

IN THE SUPREME COURT OF INDIA
 (CIVIL ORIGINAL JURISDICTION)
WRIT PETITION (CIVIL) NO. _____ OF 2026
 PUBLIC INTEREST LITIGATION

IN THE MATTER OF:

PRASENJIT BOSE

....PETITIONER

VERSUS

1. ELECTION COMMISSION OF INDIA
 THROUGH ITS SECRETARY
 NIRVACHAN SADAN, ASHOKA ROAD
 NEW DELHI - 110001
2. CHIEF ELECTORAL OFFICER, WEST BENGAL
 SHIPPING HOUSE, 13 STRAND ROAD, FAIRLY PLACE,
 B.B.D. BAGH, KOLKATA, 2nd & 3rd floor
 WEST BENGAL 700001
3. STATE OF WEST BENGAL
 THROUGH CHIEF SECRETARY,
 GOVERNMENT OF WEST BENGAL
 NABANNA, 325 SARAT CHATTERJEE ROAD,
 SHIBPUR, HOWRAH, WEST BENGAL - 711102.

....RESPONDENTS

**WRIT PETITION UNDER ARTICLE 32 OF THE CONSTITUTION
 OF INDIA FOR ENFORCEMENT OF THE RIGHTS GUARANTEED
 UNDER ARTICLES 14, 19 AND 21 OF THE CONSTITUTION OF
 INDIA, SEEKING *INTER ALIA* DIRECTIONS TO THE**

RESPONDENTS TO DISCLOSE CONSTITUENCY-WISE DATA OF FORMS 6 AND 7 SUBMITTED, ADMITTED & REJECTED DURING THE CLAIMS AND OBJECTIONS PHASE OF SIR IN WEST BENGAL, MAKE PUBLIC THE STANDARD OPERATING PROCEDURE ON APPELLATE TRIBUNALS DATED 07.04.2026 FRAMED BY THE 3-MEMBER JUDICIAL COMMITTEE REFERRED TO IN ORDER DATED 13.04.2026 PASSED BY THIS HON'BLE COURT IN W.P.(C) NO. 1089 OF 2025, FRAME SIMPLIFIED STEP BY STEP GUIDELINES IN BANGLA, HINDI AND ENGLISH TO ENABLE ELECTORS TO FILE APPEALS BEFORE THE APPELLATE TRIBUNALS.

**TO,
THE HON'BLE THE CHIEF JUSTICE OF INDIA
AND HIS COMPANION JUDGES OF
THE HON'BLE SUPREME COURT OF INDIA**

**THE HUMBLE PETITION OF
THE PETITIONERS ABOVE-NAMED**

MOST RESPECTFULLY SHOWETH

1. That the present petition is being filed as a Public Interest Litigation under Article 32 for enforcement of the rights of citizens/persons guaranteed under Articles 14, 19 and 21 of the Constitution of India seeking *inter alia* directions to the Respondents to disclose constituency wise numbers of Form 6 and Form 7 applications submitted, admitted and rejected during the claims and objection phase of SIR in West Bengal and to make public the Standard Operating Procedure (SOP) framed on 07.04.2026 by the 3-member judicial committee as noted at para 7 in order dated 13.04.2026 passed by this Hon'ble Court in WPC No. 1089 of 2025. Petitioner

further seeks directions to Respondents to frame a simplified, step-by-step guideline for the appellate process in Bangla, Hindi and English, so as to ensure wider public participation, awareness.

2.

- a) Petitioner herein is the Chairperson, SIR Committee, West Bengal Pradesh Congress Committee (WBPCC), and a professional economist. Petitioner is also a convenor of Joint Forum against NRC, a common platform of various people's organisations in West Bengal. That PAN Card No. of Petitioner is and annual income is approx. Rs . He has earlier filed Writ Petition (Civil) No. 1512 of 2019 titled *Prasenjit Bose v Union of India and Anr* challenging the constitutionality of the Citizenship Amendment Act, 2019, which is currently pending before this Hon'ble Court. Respondent No. 1 is Election Commission of India through its Secretary. Respondent No. 2 is Chief Electoral Officer, West Bengal. Respondent No. 3 is State of West Bengal through its Chief Secretary.
- b) That the cause of action arose when SIR exercise was carried out in the state of West Bengal and *inter alia* resulted in large-scale deletions, nondisclosure of data relating to additions and deletions, procedural infirmities in the Logical Discrepancy process and lack of transparency regarding the functioning of the Appellate Tribunals.
- c) The nature of injury caused to the public is violation of fundamental rights of the citizens guaranteed under Article 14, 19 and 21 of the

Constitution of India and constitutional rights as enshrined under Articles 326 and 325 of the Constitution as well as violation of Representation of People Act, 1950 and RER, 1960 made thereunder.

- d) The Petitioner herein has no personal interest or any private/oblique motive in filing the instant Petition, except to the extent of being a member of the general public.
- e) There is no civil, criminal, revenue or any litigation involving the Petitioner herein, which has or could have a legal bearing with the issues involved in the instant Petition.
- f) That no other similar Petition filed by the Petitioner is currently pending before this Hon'ble Court or any other High Court on the issues raised in the present Petition.
- g) Petitioner herein sent two representations to the Respondent No. 1 through memoranda dated 05.03.2026 and 09.03.2026, raising concerns before the ECI and sought clarification as well as re-verification of all Form 6/6A and Form 7 applications.

Brief Facts

- 3.** The Respondent No. 1 i.e., Election Commission of India (ECI) under Article 324 of the Constitution of India and Section 21 of the Representation of the People Act, 1950, had issued an order dated 24.06.2025 directing the conduct of Special Intensive Revision (SIR) of Electoral Rolls of each Assembly Constituency in the State of

Bihar. A copy of the order and communication dated 24.06.2025 issued by the ECI is annexed herewith as **ANNEXURE P1** (Pg 74 to 92).

