



**STATE ELECTION COMMISSION, HARYANA**  
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To

All the Deputy Commissioners  
in the State of Haryana.

**Subject : Use of electronic voting machines in elections – Period of retention thereof – regarding.**

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Sir,

I am directed to state that Electronic Voting Machines (EVMs) have been used in the recently held general elections in the Municipal Committees, Julana in District Jind, Hathin in District Mewat, Farukh Nagar in District Gurgaon, Kanina and Ateli Mandi in District Mahendergarh and bye-elections to Ward No.13, Municipal Committee, Barwala in District Hisar and Ward No.12 of Municipal Committee, Nilokheri in District Karnal. For these elections, EVMs were taken on loan basis from the Chief Electoral Officer, Haryana and as per condition of the Election Commission of India, these EVMs are to be returned immediately after the completion of Local Bodies elections. The matter has been considered.

2. Rules 69X (2) and 69Y (b) of the Haryana Municipal Elections Rules, 1978 provide as under :-

69X(2):- The control unit sealed under rule 69 (v) and kept in the custody of the Deputy Commissioner shall not be opened, inspected or produced except under the order of Competent Court.”

“69Y (b):- The voting machine kept in the custody of the Deputy Commissioner under sub-rule (2) of Rule 69V shall be retained intact for such period as the State Election Commission may direct.”

3. Taking all the relevant factors into account the State Election Commission hereby directed under rule 69Y (b) of the Haryana Municipal Elections Rules, 1978, as follows:-

- (i) Every votinf machine (EVM) used in an elections and kept in the custody of the District Election Officer shall normally continue to be kept in such custody for a period of **three months from the date of declaration of the result** of the election.
- (ii) In the case of elections, where no election petition have been filed and no other court cases are pending, **after the expiry of the said period of three months the data in the EVM should be washed out the machines may**

**be returned to the Chief Electoral Officer, concerned State from where EVMs have been taken on loan.**

- (iii) **In the case of an election where election petition has been filed the voting machine used at all polling stations in the ward concerned shall continue to be kept in the safe custody of the Deputy Commissioner, till such time the election petition is finally disposed of by the courts.**
  - (iv) **If any other court case is pending, like booth capturing, etc., in which any EVM is involved, the EVM concerned or the EVM(s) used at such polling station(s) concerned may also be kept till the final disposal of the said case.**
  - (v) **After the final disposal of the election petitions or, as the case may be, other court case referred to clauses (iii) and (iv) above, the voting machines can be returned to the Chief Electoral Officer, concerned State.**
  - (vi) **Notwithstanding anything contained in clauses (i) and (ii) above if the machines used at an election in respect of which no election petition has been filed, are needed to be returned to the Chief Electoral Officer, concerned State before the expiry of the period of three months referred to wherein, the State Election Commission may be special directions permit these machines to be so used.**
4. **The State Election Commission further directed that the alkaline batteries, which have been used in the voting machines in an election, shall not repeat not be used in any subsequent elections. The used batteries can, however, be used for the purpose of giving training on the functioning of voting machine.**

These directions shall be brought to the notice of all concerned for immediate compliance. Kindly acknowledge receipt.

Yours faithfully,

Sd/-  
Superintendent,  
for State Election Commissioner,  
Haryana.