

To,
The Station House Officer,
P.S. Parliament Street,
New Delhi.

DATE 14.06.2024

Subject: Complaint against officials of the Election Commission of India, including the Chief Election Commissioner Mr. Rajiv Kumar, officials and engineers of Bharat Electricals Limited and Electronics Corporation of India Limited, and senior office bearers, including Mr. Narendra Modi, Mr. Amit Shah, Mr. J.P. Nadda, of the Bharatiya Janata Party, its allies, and friends, and other known and unknown persons, who hatched a conspiracy to help the candidates of Bharatiya Janata Party, its allies, and friends, contesting the Lok Sabha 2024 elections, in illegally and unjustly winning the elections, committed various cognizable offenses in including manipulation of Electronic Voting Machines used in the elections.

Sir,

I am writing to you as a conscientious citizen of India and also in my capacity as an independent candidate in the general elections from 7-Rampur Lok Sabha Constituency, Uttar Pradesh.

This is to bring to your notice the fact that before and during the General Elections 2024, including during my elections from Rampur Lok Sabha Constituency, I came across various irregularities and outright criminal acts, being committed by various persons, including some officials working in the Election Commission of India, with its head office at Nirvachan Sadan, Ashoka Road, New Delhi, and others working under deputation to it, officials and engineers of Bharat Electronics Limited, Electronics Corporation of India Limited, senior members of the Bharatiya Janata Party, its friends, allies, police, government officials, and other known and unknown persons.



*Received
on 14/6/24
at 3:40 pm*

As per law, elections in India are required to be conducted by way of Ballot Paper as per Section 59 of the Representation of the People Act, 1951, however, they are permitted to be conducted by way of EVMs under certain strict conditions laid down in Section 61A of the Representation of the People Act, 1951.

I have observed that contrary to the legal and constitutional duty of holding the elections in a transparent, free and fair manner, the officials of ECI under directions of Shri Rajiv Kumar, the CEC, and the other Election Commissioners, have conducted the 2024 General Elections in a secretive manner by use of EVMs. In the garb of protecting the sanctity and secrecy of the election process, the safety and security of the election process was seriously compromised and violated by the use of EVM machines to help one political party, i.e., the BJP, its friends and allies. This has been done by way of a conspiracy hatched and executed, by office bearers of the Bharatiya Janata Party including Mr. Narendra Modi, Mr. Amit Shah, Mr. J.P. Nadda, and other office bearers of BJP and its allies, officials of the Election Commission of India including the Chief Election Commissioner Mr. Rajiv Kumar, and other Election Commissioners Mr. Gyanesh Kumar and Mr. Sukhbir Singh Sandhu, senior officials of the Election Commission of India at its Head Office in New Delhi, and officials working on deputation with the ECI in various constituencies for conduct of elections, many other known and unknown persons also played their role in the conspiracy by their acts of commission and omissions. By way of this conspiracy, the accused persons intended to prevent genuine candidates from being elected to the Lok Sabha, and to ensure that candidates of the BJP, its friends, and allies are elected in their place instead, and get to enjoy the consequent financial gains and other benefits to which other candidates would

otherwise have been entitled, and to enable them to misappropriate the public funds by illegally and unjustly coming into power.

As part of the conspiracy, members of, and persons having affiliation with, the BJP, including Mr. Mansukhbhai Shamjibhai Khachariya, Dr Shivnath Yadav, Ms. Shyama Singh, Mr. PV Parthasarathi, Mr. Krishna Bihari Rai, and others, have been appointed as Directors in Bharat Electronics Limited (BEL) and Electronics Corporation of India Limited (ECIL), which are involved in the manufacturing of EVM machines which have been used in the elections of 2024. As part of the above conspiracy, the BEL and ECIL manufactured these machines in a very secretive manner to hide the manipulations. As part of this conspiracy, the computer chips (microcontrollers), i.e. the most basic and important component of the machines, are imported from undisclosed foreign manufacturers, and the software/source code is ported into these chips (microcontrollers) in a very secretive and non-transparent manner to facilitate the manipulation of the machines. As part of the conspiracy the serial numbers on various components of the EVMs, i.e., Ballot Units (BU), Control Units (CU), and VVPAT Printers, are not engraved on their cabinet or metal plate riveted to their cabinet, rather they are placed in a detachable form to facilitate for manipulation of accounting purpose ID of these machines and therefore change of machines during the election process. As part of this conspiracy, the officials of ECI, ECIL and BEL use uncertified and unverified accessories like wires, batteries, paper rolls, etc. for the purpose of manipulation of the election process to favor the BJP, its allies and friends.