4. That on 27.10.2025, ECI issued communication to the CEOs of 12 states viz. A&NI, Chhattisgarh, Goa, Gujarat, Kerala, Lakshadweep, Madhya Pradesh, Puducherry, Rajasthan, Tamil Nadu, Uttar Pradesh & West Bengal stating that Special Intensive Revision of Electoral Rolls w.r.t. 01.01.2026 as the qualifying date in all the states would commence from 28.10.2025. It further provided a modified enumeration form and declaration form along with a state-wise list of SIR qualifying dates. The relevant part of communication dated 27.10.2025 is quoted herein below:

2. The Commission has decided to conduct the SIR based on the order and guidelines issued on 24.06.2025, subject to the following additions/modifications:

- a) For electors whose Enumeration Forms have not returned, BLO may identify a probable cause, such as Absent/Shifted/Death/Duplicate, based on an inquiry from the nearby electors and note the same. Booth-wise lists of above electors whose names are not included in the Draft Roll, shall also be displayed on the Notice Board of respective Panchayat Bhavan/Urban local body office and Offices of the Block Development Officer/Panchayat Officers/Urban Local body officers to enable the general public to have access to the aforesaid voters lists along with the probable reasons for non-inclusion of their names. CEOs to consolidate and put these lists on CEO's website in an accessible format.*

- b) *For Aadhaar, the Commission's directions issued vide letter No. 23/2025-ERS/Vol.II dated 09.09.2025 (Annexure II) shall apply.*
- c) *Modified Enumeration Form (Annexure III) and Declaration Form (Annexure IV) shall be applicable for SIR in these States/UTs.*
- d) *No document is to be collected from electors during the Enumeration Phase.*
- e) *ERO to issue notice, only after publication of draft Electoral Rolls, to those electors, who could not be linked with previous SIR Electoral Rolls, to ascertain their eligibility.*
- f) *The relevant last intensive revisions of the respective States/UTs is as mentioned in Annexure V.*
- g) *During House to House Enumeration, BLO to carry at least 30 blank Form 6 along with blank Declaration Forms (Annexure IV), to supply to anyone who seeks to enrol as a new elector.*
- h) *ERO shall also invite advance applications for subsequent qualifying dates i.e. 1st April, 1st July & 1st October, 2026 while publishing notice for draft publication in Form-5.*

A copy of the ECI's order and communication dated 27.10.2025 is annexed herewith as **ANNEXURE P2 (Pg 93 to 121)**.

5. This Hon'ble Court *vide* judgment dated 27.05.2026 in WPC No. 640 of 2025 has upheld the legality of the Special Intensive Revision (SIR) of electoral rolls. The conclusion and directions are quoted herein below:

186. As an upshot of the foregoing discussion, we deem it appropriate to dispose of the instant batch of writ petition(s) with the following directions:

- a) *The Impugned SIR exercise neither stands in direct conflict with the RP Act and the 1960 Rules, nor does it detract from the constitutional imperative of free and fair elections. It is, instead, an exercise traceable to Section 21(3) of the RP Act read with Article 324 of the Constitution, undertaken to advance the very objective which Part XV of the Constitution is designed to protect.*
- b) *The Impugned SIR exercise, as conducted, satisfies the requirements of proportionality. The measures adopted bear a rational nexus to the objective sought to be achieved, are not manifestly excessive, and are accompanied by sufficient procedural safeguards to prevent arbitrary exclusion. The Impugned exercise was founded upon a legitimate and constitutionally grounded purpose, namely, the restoration of the accuracy, completeness, and integrity of the electoral rolls. Having regard to the nature of the problem sought to be addressed, the scale of the exercise undertaken, and the procedural safeguards incorporated during its implementation, the measures adopted by the Commission cannot be said to be disproportionate to the object sought to be achieved.*
- c) *While inclusion in the electoral roll gives rise to a presumption of validity, such presumption is rebuttable and cannot be construed as imposing a blanket embargo on the powers of the Commission to undertake a Special Intensive Revision. The decision in Lal Babu Hussein (Supra) does not compel a contrary conclusion, being confined to the context of adjudicatory proceedings and not extending to a systemic, inquisitorial exercise undertaken in furtherance of the Commission's constitutional mandate.*
- d) *The deletions effected pursuant to the Impugned SIR exercise cannot be said to be contrary to the procedure prescribed under Rule 21A of the 1960 Rules. The safeguards of notice and hearing are preserved in substance, and the process adopted by the Commission remains within the bounds of the statutory mandate.*

- e) *The documentation regime prescribed by the Commission represents a considered exercise of its administrative discretion in furtherance of its Constitutional mandate. The classification of documents, including the exclusion of certain categories (apart from Aadhar Card, which was directed to be included vide Order dated 08.09.2025), is based on intelligible criteria having a direct nexus with the objective of ensuring the integrity of the electoral roll. We are, therefore, unable to hold that the impugned documentation framework is arbitrary or violative of the statutory scheme.*
- f) *The Commission is empowered, in the exercise of its constitutional mandate, to undertake a limited enquiry into citizenship for the purpose of satisfying itself as to eligibility for inclusion in the electoral roll. Such an enquiry does not amount to a determination of citizenship in the strict sense, and any action taken pursuant thereto is confined to electoral consequences alone. The consequence of such a determination is correspondingly limited. It affects the individual's entitlement to be included in the electoral roll, and thereby their right to participate in the electoral process. It does not, however, operate to divest the individual of claims of citizenship, nor does it foreclose a determination of that question by the Competent Authority under the Citizenship Act.*
- g) *In cases where the Commission is not satisfied that a person meets the statutory conditions for inclusion in the electoral roll, it would be incumbent upon it to refer such an individual to the competent authority within the Central Government for adjudication in accordance with law. The Commission's determination, being confined to electoral purposes, cannot assume finality on the question of citizenship. Any deletion effected on this ground shall, therefore, remain subject to the outcome of such adjudication by the appropriate authority.*
- h) *Regarding persons whose names have been deleted from the 2003 roll on account of the Commission being of the opinion that they are not citizens, the Commission shall refer such cases within 4 weeks to the Competent authority under the Citizenship Act, 1955, for adjudication of their citizenship. The Competent Authority shall take the necessary decision in accordance with law, preferably*

before the next Parliamentary, Assembly, Local Body elections, whichever is earlier, after giving notice and an opportunity of hearing to the deleted individuals, if any. In the event the Competent Authority holds that such deleted individuals are citizens, they shall be included in the electoral roll. In addition thereto, all persons who are domiciled in Bihar and whose names have been erroneously deleted on the ground that they are absent, dead, shifted or in duplication may assail the decision of the Commission by way of judicial review.

