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1. Supreme Court VVPAT judgment: What has changed — and not changed?

Why in News?

The Supreme Court recently rejected a plea for 100% verification of Voter Verifiable Paper Audit Trail (VVPAT) slips with the Electronic Voting Machine (EVM) count.

The Supreme Court undertook three pleas: that we should return to the paper ballot system, that the printed slips on the VVPAT machine should be given to voters to verify and put in the ballot box for counting, and there should be 100% counting of VVPAT slips in addition to electronic counting. The Supreme Court rejected all of them after referring to the protocol in place, technical aspects and data which is on record.



What remains unchanged

For the voter, the SC judgment has brought in absolutely no change. Voting will continue to take place using EVMs, with 100% of the machines attached to a VVPAT unit.

Moreover, as per the existing provisions, VVPAT slips of five randomly selected Assembly constituencies or segments would be counted to verify with the count of the EVMs. The petitioner, the Association for Democratic Reforms, had sought 100% counting of VVPAT slips.

What has changed

While not much has changed for the Election Commission (EC) in terms of how it organises polling, the apex court directed the EC to adopt some new procedures post-polls.

In a first, the court gave directions to the EC to seal and store the symbol loading units (SLUs) for 45 days after declaration of results. SLUs are memory units that are first connected to a computer to load election symbols onto it, and then used to enter symbols of the candidates on the VVPAT machines. These SLUs are to be opened, examined and dealt with in the same way as EVMs.

According to EC sources, one to two SLUs are used to load symbols onto VVPATs per Assembly constituency. These will now be stored for 45 days in case there are any election petitions regarding them, sources said.

Moreover, the SC has enabled candidates to seek verification of the EVMs — again a first. Candidates coming second or third can ask for a verification of the burnt memory semi-

controllers in 5% of EVMs per Assembly segment of each Parliamentary constituency. This verification will be done after a written request is made by the candidate and would be carried out by a team of engineers of the EVM manufacturers.

According to the judgment, candidates or representatives can identify EVMs by the polling station or serial number. The request for verification has to be made within seven days of the declaration of results, and candidates will have to bear the expenses, which would be refunded in case the EVM is found to be tampered with, the court said.

Other suggestion made by SC

Apart from these two directions, the court said that the EC may “examine” the suggestion that VVPAT slips can be counted using a counting machine, rather than by humans. VVPAT slips could have a barcode printed on them, making it easier for machine counting, it was suggested during the hearing.

The court said since this was a technical aspect that would require evaluation, it had refrained from commenting either way.

Relevance: GS Prelims & Mains Paper II; Governance

Source: Indian express

2. Repolls, voided polls, adjournments: What EC can do in case normal polling process is disrupted

Why in News?

The Election Commission of India (EC), under Sections 58(2) and 58A(2) of the Representation of People Act, 1951 (RPA), declared void the poll in 11 polling stations of Manipur, and 8 polling stations of Arunachal Pradesh. Repolls were conducted on April 22 and April 24 respectively.

Elections were also adjourned in Madhya Pradesh's Betul Lok Sabha constituency due to the death of a candidate. The polling, originally scheduled on April 26, will now be held on May 7. India's election laws provide a framework for handling situations where the normal polling process is disrupted for any reason, including damage to EVMs, booth-capturing, natural disasters, or a candidate's death. The provisions for repolls, adjournments, and the voiding of polls ensure that the democratic process remains fair, transparent, and uninterrupted.

Intentional destruction, taking away of EVMs

Under Section 58 of the RPA ('Fresh poll in the case of destruction, etc., of ballot boxes'), the EC can declare the poll at a polling station to be void if:

- a. an unauthorised person has unlawfully taken away any EVM;
- b. any EVM has been accidentally or intentionally destroyed, or lost, or damaged, or tampered with; or
- c. a mechanical failure develops in any EVM during the recording of votes.



In such cases, the Returning Officer (RO) immediately informs the EC and the Chief Electoral Officer of the state about the relevant facts and material circumstances, after considering which, the EC can declare the poll void and formally fix the date and time for a new poll.

The contesting candidates or their election agents are then informed, in writing. A notice is also posted in public places along with an announcement by the beat of the drum in the polling area to inform the voters. All electors will be allowed to vote at the fresh poll. During the repoll, the voters' left middle fingers are inked to distinguish between the mark made during the original poll (on their left forefinger).

Booth capturing

Booth-capturing, defined in Section 135A of the RPA, includes all or any of the following activities by any person or persons:

- a. seizure of a polling station, affecting the conduct of elections;
- b. taking possession of a polling station, allowing only his or their supporters to vote;
- c. intimidating or threatening any elector and preventing him from going to the polling station;
- d. seizure of a counting place affecting the counting of votes;
- e. involvement of any person in government service in any of the above activities.

