



# Demystifying Electoral Regulations and Procedures

**Dr. Madhukar Gupta**

PhD, B.E. Hons., MBA, LLB

MPA Mason Fellow (Harvard), MPP Maxwell (Syracuse)

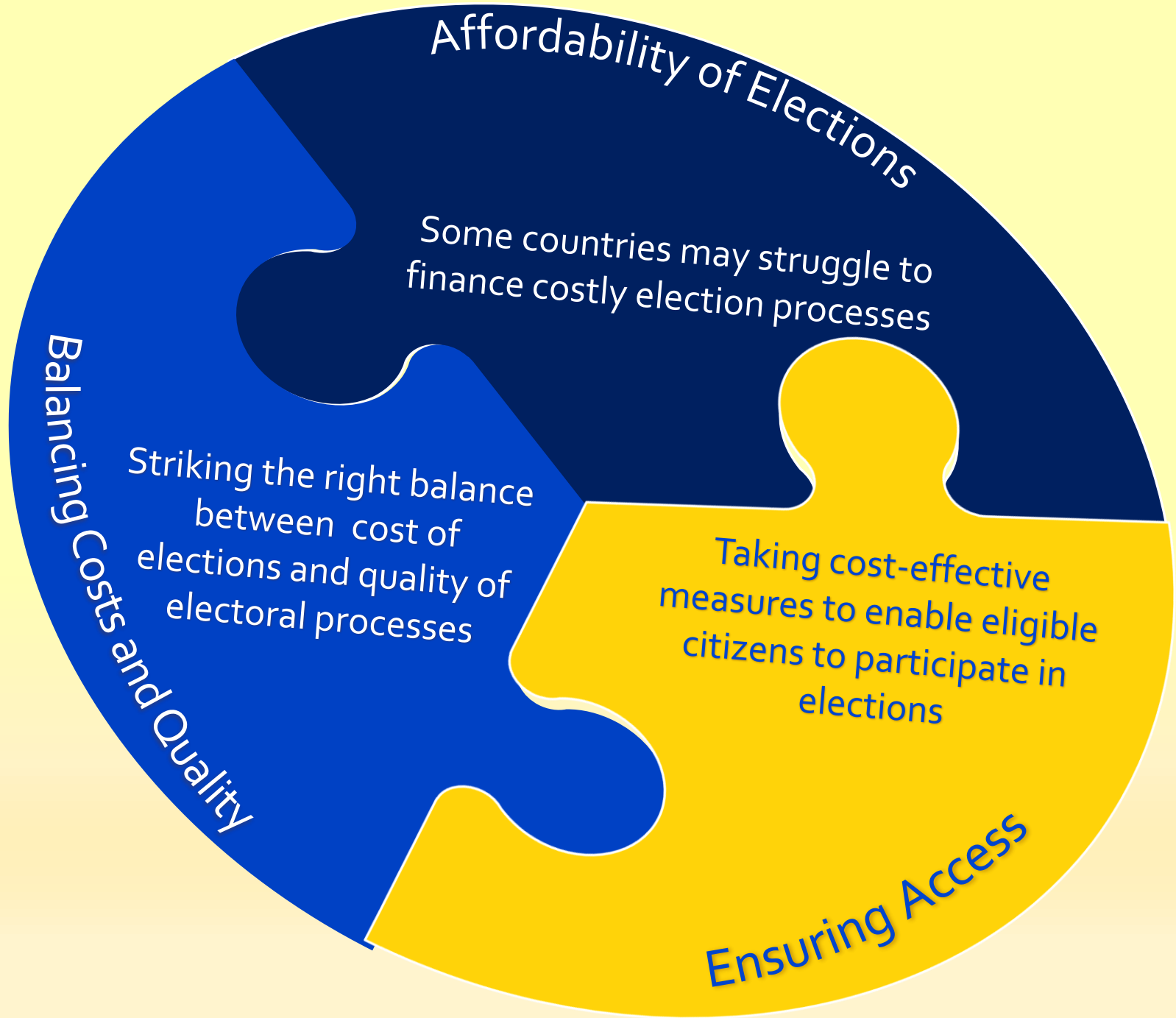
**State Election Commissioner**

Rajasthan, India



# Cost of Elections

A Global Perspective





## Simplifying Election Regulations & Procedures



### Keep it Simple

Ensuring that election processes are easy to understand and comply for voters and other stakeholders



### Sticking to Basics

Electoral processes to be transparent not opaque. Use of new technology where it is really required