- i) These writ petitions are disposed of in the above terms. Pending interlocutory applications, if any, shall stand closed.*

A copy of the judgment dated 27.05.2026 passed by this Hon'ble Court in WPC No. 640 of 2025 is annexed herewith as **ANNEXURE P3 (Pg 122 to 245)**.

- 6.** That this Hon'ble Court in the pending Bengal SIR matters (WPC No. 1089 of 2025), as well as during the pendency of Bihar SIR matters (i.e. WPC No. 640 of 2025) passed certain interim directions which led to certain positive outcomes and reduced the number of electors who would otherwise have been disenfranchised. In judgment dated 27.05.2026 in WPC No. 640 of 2025 this Hon'ble Court has elaborated on the "structural correctives" which "ensured the process remained aligned with the requirements of procedural fairness". The relevant paragraphs are quoted hereinbelow:

97. The record reveals that the process, as initially designed, did raise legitimate concerns regarding documentation, transparency, and access. However, it is equally evident that these concerns were addressed through a series of judicial interventions, which progressively infused the process with safeguards.

98. For instance, insofar as the documentation regime was concerned, the initial grievance of the Petitioner(s) centred around the exclusion of widely held Aadhaar Cards. This concern was directly addressed by this Court while directing the inclusion of the Aadhaar Card with a clarification regarding the statutory status of Aadhaar as a valid document for establishing identity. This intervention expanded the evidentiary avenues available to electors.

99. The second axis of intervention, focused on transparency. The direction to publish the complete list of approximately 65 lakh excluded electors, accompanied by reasons for their exclusion, transformed what was initially an opaque administrative outcome into a verifiable and contestable process. By mandating wide dissemination of this information through multiple channels, the Court ensured that affected individuals were not only made aware of their exclusion but were also placed in a position to meaningfully challenge it.

100. The third and equally significant concern pertained to the accessibility of the claims and objections mechanism, particularly for those situated at the margins of the electoral process. The Court recognised that the burden of navigating this remedial framework could operate disproportionately against migrant workers, rural populations, and socio-economically disadvantaged groups. To address this structural imbalance, the Court introduced an institutional layer of assistance. Political parties, through their BLAs, were directed to actively assist electors in the submission of forms and supporting material, thereby leveraging their extensive grassroots networks as facilitators of participation. Complementing this, the deployment of para-legal volunteers under the aegis of the State and District Legal Services Authorities created an independent and accessible channel of

assistance, particularly for those lacking the means or capacity to engage with the process on their own.

101. These interventions operated as structural correctives that ensured the process remained aligned with the requirements of procedural fairness. The availability of claims, objections, and appellate remedies further reinforced this framework.

7. That considering the prevailing circumstances in the State of West Bengal concerning large-scale deletions under SIR, lack of transparency in additions and deletions, procedural infirmities and need for timely disposal of cases pending before the Appellate Tribunals, the present petition has been filed to protect the constitutional rights of citizens and restore the names of all those electors which were erroneously or wrongfully deleted during the SIR exercise.
8. That a large volume of appeals for inclusion are pending before the Appellate Tribunals, reportedly nearly 25 lakh. A substantial proportion of these appellants are genuine electors erroneously or wrongfully excluded under the SIR exercise, and who have faced temporary deprivation of franchise. This not only amounts to an abrogation of the constitutional right of citizens but have also impacted the fairness and integrity of the electoral process. This raises serious questions regarding both the unduly restrictive

timeline as well as serious procedural defects of the SIR process in West Bengal.

9. The instant petition is divided into three parts, based on the three phases of SIR in West Bengal, i.e (i) Claims and Objections; (ii) Adjudication Phase or Logical Discrepancy Phase and (iii) Functioning of Appellate Tribunals and seeks the following reliefs regarding the same:

- a. For disclosure of i) Assembly constituency (AC) wise number of Form 6 and Form 7 applications submitted, admitted and rejected during the claims and objection phase of SIR in West Bengal, (ii) Number of cases pending in each AC before the Appellate Tribunals, (iii) Number of appeals pending before the Tribunal filed by aggrieved deleted electors for inclusion and by the ECI for exclusion of enrolled electors and (iv) Data as required to be furnished as per Format 1-8 (Annexure 37) of ECI Manual on Electoral Roll, 2024.
- b. For making public the Standard Operating Procedure (SOP) framed on 07.04.2026 by the 3-member judicial committee as noted at para 7 in order dated 13.04.2026 passed by this Hon'ble Court in *WPC No. 1089 of 2025* and for framing a simplified, step-by-step guideline for the appellate process in Bangla, Hindi and

English, so as to ensure wider public participation, awareness and accessibility.

- c. To allow electors deleted under SIR under all 3 Phases, i.e., Phase 1 - Enumeration, Phase 2 - Claims & Objections, Phase 3 - Adjudication of Logical Discrepancy cases, to file appeals before the Appellate Tribunals so as to get their names restored to the electoral rolls.