Booth capturing is punishable for a term of not less than one year, which may extend to three years for lay people, and not less than three years, extending to five years for government servants.

Under Section 58A ('Adjournment of poll or countermanding of election on the ground of booth capturing') in case booth capturing has taken place at a polling Station, the Presiding Officer of a polling station immediately closes the Control Unit of EVM and detaches the Ballot Unit(s) from the Control Unit under Rule 49X of the Conduct of Election Rules, 1961.

He then informs the RO, who reports the full facts to the EC through the fastest means of communication. The EC, based on the material facts, may

- a. declare the poll at that polling station to be void and direct a fresh poll on a new date; or
- b. countermand the election in the constituency in case booth capturing has taken place in a large number of polling stations, or if it has affected the counting of votes.

Natural disasters, other disruptions to polling

The Presiding Officer of a polling station can adjourn the poll at a polling station under section 57(1) of the Representation of the People Act, 1951, in case of:

- a. a natural calamity like a flood, a severe storm;
- b. non-receipt or loss or damage to essential polling materials like EVM, electoral roll etc;
- c. interruption or obstruction due to any riot or, open violence;
- d. non-arrival of the polling party due to obstruction or any other serious difficulty; or
- e. non-commencement of the poll within two hours from the scheduled time due to malfunctioning of EVM, or any other reason.

After seeking the EC's approval on the date and hours, the adjourned poll will recommence from the stage at which it was left immediately before the adjournment. Contesting candidates or their agents are informed, and only electors who have not already voted before the poll was adjourned are permitted to vote.

Death of a candidate

As per Section 52 of RPA, amended in 1996, the poll shall be adjourned only in case of the death of a recognised political party's candidate. A "recognised political party" refers to either a recognised national party, or party recognised as a state party in the state concerned, for which the EC reserves a symbol under the Election Symbols (Reservation and Allotment) Order. The above provision applies if the candidate with a valid nomination dies at any time after 11.00 a.m. on the last date for making nominations, until the commencement of the poll. The RO reports the fact to the EC and orders the adjournment of the poll to a date to be notified later by the Commission.

The EC then calls upon the concerned political party to nominate another candidate for the said election in place of the deceased candidate. The political party must make the nomination within seven days. If the list of contesting candidates has already been published before the adjournment of the poll, a fresh list of contesting candidates is prepared and published, including the name of the candidate nominated in place of the deceased candidate.

In Betul, the candidate's death occurred one day after the last day for withdrawing candidature. Therefore, the polls were adjourned. However, in the Moradabad Lok Sabha constituency, the candidate died after voting, in which case a by-election will be held if he emerges as the winner of the seat after counting.

Relevance: GS Prelims & Mains Paper II; Governance

Source: Indian Express

3. Bambi Bucket, being used by an IAF helicopter to fight Nainital forest fires?

Why in News?

Indian Air Force's MI 17 V5 helicopter was deployed recently to extinguish the raging forest fires in Nainital district, Uttarakhand. The helicopter used a "Bambi Bucket", also known as helicopter bucket or a helibucket, to collect water from Bhimtal lake, located near Nainital, and poured it over the burning forests.

What is a Bambi Bucket?

Bambi Bucket is a specialised aerial firefighting tool which has been in use since the 1980s. It is essentially a lightweight collapsible container that releases water from underneath a helicopter to targeted areas. The water is released by using a pilot-controlled valve.

One of its key features is that it can be quickly and easily filled. The bucket can be filled from various sources, including lakes and swimming pools, which allows firefighters to swiftly refill it and return to the target area.



How was the Bambi Bucket invented?

The Bambi Bucket was invented by Don Arney, a Canadian business, in 1982. Arney came up with the idea after he realised that the aerial firefighting water buckets in use at the time were not efficient and had a high failure rate.

These water buckets were generally made of "solid fibreglass, plastic, or canvas with metal frames" and were "too rigid to fit inside the aircraft" and had to be "trucked to fire sites or flown in on the hook of a helicopter thereby slowing the aircraft down," according to the National Inventors Hall of Fame's website. Another issue was that the water dropped from these containers used to get dispersed into a spray thereby reducing impact.

Bambi Bucket does not have these limitations. One, it can be stored within the helicopter until development. Two, it discharges a solid column of water, "resulting in a more accurate and

effective water dump, less evaporation on the descent, and greater impact force.

Relevance: GS Prelims & Mains Paper III; Disaster Management

Source: Indian Express