### Avoid Overuse of Technology

Maintaining the integrity and security of elections by optimum reliance on technology

# Contrasting Degrees of Technology use in Electoral Processes

## Manual

### Advantages

1. Inclusivity
2. Transparency
3. Low Technology Costs
4. Physical Record
5. No Technical Malfunctions

### Disadvantages

1. Time-Consuming
2. Potential for Errors
3. Voter Anonymity Concerns
4. Logistical Challenges
5. Vulnerability to Fraud
6. Limited Accessibility

## Digital

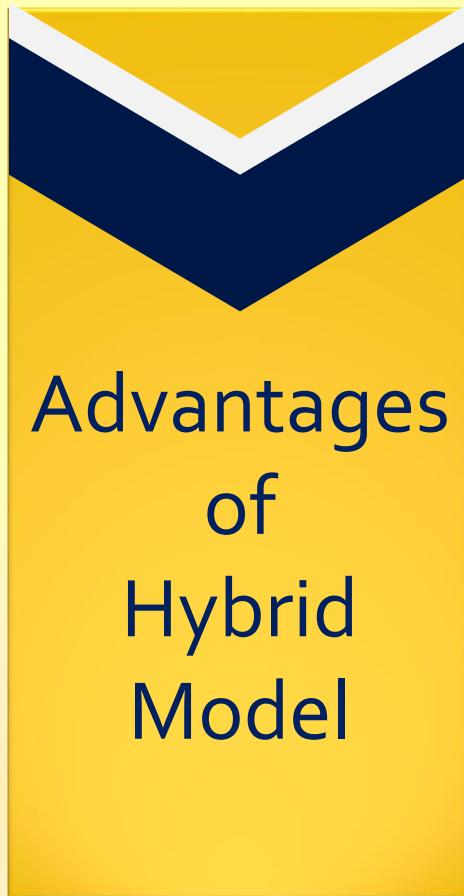
### Advantages

1. Efficiency
2. Accuracy
3. Security
4. Faster Results
5. Accessibility

### Disadvantages

1. Digital Divide
2. Cybersecurity Risks
3. Reliability
4. Erosion of Human Element
5. Vendor Dependence
6. Trust Issues

# Contrasting Degrees of Technology use in Electoral Processes



- I. Enhanced Transparency
- II. Reduced Errors
- III. Faster Results
- IV. Accessibility
- V. Security
- VI. Reduced Paper Usage
- VII. Remote Voting Options
- VIII. Scalability
- IX. Reduced Waiting Times

## Decoding the Dilemma : Is Digitization necessary?

- i. Does the Election commission have the logistical capacity and control mechanism to carry out such level of digitization
- ii. Can checks be put in place to minimize the risk of manipulation?
- iii. Does local expertise exist to allow this process to be effectively monitored?



Is digitizing elections at best a waste of resources and at worst a costly mistake?

# Striking a Balance



Embrace  
Technology



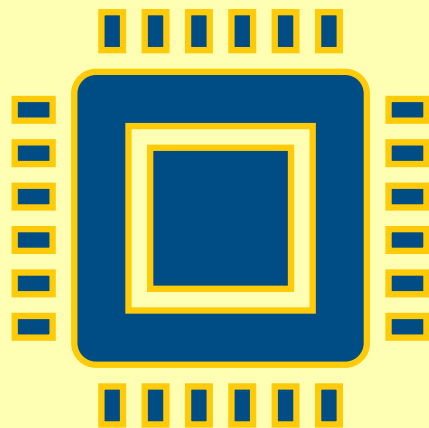
Focus on  
essential  
technological  
upgrades



Allocate  
resources  
efficiently



Use ballot  
boxes for  
less than  
2000 voters



## Global Case Studies

Exploring technology options in Electoral  
Processes





# United States: Challenges with Electronic Voting Machines and Call for Reforms

## Challenges

- I. Concerns about potential hacking, tampering and system vulnerabilities have increased
- II. Lack of paper trail, making it difficult to audit or verify election results in case of disputes
- III. Concerns about malfunction, outdated software, and inadequate technical support

## Call for Reforms

- I. Requirement for voter-verified paper audit trails (VVPATs) in all EVMs to provide a physical record of each vote
- II. Robust cybersecurity measures to protect them from potential cyber threats



# Estonia's E-Voting Success with Significant Cybersecurity Investments

## Success Factors

- Convenience and accessibility
- Reduces the burden associated with traditional paper ballots