I. Claims And Objections

- 10.** That on 16.12.2025 SIR Draft Roll was published (after 7 days of extension) along with all the key findings of enumeration phase from 04.11.2025 to 11.12.2025. The Office of the Chief Electoral Officer, West Bengal issued Press Note dated 16.12.2025 and reported that 7.08 crore enumeration forms were collected out of 7.66 crore electors in the base roll. Consequently, more than 58 lakh electors stood excluded during the enumeration phase, constituting approximately 6.7% of the electors forming part of the SIR base roll. The relevant part of the press note is quoted herein below:

1. Participation of All Electors and All Political Parties

Out of 7,66,37,529 electors, over as on 27.1.2025 over 7,08,16,630 electors have submitted their Enumeration Forms as on 16.12.2025 reflecting an overwhelming participation in the first phase of SIR.

The successful completion of this phase is the result of coordinated efforts of DEOs of all 24 districts, 294 EROs, 3059 AEROs, and BLOs deployed at 80,681 polling booths, supported by volunteers. Field representatives of all 8 recognised political parties, including their District Presidents, also actively participated, with as many as 1,81,454 Booth Level Agents (BLAs) appointed by them.

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3. Schedule of Special Intensive Revision (SIR) after publication of Draft Electoral Rolls w.r.t. qualifying date as on 01.01.2026:

Sr No.	Description	Schedule
1.	Publication of Draft Electoral Roll	16 th December, 2025
2.	Claims and Objections Period	16 th December, 2025 to 15 th January, 2026
3.	Notice Phase (Hearing and Verification)	16 th December, 2025 to 7 th February, 2026
4.	Publication of Final Electoral Roll	14 th February, 2026

.....

A copy of the Press Note dated 16.12.2025 published by the Office of the Chief Electoral Officer, West Bengal is annexed herewith as **ANNEXURE P4 (Pg 246 to 249)**.

- 11.** The mechanism prescribed for such electors excluded during the enumeration phase was the submission of Form 6 applications, along with the requisite documents, during the Claims and Objections period. Out of the total 58.20 lakhs ASDD (Absent,

Shifted, Deceased, Duplicate) deletions effected during the enumeration phase, 12.20 lakh electors were marked absent, 19.88 lakh were shown as permanently shifted, 24.16 lakh were categorized as deceased, and 1.38 lakh were treated as duplicate enrolments.

- 12.** The Daily Bulletin published by the Chief Electoral Officer, West Bengal No. 34/PB/CEO/2026 dated 20.01.2026 after the completion of the Claims & Objections period demonstrated that 9.64 lakh Form 6/6A applications for addition and 99118 Form 7 applications for deletion were already pending before the ECI as on 20.01.2026. The data reported in the daily bulletin is as follows:

Details	Form 6/6A Applications (Addition)	Form 7 Applications (Deletion)
Received before publication of Draft Electoral Roll (till 16.12.2025)	3,31,075	56,867
Received during Claims & Objections Period (from 17.12.2025 to 20.01.2026)	6,33,762	42,251
Total Received (till 20.01.2026)	9,64,837	99,118

A copy of daily bulletin dated 20.01.2026 published by CEO, West Bengal is annexed herewith as **ANNEXURE P5** (Pg 250).

- 13.** The SIR Final Electoral Roll was published on 28.02.2026. The Press Note issued by the Office of the Chief Electoral Officer, West Bengal dated 28.02.2026 published the following data pertaining to additions (inclusions) and deletions (exclusions) effected during the Claims and Objections period.

Details	Total
Total Electors as on 16.12.2025 (Draft Roll based on Enumeration Forms)	7,08,16,630
Total Addition (Form 6 and 6A)	1,82,036
Form 8 Addition	6,671
Total Deletions (Form-7)	5,46,053
Electorate as on 28.02.2026	7,04,59,284

- 14.** It is evident from the aforesaid data that, out of 9.64 lakh Form 6/6A applications submitted for fresh inclusion, only 1.82 lakh applications were accepted, thereby indicating that nearly 80% of the Form 6/6A applications had not been admitted, at least till the publication of the Final Roll. Furthermore, while 5.46 lakh names came to be deleted during the Claims and Objections period, only 99,118 Form 7 applications had been received up to the conclusion of the said period. This was further conspicuous because in contrast Bihar SIR witnessed 21.53 lakh additions through Form 6 and 3.66 lakh deletions through Form 7; in Tamil Nadu SIR

reportedly there were 27.53 lakh additions through form 6 and 4.23 lakh deletions through Form 7. These figures give rise to several serious questions, such as :-

- (a) why was the rate of rejection of Form 6/6A applications disproportionately high in West Bengal;
- (b) whether hearings were conducted prior to disposal of the Form 6 applications and whether written reasons for rejection were furnished to such voters;
- (c) from where did the additional Form 7 applications originate; and
- (d) who had submitted such applications and whether hearings were conducted before deletion of the names of electors.

15. The said issues and anomalies were pointed out by the West Bengal Pradesh Congress Committee (WBPCC), through memoranda dated 05.03.2026 and 09.03.2026, raising concerns before the ECI. WBPCC also sought clarification as well as re-verification of all Form 6/6A and Form 7 applications. It is submitted that the said anomalies were neither explained by the ECI nor was any re-verification undertaken. The relevant part of the memorandum dated 05.03.2026 is quoted herein below:

...

*Ensure Completion of Adjudication before
Commencement of Election Process*

Section 24 of the Representation of People's Act, 1950 enables electors excluded by EROs to appeal for their inclusion to the district election officers and chief electoral officer. Further, Section 23 of the act disallows any inclusion in the electoral roll after the last date for making nominations for an election in that constituency". In view of this, we are seeking the following relief on behalf of the 60 lakh plus electors pending adjudication:

- I. A deadline for the completion of the adjudication process should be notified by the ECI in consultation with the higher judiciary.*
- II. ECI should ensure that the election process commences only after the completion of the adjudication process, in order to preserve the efficacy of the statutory appellate mechanism.*
- III. Clear guidelines for the appeal and re-enrollment process for eligible electors erroneously excluded from the Final Electoral Roll should be notified by the ECI.*

These steps are necessary to prevent large-scale disenfranchisement of eligible electors under SIR in West Bengal.

