidate making the said request will pay for such expenses. The expenses will be refunded, in case the EVM is found to be tampered,” the court said. (Association for Democratic Reforms vs Election Commission of India, April 26, 2024)

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So what is the process to be followed for the verification of EVMs and VVPATs?

As per the ECI's technical SOP sent to all state Chief Electoral Officers, the manufacturers of EVMs, and political parties on Tuesday, a mock poll of up to 1,400 votes per machine would be conducted in the presence of the candidates or their representatives.

If the result of the machines and VVPAT slips are found to be the same, it would be concluded that the burnt memory or microcontrollers have not been tampered with, the ECI said.

The candidates can select the polling stations, the EVMs, the BUs, CUs and VVPATs that they want checked. The checking would be done by trained engineers from the EVM manufacturers, Bharat Electronics Ltd (BEL) and Electronics Corporation of India Ltd (ECIL).

“There can be varied technical methods to verify the fidelity of a firmware burnt into a microcontroller within confines of a research laboratory or a secured manufacturing environment. Checking and verification of any firmware burnt

(fused) into the memory of a microcontroller can be verified in a public process by giving a vast number of random test vectors as inputs and evaluating the intended outcome (s)," the ECI said in its letter sent on Tuesday.

Explained | 11 candidates apply to verify EVM burnt memory

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And when will this process of checking start?

Sources said the checking would commence after it has been verified from the High Courts of the respective states that no Election Petitions have been filed with respect to the constituencies in question.

Election Petitions challenging the outcome can be filed by any candidate or elector within 45 days of the declaration of results. Since the results were announced on June 4, Election Petitions can be filed until July 19.

The 11 applications together cover 118 polling stations or sets of EVMs and VVPATs. For Lok Sabha constituencies, three applications each have been received from BJP and Congress candidates, and one each from DMDK and YSRCP candidates.

Not all these candidates have lost by narrow margins — while the Congress candidate from Kanker in Chhattisgarh was defeated by just 1,884 votes, the Congress candidate in Karnal in Haryana was defeated by more than 2.32 lakh votes.



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