It is also noteworthy that a huge number of machines which were earlier used in the 2019 election process have been reported to be missing, which the Election Commission of India itself in its FAQs available at <https://old.eci.gov.in/faqs/evm/general-qa/electronic-voting-machine-r17/> has stated to be a sub-judice issue. A detailed investigation regarding the sourcing and manufacturing of the machines, its accessories and software, chips (microcontrollers), as well as the accounts of the Election Commission of India regarding the orders of machines placed, the number of machines manufactured, and the number of machines received by the electoral officials, is also necessary to bring out different components/criminal acts committed during the commission of various offenses. The records pertaining to the conspiracy to manufacture and manipulate the machines in this manner throughout the country were prepared and stored at the Head Office of the Election Commission of India situated at Nirvachan Sadan, Ashoka Road, New Delhi. The seizure of these records be undertaken at the earliest.

Coming to the elections at Rampur, at the beginning of the election process itself, after confirmation of my nomination, a meeting (which was audio-video recorded by the RO, Rampur) was held between the Returning Officer, 7-Rampur Lok Sabha Constituency, U.P., other election officials, and all candidates. In the meeting, I had informed the RO that elections are required to be held through ballot papers, and only in the event of a special notification under Section 61A of the Representation of the People Act, 1951, can elections be held through electronic voting machines. I had requested that if any such notification exists, the same may be shown to me. However, the RO informed me that they are ready to conduct the elections through ballot papers, provided necessary instructions are issued by the Election Commission of India.

The RO did not provide me with any notification issued by the Election Commission of India under Section 61A of the Representation of the People Act, 1951, and instead went ahead with the commissioning of EVM-VVPAT machines. Surprisingly, after I moved the Delhi High Court on this issue, by filing Writ Petition (Civil) 5037 of 2024, the Election Commission of India on 06.04.2024 sent a copy of a notification dated 20.03.2024 issued under Section 61A of the Representation of the People Act, 1951, which appears to be manipulated, as despite repeated searches on the internet, the said notification was not available up until 06.04.2024, even though the schedule of the elections had been announced on 16.03.2024 itself. A detailed investigation of the relevant official files and other records of the Election Commission of India at its head office at Nirvachan Sadan, Ashoka Road, New Delhi, leading to the preparation of the said notification is necessary. The conspiracy regarding preparation of such illegal and omnibus notification, which is clearly in violation of the provisions of Section 61A of the Representation of the People Act, 1951, was also clearly hatched and acted upon at the head office of the Election Commission of India at its head office in New Delhi.

Later, during the election process at Rampur, upon opening up of the warehouse of the EVMs on the first occasion on 08.04.2024 itself, I saw that the machines were loaded into open, non-containerized trucks without any security apparatus, and without any accompanying security personnel. The machines also had no serial numbers or other unique identification features permanently engraved on their cabinets or on metal plates riveted onto the cabinets, and instead detachable stickers were placed on them, so as to facilitate tampering and illegal exchange of EVM-VVPAT machines and their units for the purposes of manipulating

the polling process. Further, in violation of the prescribed guidelines, no account of EVM machines, as bifurcated into machines for training exercises, and those meant for the election process, was shared with me, again in order to facilitate free exchange and manipulation of the machines. Even the warehouse was maintained in an illegal and unsafe manner in complete violation of the applicable legal norms. I had prepared some audio video recordings of the warehouse and the unsafe transportation which can I can provide. However, the videography of the entire procedure can be procured from ECI officials, i.e. the Returning Officer, and Mr. Sanjay Sharma.