....

- I. While 9.64 lakh Form 6/6A applications were received by the end of the claims and objections period in West Bengal, only 1.82 lakh applications were admitted and names added; this implies the rejection of 7.82 lakh Form 6 applications*
- II. While only 99 thousand odd Form 7 applications were received till the end of the claims and objections period, over 5.46 lakh Form 7 applications were finally admitted and names deleted accordingly; implying 4.47 lakh Form 7 applications accepted after the end of Claims & Objections period*

It is noteworthy that Bihar SIR witnessed 21.53 lakh additions (Form 6) and 3.66 lakh deletions (Form 7); Tamil Nadu SIR reportedly resulted in 27.53 lakh additions (Form 6) and 4.23 lakh deletions (Form 7). The low rate of

Form 6 admissions and high rate of Form 7 deletions in West Bengal warrants a close re-examination. The ECI should conduct re-verification of all Form 6& Form 7 applications in West Bengal before the publication of the Final Electoral Rolls.

A copy of the memorandum dated 05.03.2026 submitted by the WBPCC to the ECI is annexed herewith as **ANNEXURE P6 (Pg 251 to 253)**. A copy of the memorandum dated 09.03.2026 submitted by the WBPCC to the ECI is annexed herewith as **ANNEXURE P7 (Pg 254 to 256)**.

- 16.** That no further official disclosure with respect to the Form 6/6A and Form 7 applications has ever been made by ECI since after the publication of the Final SIR Roll of West Bengal dated 28.02.2026. Thereafter, the electoral rolls were frozen on 06.04.2026 for the First Phase comprising 152 Assembly Constituencies and on 09.04.2026 for the Second Phase comprising 142 Assembly Constituencies. It is pertinent to note that the final figure of the total electorate, namely 6.81 crore electors, was disclosed only after completion of polling for the final phase through Press Note No. ECI/PN/080/2026 dated 29.04.2026 published by the Office of the Chief Electoral Officer, West Bengal.

A copy of the Press Note dated 29.04.2026 published by the Office of the Chief Electoral Officer, West Bengal is annexed herewith as **ANNEXURE P8 (Pg 257 to 258)**.

- 17.** That as per the press note dated 28.02.2026 total reported deletions under the SIR process in the State of West Bengal comprised 58.20 lakh deletions under the ASDD category, 5.45 lakh deletions pursuant to Form 7 applications, and 27.16 lakh electors stated to be “under adjudication”, aggregating to a total of 90.81 lakh deletions. **Upon deducting the aforesaid figure of 90.81 lakh from the base roll elector strength of 7.66 crore as on 27.10.2025, the resultant final electorate strength would come to approximately 6.75 crore electors. However, the officially disclosed final electorate strength stood at 6.81 crore electors, thereby indicating that there had been a further inclusion of nearly 6 lakh electors. While the data disclosed on 28.02.2026 reflected only 1.8 lakh additions, no transparent or official disclosure has, till date, been made accounting for the remaining approximately 4.2 lakh additions.**

A copy of the Press Note dated 28.02.2026 published by the Office of the Chief Electoral Officer, West Bengal is annexed herewith as **ANNEXURE P9 (Pg 259 -261)**.

18. That Format 4B in Annexure 37 of the ECI's Manual on Electoral Roll, 2024 requires comprehensive data reporting relating to additions and deletions of electors and constitutes one of the most crucial disclosure formats in the electoral revision process. The format contains several detailed columns, including:

- a) The total number of claims lodged under Form 6 after the release of draft roll
- b) Total claims lodged in Form 6 after draft publication of roll
- c) Total claims admitted
- d) Total objections lodged in Form 7 after publication of draft roll
- e) Suo-moto deletion subsequent to last publication of roll
- f) Total deletions subsequent to last publication of roll
- g) Number of deletions due to death, shifting/migration, or duplicate EPIC numbers.

19. That as per Annexure 37 of the ECI's Manual on Electoral Rolls, the Electoral Registration Officers are required to prepare and publish/statistically maintain Formats 1 to 8 relating to the health and revision status of electoral rolls. The principal formats are as follows:

- **Format 1** – Constituency-wise demographic and elector statistics.
- **Format 2** – Age-group analysis of electors, particularly newly eligible electors in the 18–19 age group.
- **Format 3A** – Gender-wise distribution of electors and Elector Population Ratio (EPR).

- **Format 3B** – Comparative statistics of male, female and third-gender electors, including sex ratio analysis.
- **Format 4B** – Detailed statement regarding additions and deletions in the electoral roll, including Form 6 claims, Form 7 objections, suo motu deletions, and category-wise deletions such as death, migration and duplicate EPICs.
- **Format 5B** – Part-wise and constituency-wise roll health indicators and EPIC coverage statistics.
- **Format 5C** – Polling station and section-wise abnormal variation analysis in electoral rolls.
- **Format 5D** – Analysis of repeated, shifted, or suspected duplicate electors and corrective action taken.
- **Format 6** – Statistical summary relating to claims and objections received and disposed of;
- **Format 7** – Disposal status and pendency of applications; and
- **Format 8B** – Final roll statistics and integrated revision data.

20. That during the Bihar SIR exercise, the Chief Electoral Officer, Bihar, had been regularly uploading the aforesaid data on its official website, thereby ensuring transparency in the revision process. However, no such consistent disclosure or publication has been observed in the case of the West Bengal SIR exercise. Para 11.7.6 of the ECI's Manual on Electoral Roll, 2024 is quoted herein below:

Before final publication of the electoral roll, the Chief Electoral Officer of the concerned State sends request for prior approval of the Election Commission for final publication, along with analysis of electors' data in Formats 1-8 (Annexure 37). A comparison of electors data prepared in Format 1-8 before draft publication shall be carried out and abnormality therein, if any, be noted and pointed out with explanatory memoranda in

the analysis of the Chief Electoral Officer. While preparing final roll, following checks should be run to ensure that:-

- (i) the rolls have been reorganized according to voters' convenience, and*
- (ii) Each part has been organized neatly into as many sections as are distinct or distinguishable geographical units.*

A copy of Chapter 11 of the ECI's Manual on Electoral Roll, 2024 is annexed herewith as **ANNEXURE P10 (Pg 262 to 279)**.

