

From: Dr. Ramesh Bellamkonda, Bengaluru
To: Election Commission of India, Through Chief Electoral Officer, Karnataka, Bengaluru.
Sub: Prima Facie Electronic Voting Machines (EVMs) Related Fraud
Committed By The Election Commission of India (ECI),
Against The People of India At Large – Please Take Immediate Corrective Actions.

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From:

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An Open Letter To ECI

To:

Election Commission of India
Through Chief Electoral Officer, Karnataka,
Nirvachana Nilaya, Maharani's College Circle
Sheshadri Road, Bengaluru – 560001.

**Sub: Prima Facie Electronic Voting Machines (EVMs) Related Fraud
Committed By The Election Commission of India (ECI),
Against The People Of India At Large – Please Take Immediate Corrective Actions.**

Dear Sir / Madam,

My Capacity: I am writing this to you in my capacity as an ordinary citizen of India.

Background: As you are aware, there has been discontent and controversy about EVMs for many years now, which the Election Commission of India has always denied.

In 2017, after the U.P. State Assembly Elections, Madam Mayawathi of Bahujan Samaj Party raised concerns about EVM related fraud / problem, in election results. Election Commission of India immediately refuted the concern and soon after, released its **Press Note No. PN / ECI / 28 / 2017 dated 16th March 2017**. The press note has apparently deliberately materially misrepresented the stand of the judiciary of our Country on EVMs, as on that date.

Prima Facie Fraud By Election Commission of India (ECI):

Section 6 of the press note is on “Judicial Pronouncements on use of EVMs”. In This section Election Commission of India talks about the rulings of Madras High Court, Delhi High Court, Karnataka High Court, Kerala High Court, and Bombay High Court (Nagpur Bench), all between 2001 and 2004, and says that all these High Courts “...have held that EVMs in India are credible, reliable, and totally tamperproof.”

The Election Commission of India has however prominently failed to make even a mention in this section, about **Supreme Court Judgement dated October 8th 2013, in Civil Appeal No. 9093 of 2013 with Writ Petition (C) No.406 of 2012, in which Election Commission of India itself, was the respondent.**

In the said Supreme Court judgment, para 29 says;

“From the materials placed by both sides, we are satisfied that the “paper trail” is an indispensable requirement of free and fair elections. The confidence of the voters in the EVMs can be achieved only with the introduction of the “paper trail”. EVMs with VVPAT system ensure the accuracy of the voting system. With an intent to have fullest transparency in the system and to restore the confidence of the voters, it is necessary to set up EVMs with VVPAT system because vote is nothing but an act of expression which has immense importance in democratic system.”

Essentially, the above para in the judgment, which seems to be the single most important part of the judgement, says that;



Recd
30/04/18