On 09.04.2024, during the process of Commissioning of EVM-VVPAT machines at Rampur, I found that the authorized engineers of Bharat Electronics Limited (BEL)/Electronics Corporation of India Limited (ECIL) were not present at the Commissioning Venue, and the sealing process of the machines was being undertaken without the presence of the engineers. Upon engagement with the officials present, I signed a pink slip on one of the machines, and a register, and also made a note in the register in respect of the situation prevalent at the time. These records can be seized during the investigation as contemporaneous evidence of the offenses being committed by the officials on deputation to the Election Commission of India. Thereafter, I continued to wait for the engineers to show up, but to no avail. At about 2 P.M. on the same day, I reached the Collectorate in order to get my expenditure register checked, when I was shocked to find that the about 8-10 persons claiming to be engineers of BEL were present at the Collectorate itself, with some unsealed plastic boxes in their hands, along with other officials of the Election Commission of India. Upon my objection to the fact that the process of commissioning of EVM-VVPAT machines and the

technical processes being performed by the engineers was being done behind my back in my absence, one Mr. Sanjay Sharma, who had introduced himself to me as the official in-charge of the custody, movement and the entire operation of EVM-VVPAT Machines in Rampur Lok Sabha Constituency, stated that no procedure had been undertaken at the Collectorate, and the engineers were present there solely for being provided with refreshment and food, and would be transported in Govt. Vehicles to the *Mandi*, i.e. the venue for commissioning and storage of machines. He further assured me that the entire exercise would take place in my presence at the *Mandi*, and I would be free to observe the same. Believing him, I went to the *Mandi*. Mr. Sanjay Sharma very clearly misled me on this count, by diverting me from the Collectorate to the *Mandi*, claiming that no exercise was being undertaken in respect of the SLUs at the Collectorate, when in fact it later became evident that the SLUs were manipulated at the Collectorate.

At about 3:30-45 PM, upon entering the Mandi, the aforesaid Mr. Sanjay Sharma introduced me to one Mr. Navyajyoti, stated to be the team leader of the BEL team responsible for the technical process of commissioning of EVM machines and VVPAT printers including SLU loading exercise. At the beginning of the process, I witnessed that a device, in the shape of a large computer mouse, with wire and a small display screen, stated to be the SLU by the engineer, and some kind of adapter and a battery, was connected to the CU, BU, VVPAT machines. I observed that the wires, the batteries, the paper rolls for the VVPAT printers, were all lying in bulk without any seal, packing etc., to certify their standard, quality, or authenticity. It was also stated by Mr. Navyajyoti that the battery was the same one to be used in the EVM machine. As I was already quite perturbed by the events up until now,

including the fact that the purported SLUs and accessories were in open access and free condition, being manipulated at the Collectorate, in order to satisfy myself regarding the neutrality and safety of the process, I asked the procedure of the usage of SLU from Mr. Navyajyoti, who informed that the SLU has symbols loaded inside it which will be visible to me when he connects it to the computer screen. Upon being asked as to how the information/data had been stored/injected in the SLU, he stated that the same had been done by the Election Commission local unit at Moradabad office, and his team had not downloaded or fed any data into the SLU. At this juncture, officials of the local administration surrounded me and my team, while two of the officials were making all efforts to scuttle the communication between me and the engineer, and to prevent me from freely witnessing, and ensuring the security of, the process of SLUs being connected with the EVM-VVPAT machines. This entire exercise was videographed by two cameramen using separate cameras, and I had made a short note on the register which I had been made to sign by the officials. Later, it came to fore that another engineer informed me that they had in fact themselves brought the SLU, in unsealed box, straight from Bengaluru. Yet another engineer informed us that the SLU was given to them by their team leaders. It is apparent that there was no one version forthcoming regarding the source of the SLU, and the engineers of BEL, in conspiracy with the officials of the Election Commission of India, including RO, AROs, and Mr. Sanjay Sharma, were tampering with the EVMs. During this process, I and my associates were also threatened of false implication in serious criminal cases by the officials of the Election Commission of India, and only upon the intervention of the Central Observer, whom I was forced to call, did the situation normalize. However, it was well apparent that the entire exercise of threatening and intimidating me and my representative, was

undertaken to prevent me from witnessing a fraudulent and manipulative process of tampering of EVM-VVPAT machines, and to intimidate and coerce me into not raising this issue at the spot, and to not complain regarding the clear irregularities and flagrant activities being carried out by election officials. This entire exercise, as mandated by law, was required to be videographed, and videography of all these events can be recovered from the Election Commission of India. I had made a complaint dated 10.04.2024 to the RO, ECI etc. regarding the above incident.

In this exercise, various criminal offenses were committed by different election officials, as named above, and other unnamed officials.

On 18.04.2024, during the entire exercise of commissioning and distribution of the machines, the officials of the Election Commission of India were seen mishandling the machines, using mobile phones and electronics at the Commissioning venue, with there being no security arrangement or checking at the entry/exit point so that unauthorized personnel and co-conspirators of the accused persons could freely enter and exit the venue where EVM-VVPAT machines were being handled, and tamper with the machines. Before polling, people were seen carrying off the machines without any supervision or authority, away from the commissioning venue, and into the streets. At no point was there any proper escort or security for the machines.