21. The candidates and their agents were able to access the final electoral roll only 10–12 days prior to the polling dates on 23rd and 29th April, 2025. Consequently, no meaningful verification of additions and deletions could have been undertaken. It further appears that large-scale additions and deletions continued to be carried out by the ECI even after publication of the SIR Final Roll, purportedly under the exercise of “Special Summary Revision 2026” and “Continuous Updation 2026”, at least until 09.04.2026, and outside the Appellate Tribunal mechanism mandated by this Hon’ble Court.

22. The lack of transparency and absence of aggregated data reporting by ECI as per Format 1-8 as mentioned in the ECI's own Manual and specifically absence of data on number of Form 6 and Form 7

applications received, admitted and rejected, point towards arbitrariness and also raise questions on their legality and thus make it important that ECI may publish the following:

- i) The ECI must publish AC-wise and State level aggregated data on Form 6 and Form 7 applications received, admitted and rejected, phase & date wise.
- ii) Written orders must be made publicly available for all cases of rejection of Form 6 or Form 7 applications.
- iii) All those deleted in the Enumeration & Claims and Objections phase (Form 7), as well as those Form 6 applicants who have been rejected in the Claims and Objections phase, should be allowed to file appeals in the Appellate Tribunals for restoration/addition of their names in the electoral roll.
- iv) Data as required to be furnished as per Format 1-8 (Annexure 37) of ECI Manual on Electoral Roll, 2024

II. Logical Discrepancy

- 23.** The modified SIR guidelines issued on 27.10.2025 in Para 2(e) stated *"ERO to issue notice, only after publication of draft Electoral Rolls, to those electors, who could not be linked with previous SIR Electoral Rolls, to ascertain their eligibility."* Accordingly, notices were issued to approximately 32 lakh "unmapped" electors of West

Bengal, i.e those who could not establish link with the previous SIR electoral roll. That hearings of such "unmapped" electors were conducted throughout January 2026.

- 24.** That *vide* letter dated 27.12.2025, CEO, West Bengal addressed issue relating to the electors who are marked unmapped in BLO App but mapped with hard copy of 2002 Electoral Roll. The relevant para is quoted herein below:

In reference to the above, I am directed to inform that it has been reported from the districts that due to incomplete conversion of PDF of 2002 Electoral Roll (Last SIR in West Bengal) data to CSV, linkage could not be fetched in BLO App in respect of many electors. These electors are marked unmapped, though they have either self or progeny linkage with the hard copy of 2002 Electoral Roll as authenticated and provided by the DEOs and published in the website of CEO, West Bengal. In this regard request has been made to ECI for making provision to upload the relevant portion of PDF of 2002 Electoral Roll by BLO/ERO/AERO.

In view of this, I am further directed to state that though hearing notices may have been generated from the system for such cases, following steps may be followed for disposal of the said cases:

- 1. These electors may not be called for hearing.*
- 2. Hearing notices so generated in such cases may not be served and kept with ERO/AERO.*
- 3. Extract of the Electoral Roll 2002 may be sent to the concerned DEO for verification as per ECI's guidelines.*
- 4. Upon verified by the DEOs, ERO/AERO may take a call and upload the document for disposing the cases.*
- 5. BLOs may be sent to the field and take a photo with such*

elector and the same may be uploaded.

A copy of letter dated 27.12.2025 sent by Additional CEO, West Bengal to all District Election Officer is annexed herewith as **ANNEXURE P11 (Pg 280)**).

25. It is evident from the aforesaid letter that the process of data entry for the 2002 SIR Roll on the ECINET platform and BLO application was marred by substantial errors and omissions. Notwithstanding the specific instructions issued to BLOs prohibiting the issuance of notices to electors on account of errors attributable to the ECI itself, a considerable number of mapped electors were nevertheless served notices and compelled to appear in hearings. Simultaneously, several unmapped electors, despite not being served any notice by the BLOs, subsequently discovered that their names had been deleted from the Final Electoral Roll.
26. The prevailing confusion and uncertainty concerning “unmapped” electors was further aggravated by the introduction of an entirely new category of doubtful electors on the basis of alleged “logical discrepancies.” As recorded in the order dated 19.01.2026 passed by this Hon’ble Court in WPC No. 1089 of 2025 titled *Mostari Banu vs ECI and Ors* (West Bengal SIR), approximately 1.36 crore notices were issued under this category. Such notices founded upon

purported “logical discrepancies” were neither contemplated nor authorised under the SIR Notifications dated 24.06.2025 and 27.10.2025, nor from the Representation of the People Act, 1950.

27. This Hon’ble Court *vide* order dated 19.01.2026 in WPC No. 1089 of 2025 titled *Mostari Banu vs ECI and Ors*, issued the following directions w.r.t logical discrepancies:

With a view to enabling the persons who are as of now included in the category of logical discrepancies, we deem it appropriate to issue the following directions:

- (i) The names of the persons figuring in the logical discrepancies may be displayed at the Gram Panchayat Bhawans, public places in every Taluka and Block Office of every Taluka (Sub-Division), as well as in the Ward Offices in the cities of the urban areas.*
- (ii) Persons likely to be affected are permitted to submit their documents/objections through their authorized representative. Such an authorised representative can even be a Booth Level Agent (BLA). There shall be an authority letter in favour of such representative, whether signed or thumb-marked.*
- (iii) Documents/objections may be permitted to be submitted at the Panchayat Bhawans or Block Offices.*

A copy of the order dated 19.01.2026 passed by this Hon’ble Court in WPC No. 1089 of 2025 titled *Mostari Banu vs ECI and Ors* is annexed herewith as **ANNEXURE P12 (Pg 281 to 285)**.

