

## SC NOTICE TO EC ON VVPAT VERIFICATION

Relevant for: Indian Polity & Constitution | Topic: Elections, Election Commission and the Electoral Reforms in India Incl. Political Parties

The Supreme Court on Monday directed the Election Commission to respond to a plea that the counts from electronic voting machines and voter verifiable paper audit trail (VVPAT) units should be cross-verified in at least 30% randomly chosen polling stations in each Assembly and Lok Sabha constituency, especially in light of the Lok Sabha election in May.

A Bench, led by Chief Justice of India Ranjan Gogoi, ordered the Commission to respond to the petition jointly filed by former IAS officer M.G. Devasahayam, ex-diplomat K.P. Fabian and retired banker Thomas Franco Rajendra Dev, represented by advocate Prasanna S.

### 'Inexplicably minuscule'

The petition said the commission had chosen to conduct the cross-verification exercise in an "inexplicably minuscule" manner in the recent Assembly elections.

The fraction of polling stations chosen for such random cross-verification has been inexplicably minuscule (less than 1% of polling stations in each constituency). This is manifestly arbitrary, irrational, unreasonable and in violation of Article 14 of the Constitution, the petition said.

It said the principle of elections not only need to be free and fair but also seen to be free and fair.

The petition sought that "in order to detect and deter any such mischief or bias in the EVM process, at least 30% of all polling stations in a constituency must be chosen randomly for EVM counts to be cross-verified with VVPAT counts".

### 2013 order

The petitioners submitted that the Supreme Court in its judgment in *Subramanian Swamy versus ECI*, reported in 2013, had held that it was imperative that elections held through EVMs ought to implement a mechanism of voter verifiable paper audit trails so that the voter can satisfy himself that his vote was accurately recorded.

The court's judgment and need for voter confidence and transparency in the election process led to the mechanism for random cross-verification of EVM and VVPAT counts. This was in order to detect any technological mischief or mal-programming of EVMs, the petitioners contended.

**END**

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