It is pertinent to mention that during the entire election process, starting from the opening of warehouses for the purpose of commissioning of EVMs, right up to the sealing and storage of the EVMs after the counting, the local officials of the Election Commission of India in connivance with and under the directions of the ECI officials at its Delhi Head Office, deliberately and willfully did not get the videography

and CCTV footage prepared correctly to enable and hide the hacking and manipulation of EVMs, and/or deliberately destroyed the videography conducted and/or did not undertake mandatory videography (by CCTV and video cameras) as assured by the Election Commission of India before the Delhi High Court in Writ Petition (Civil) No. 6532 of 2024, as reflected in the order dated 16.05.2024 passed therein. The seizure of the entire videography and CCTV footage will clearly establish the offenses committed by large number of ECI officials on 18.04.2024.

Even after the polling on 19.04.2024, the mishandling and tampering of the EVM machines continued as the machines were being brought back to the *Mandi* to be sealed and stored at the warehouse. Several officials of the ECI could be seen working on the machines and election papers at the *Mandi* in the dead of the night, despite the mandatory provisions directing such procedures to be completed at the Polling Center itself. Perusal of the videography of 19.04.2024 at the *Mandi* will clearly establish the open manipulation of the machines and other material by the polling parties.

I had written several emails to the Returning Officer and other officials of the Election Commission of India, including the CEC, highlighting all the illegalities witnessed by the in respect of the mishandling and tampering of EVM-VVPAT machines. However, no corrective measures were even attempted to be made.

The officials of Election Commission of India, as public servants, were entrusted with the custody of the EVM-VVPAT machines to conduct of free and fair elections as per the provisions of the Constitution of India, the Representation of the People Act, 1950, the Representation of the People Act, 1951, the Conduct of Election Rules, 1961, and various instructions and guidelines issued by the Election Commission of India.

However, they dishonestly used and disposed of the EVM-VVPAT machines, in complete violation of the above directions of law prescribing the mode in which such trust was to be discharged, and the senior officials of the ECI willfully forced the junior officials and other government personnel involved in the conduct of elections through EVM-VVPAT machines to misuse and manipulate the EVM-VVPAT machines, thereby committing the offense punishable under Section 409 of the Indian Penal Code.

The Election Commission officials at Delhi and in Rampur Constituency in conspiracy and connivance with each other also misappropriated the funds allotted for conducting the elections in particular the procedure of videography throughout the election process, and safekeeping of the EVM-VVPAT machines, by recording lesser number and duration of videos than legally mandated and assured by the Election Commission of India. They also misappropriated the funds by using the substandard and insecure infrastructure, including in strong rooms and vehicles for storage and transportation of EVM-VVPAT machines, at various stages of the election process including commissioning, distribution and return of EVM machines to and by the polling parties, and sealing and storage of the machines after counting.

Similarly manipulations of the EVM-VVPATs appear to have been done all over the country by way of a conspiracy to influence the free and fair elections during the entire election process, and to manipulate the results, with the connivance of, and in conspiracy with, senior officials of the Election Commission of India including the Chief Election Commissioner Mr. Rajiv Kumar, and other Election Commissioners Mr. Gyanesh Kumar and Mr. Sukhbir Singh Sandhu, other senior officials of the Election Commission of India at its Head Office in New Delhi, and

officials working on deputation with the ECI, the senior members of BJP, including Mr. Narendra Modi, Mr. Amit Shah, Mr. J.P. Nadda, and other office bearers of BJP and its allies, to enhance by illegal means their chances of winning the election by securing a favourable outcome for their candidates in the election. The involvement of various officials at the Delhi Head Office of the ECI is also crystal clear from the fact even though repeated letters and complaints were being made to the Election Commission of India detailing the above facts, no action was ever taken by the ECI. In this manner, and pursuant to the conspiracy, the various officials of the Election Commission of India have committed criminal breach of trust. I have written various letters in this regard including letters dated 28.03.2024, 06.04.2024, 07.04.2024, 08.04.2024, 10.04.2024, 11.04.2024, 16.04.2024, 17.04.2024, 19.04.2024, and others.