28. The “logical discrepancies” as enumerated in the affidavit dated 18.01.2026 filed by the ECI before this Hon’ble Court were stated to include the following categories:

- i. Six or more electors mapped as children/progeny of one person in previous SIR electoral roll.
- ii. The difference between the age of an elector with that of her/his parent's is less than 15 years.
- iii. The difference between the age of an elector with that of her/his parent's is more than 50 years.
- iv. The difference between the age of an elector with that of her/his grandparent's is less than 40 years.
- v. Mismatch between the elector's or relative's name in the current roll and that recorded in the previous SIR roll.

A copy of reply affidavit dated 18.01.2026 filed by the ECI in WPC No. 1074 of 2025 before this Hon’ble Court is annexed herewith as **ANNEXURE P13 (Pg 286 to 313)**.

29. Data on electors linked with "unusually high numbers of children" provided in ECI's own affidavit dated 18.01.2026 (Para 6e) is tabulated below. The number of suspected electors identified on the basis of the number of children linked with the concerned electors varies sharply, depending on the chosen threshold. Notices should justifiably be issued to all concerned where the number of children linked to a parent is found to be 200, 100, 50 or 20. The number

of such cases are only around 50 in the entire electoral roll of West Bengal. Even if the threshold of "unusually high numbers of children" been 10, the number of suspected electors issued hearing notices would have been 8682 only.

Number of Electors Linked with 200 children	2
Number of Electors Linked with 100 children	7
Number of Electors Linked with 50 children	10
Number of Electors Linked with 30 children	14
Number of Electors Linked with 20 children	50
Number of Electors Linked with 10 children	8682
Number of Electors Linked with 6 children	206056
Number of Electors Linked with 5 children	459054

- 30.** However, when the threshold is reduced to electors linked with 6 or more children, the number of suspected electors increases to 2.06 lakh, and in cases involving 5 or more children, the figure exceeds 4.59 lakh. Considering that the average family size in India generally comprises 2–3 children, there exists no rational basis for treating 5 or 6 children linked to a single elector as constituting an “unusually high number of children.” The said thresholds appear to have been arbitrarily fixed by the ECI so as to inflate the number of suspected electors on the basis of alleged “logical discrepancies.”

31. Similarly, the “logical discrepancy” criterion requiring a minimum age gap of 15 years between a parent and her/his child can hardly be regarded as logical in the Indian socio-demographic context, particularly in light of the prevalence of child marriages. The Prohibition of Child Marriage Act itself came into force only in 2006. Further, the latest NFHS-5 (2019–21) data indicates that more than 23% of females in India were married before attaining the age of 18 years, with West Bengal recording the highest incidence of child marriages in the country, where nearly 41% of females were married before the age of 18 years. Consequently, applying a minimum age-gap criterion of 15 years between a parent and child for the purpose of identifying “suspected electors” in West Bengal is likely to result in an unduly high number of such identifications, owing to the prevalence of child marriages and adolescent pregnancies in the State. The same infirmity applies to the criterion treating an age-gap of less than 40 years between an elector and her/his grandparent as suspicious. Such criteria appear to have been arbitrarily devised with the object of maximising the number of notices issued to electors under the guise of identifying “suspected electors.”

32. Discrepancies between the name of an elector or that of his/her relative as reflected in the current and previous SIR Rolls are, in a majority of cases, attributable to data entry errors on the part of the ECI. Variations and inconsistencies in spelling are a common feature of electoral rolls. Furthermore, a substantial number of both Hindu and Muslim women who were enrolled or mapped with the 2002 SIR Roll had undergone changes in their names consequent to marriage, which is a well-recognised social practice in India. Most such discrepancies could have been effectively resolved through field verification by the BLOs, instead of subjecting an extensive number of electors to the issuance of hearing notices.

33. It is submitted further that the ECI neither published online the list of electors who had been issued notices on the basis of alleged “logical discrepancies”, nor disclosed any aggregate break-up of the various categories of such discrepancies. The outcomes of the hearings conducted pursuant to those notices were likewise not made publicly available. Furthermore, despite the order dated 19.01.2026 passed by this Hon’ble Court in WPC No. 1089 of 2025, acknowledgements or receipts in respect of documents submitted during the hearings were not issued by ECI officials at several hearing centres. Such lack of transparency caused widespread

anxiety and panic amongst electors over the apprehension of large-scale deletions from the electoral rolls.

34. It was against this backdrop that this Hon'ble Court directed serving and former judicial officers from West Bengal and neighbouring States to undertake adjudication of the pending "logical discrepancy" (LD) claims arising out of the SIR exercise. That more than 700 judicial officers reportedly adjudicated over 60.06 lakh cases between the last week of February and the end of March, which ultimately resulted in 27.16 lakh deletions, while 32.9 lakh names were restored to the final electoral roll through supplementary lists published after 28.02.2026.

35. The deletions carried out on the basis of alleged "Logical Discrepancies" suffer from multiple infirmities, such as, the very criteria adopted for identifying "Logical Discrepancies" (LD) had neither any statutory sanction under the SIR Guidelines or the Representation of the People Act, 1950, nor any rational nexus with the object sought to be achieved, namely, verification of the eligibility of an elector.

III. Appellate Tribunal

36. That this Hon'ble Court through a series of orders from 10.03.2026 onward has directed setting up of 19 Appellate Tribunals to hear appeals on SIR additions and deletions in West Bengal in order to ensure that more and more voters could participate in the Bengal elections. This Hon'ble Court *vide* order dated 10.03.2026 in WP(C) No. 1089 of 2025 titled *Mostari Bano v ECI and Ors.* had issued the following directions with regard to the mechanism for appeal by persons excluded from the electoral rolls, against the orders passed by the Judicial Officers:

...