## Cybersecurity Investments

- Invested substantially in cyber security enhancement
- Regular security audits and penetration testing are conducted

## Challenges

- Cybersecurity threats are dynamic and constantly evolving, necessitating ongoing vigilance and adaptation
- Even the most advanced security measures cannot entirely eliminate the risk of hacking and tampering

The success of e-voting systems is inherently linked to their ability to withstand cyber threats



# India's Cost-Effective Elections with Paper Trails and Innovative Voting Methods

## Innovative Voting Methods

To enhance participation remote voting for armed forces, absentee voting for citizens abroad, and assistance to specially abled & infirm voters

### Paper Trails and Voter-Verified Paper Audit Trails (VVPATs)

Electronic Voting Machines (EVMs) for polling

India introduced Voter-Verified Paper Audit Trails (VVPATs) alongside EVMs. VVPATs provide a paper record of the vote, allowing voters to verify their choices

## Challenges

- The need for robust cybersecurity measures & innovative methods to protect electronic voting systems from hacking and tampering
- Ensuring equitable access to innovative voting methods in a diverse and geographically vast country is an ongoing challenge
- The process is ongoing to initiate remote voting for internal migrants which is facing some administrative and procedural challenges more than technical ones

# Recent Innovations in India

01

Transparency in Elections- Live Nomination and information about candidate to come in public domain(Implemented)

02

Randomization in Electronic Voting Machine to maintain secrecy

03

Application to declare result First to Election office before passing on to media

04

A web portal as well as mobile app is provided to voter to file any complaint or permission online. Live status of any complaint or permission is made available to the voter via mobile app or portal

# Conference on “Managing State Election Commissions for effective grassroots democracy” June 2023 by SEC Rajasthan

Inspired by spirit of Cooperative Federalism an All-India State Election Commissioner’s Conference was organized to discuss elements in a "Effective Grassroots Democracy"

- Challenges in State Election Administration
  - Learning from past experiences
  - Manual v/s Digital platforms
- “Getting out the vote” an inclusive approach
  - Dealing with disinformation
  - Cyber security & IT solutions
  - Emerging challenges



State Election Commissioners with Hon'ble Governor (Viceroy)



Electronic Voting Machines (EVMs)  
Options for Global & Domestic Leasing  
And  
Demonopolizing Supply Chains



Reducing  
Market  
Domination  
by State  
Owned  
Enterprises  
(SOEs)

Expertise and  
Specialization

Innovation and  
Technological  
Advancement

Cost-Efficiency

Production  
Capacity

Customization

Competitive  
Market

Maintenance and  
Support

Accountability

Risk Sharing  
between vendor  
and user



Disadvantages  
of Purchasing  
Electronic  
Voting  
Machines

Upfront  
Capital  
Expense

Maintenance  
and Repairs

Storage Costs

Depreciation

Obsolescence

Limited  
Flexibility





Benefits of  
Leasing  
Electronic  
Voting  
Machines



Cost-Effective



Up-to-Date Technology



No/Less Maintenance and Support



Reduce the risk of over-committing  
resources



Reduced Risk of Obsolescence

Leasing EVMs can be a practical option for governments with budget constraints or changing technology needs

# Demystifying electoral regulation and procedures

## Election Commission Rajasthan

Endeavors to simplify complexity and focus on basics

Trained master trainers at the district level for the first level checking (FLC) of Electronic Voting Machine

Reuse of Electronic Voting Machine/Ballot box-borrowing and lending of EVM among states reduce costs and efficient resource utilization

Concurrent year round By-elections for positions falling vacant for 110000 seats

# Demystifying electoral regulation and procedures

## Election Commission Rajasthan

To use warehouse for other purposes i.e. training center etc. besides Electronic Voting Machine/ballot box storage

Increasing cost efficiency and production capacity

Budget to be utilized for performing First level Checks on Electronic Voting Machines (EVM) rather than purchasing new EVMs

Regular Interaction with field election officers

Bottom-up approach, focus on ideas & suggestion from grassroots level where the rubber hits the road

# Takeaways

01

Balance between Security, Accessibility & Costs

02

Focus on Final Outcomes than on processes

03

Using technology as a tool, not a silver bullet

04

Need of cost effective elections

# Takeaways

05

Randomization in EVM allocation

06

Enhancing Electoral integrity

07

Preventing Misinformation

08

Voter Education & Timely Adjudication of Election Disputes