The fallout of the manipulation and interpolations of EVM machines at all levels is manifest by the large number of malfunctions, rejections, and other anomalies which were witnessed and recorded by the officials of Election Commission in Rampur Constituency, a similar phenomenon has been witnessed invariably in all the constituencies in the country where elections were recently held.

In order to further their conspiracy for unduly influencing the elections, the officials of the Election Commission of India at its head office in Delhi were also involved in a conspiracy to commit forgery, manipulation, and doctoring of records under their care for the purposes of presenting false facts in affidavits filed before the Hon'ble Supreme Court of India. For instance, even though their own guidelines mandate that copies of Form 17C, i.e. the account of votes polled, are to be kept unsealed with the concerned Returning Officers, the officials of the Election Commission of India destroyed such records pertaining to Form

17C so as to present false facts before the Hon'ble Supreme Court in this regard, and manipulate the record of votes polled to further the electoral prospects of the candidates of the BJP, and its friends and allies. In this regard, it has also been widely reported that in 538 Parliamentary Constituencies, there is a mismatch between the total number of votes polled as declared by the Election Commission of India itself, and the total number of votes finally counted. In the 7-Rampur, U.P. Constituency itself, the total number of votes counted was 456 less than the total number of votes polled. Even though the officials of the Election Commission of India have repeatedly claimed that there cannot be a discrepancy of even a single vote in the EVM-VVPAT machines, such widespread manipulation of the votes clearly evidences the conspiracy behind the doctoring of the election results by the Election Commission of India in conspiracy with the office bearers of the BJP and its friends and allies.

I have sufficient videographic and documentary evidence proving the commission of the various offenses described hereinabove, which I shall share with the concerned investigating officer upon registration of an F.I.R., seizure of the entire videography and CCTV footage conducted by the ECI officials as guaranteed by the ECI in my case titled Mehmood Pracha vs Election Commission of India W.P. (C) 6532 of 2024, will ensure ample proof and evidence of the offenses committed during the course of the conspiracy. Similarly, ECI has assured the videography and CCTV recording of the entire election procedure starting from FLC till after the counting, when EVM-VVPAT machines are sealed and stored, of all the Lok Sabha seats in the country. These video and CCTV recordings will be preserved till forty-five days after the declaration of the results, i.e. up to 18.07.2024. These video/CCTV footage of all the

543 seats should be seized immediately so that the invaluable proof/evidence of above big conspiracy are not destroyed by the ECI officials.

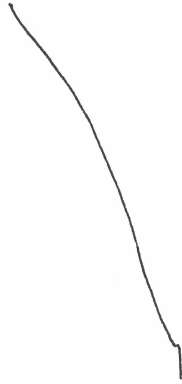
It is reiterated that even though I observed the manipulation and tampering of EVM-VVPAT machines at Rampur, the main conspiracy, doctoring of records, sourcing of the hardware, meetings between the accused persons, disbursement of various funds for the commission of various illegal acts of commission and omission, various acts committed by illegal means, conspiracy, and other offenses, took place in Delhi, primarily at the head office of the Election Commission of India at Nirvachan Sadan, New Delhi.

The conspiracy to commit acts to manipulate the elections on a pan India level to favour candidates belonging to BJP, its allies and friends, was also hatched at New Delhi including at the head office of the ECI at Nirvachan Sadan, Ashoka Road, New Delhi.

Therefore, it is requested that an appropriate report be immediately registered, *inter alia*, under Sections 129 of the Representation of the Peoples Act, 1951, and 65/66/66F of the Information Technology Act, 2000, as well as Sections 171F/409/417/466/120B/201/34 IPC, and investigation be undertaken, to ascertain the participation and role of all the individuals, including officials of the Election Commission of India, officials and engineers of the BEL and ECIL, office bearers and members of the BJP, its allies and friends, who have participated in the conspiracy of the above described crime, and all involved accused persons be brought to justice. The manipulated EVM-VVPAT Machines, and the incriminating material including CCTV Footage, logs etc. at the EVM-VVPAT warehouse, and other documents pertaining to the conspiracy, and other related material, and forged documents, may be immediately

seized and sent for appropriate forensic analysis. I will also provide the material available with me to the I.O. in due course.

Thanking you.



Sincerely,

Mehmoond Pracha

Copy to:

1. The Hon'ble President of India.
2. Commissioner of Police, Delhi Police.
3. The Deputy Commissioner of Police, New Delhi District, Delhi Police.