9. During the course of hearing, learned senior counsel on behalf of the petitioners have pointed out two important issues; (i) the mechanism of appeal by those persons, whose claim for inclusion in voter list has been rejected by the judicial officers; and (ii) the publication of the supplementary list, particularly when more than 10,16,000+ objections have already been disposed of.

10. As regards the first issue, namely, provision of appeal, our order dated 24.02.2026, in no uncertain terms, points out that the orders passed by the judicial officers will not be subjected to appeal before any Executive/Administrative Officer.

11. That being so, Hon'ble Chief Justice of the High Court at Calcutta may request some former Chief Justices and as many former Judges of the High Court, preferably the High Court at Calcutta or of the neighbouring States, who shall be notified as the Appellate Tribunal/Tribunals. The Election Commission of India will issue a notification in consultation with Hon'ble the Chief Justice of the High Court at Calcutta, notifying the former Chief Justices/Judges (or former Judges alone, if no former Chief Justice is willing to accept such assignment) as the Appellate Tribunal/Tribunals.

12. We also request Hon'ble the Chief Justice of the High Court at Calcutta to fix the expenses for travel and boarding as well as honorarium and other incidental expenses payable to the former Chief Justices/Judges, who graciously accept the responsibility, referred to above. Such expenses/honorarium and other facilities may be fixed in consultation with the Election Commission of India. The entire expenditure shall be borne by the Election Commission of India.

A copy of the order dated 10.03.2026 passed by this Hon'ble Court in WPC No. 1089 of 2025 is annexed herewith as **ANNEXURE P14 (Pg 314 to 321)**.

- 37.** That pursuant to the aforesaid order dated 10.03.2026, the ECI, in consultation with the Hon'ble Chief Justice of the Calcutta High Court, issued Gazette Notification No. 39/WB/2026(SIR) dated 20.03.2026, constituting Appellate Tribunals to hear appeals against orders passed by the designated Judicial Officers in respect of inclusion or exclusion of prospective electors in the electoral roll of the State of West Bengal. The names of 19 former Judges were notified as Appellate Authorities, as decided by the Hon'ble Chief Justice of the High Court at Calcutta. The abovementioned Notification further stated that an appeal may be filed either: (i) Online, through the ECI NET platform at: <https://ecinet.eci.gov.in> or (ii) Physically, at the office of the DM/SDM/SDO, who shall ensure digitization and uploading of the appeal on the ECI NET

platform at the earliest. A copy of the Gazette Notification No. 39/WB/2026(SIR) dated 20.03.2026 issued by the ECI is annexed herewith as **ANNEXURE P15 (Pg 322 to 323)**).

38. This Hon'ble Court *vide* order dated 01.04.2026 in WP(C) No. 1089 of 2025 had stated the following with regard to the appellate process:

5. There is another communication dated 31.03.2026, which we received yesterday from the learned Chief Justice, informing us that, as on 31.03.2026 till 4:04 P.M., 46,60,135 objections have been decided in the entire state, against the total number of 60,06,675 objections filed. We are informed that as of today, the disposal has crossed 47,30,000.

6. The letter further points out that on 20.03.2026, the Election Commission of India has notified the constitution of 19 Appellate Tribunals in the State. These Appellate Tribunals are headed by former Chief Justices/Senior Judges of the High Court. A team of representatives from the High Court, the Election Commission of India, and the State of West Bengal has visited various locations in order to identify a suitable premises for the Appellate Tribunals. Ultimately, in this regard, 'Dr. Shyama Prasad Mukherjee National Institute of Water and Sanitation, Diamond Harbour Road, Joka, Kolkata', which is an institute run by the Department of Drinking Water and Sanitation, Ministry of Jal Shakti, Government of India, was selected since the said building was found ready to move and consists of 21 chambers. We are informed by Mr. Dama Seshadri Naidu, learned Senior Counsel for the Election Commission of India, that necessary permission from the Ministry of Jal Shakti, Government of India has been obtained, initially for a period of eight weeks, so that the Appellate Tribunals become functional

immediately. He further informs that the orientation/training to the Presiding and Member Judges of the Appellate Tribunals will be undertaken during the course of the day, so that they can conveniently handle the software dealing with the appeals which have been filed online as well as offline.

7. It goes without saying that, as and when required, the Election Commission of India will either seek further extension from the Ministry of Jal Shakti and/or identify alternative premises in consultation with the parties.

8. We, however, clarify that, in any case, the Appellate Tribunals shall function at Calcutta.

9. The issue of alleged non-availability of 'reasons' for rejection of the objections by the adjudicating authority, namely, the Judicial Officers, is also highlighted by the learned Chief Justice in the communication dated 31.03.2026. In this regard, Mr. Naidu has informed us that it will be ensured that the Appellate Tribunals have access to the records submitted by the parties before the Judicial Officers, for deciding the appeals that may be filed (i) by persons whose names have been excluded from the Voters List; or (ii) by the authorities of the Election Commission of India, who may be aggrieved by the inclusion of names by the adjudicatory authorities.

10. To eliminate any doubt, we request the Appellate Tribunals to revisit the full records, including the reasons assigned by the Judicial Officers while adjudicating the objections, before making a decision on the appeals filed before them, and also to inform the parties of these reasons. The Appellate Tribunals are free to evolve their own procedures in accordance with the principles of natural justice, and are requested to adjudicate the appeals after providing the parties with a fair opportunity of being heard.

A copy of the order dated 01.04.2026 passed by this Hon'ble Court in WPC No. 1089 of 2025 is annexed herewith as **ANNEXURE P16 (Pg 324 to 330)**.

39. This Hon'ble Court *vide* order dated 06.04.2026 in WP(C) No. 1089 of 2025 had issued certain clarifications and directed the following with respect to the Appellate Tribunals:

2. To eliminate any further doubt, we requested the Appellate Tribunals to revisit the full records, including the reasons assigned by the judicial officers. It was further clarified through the aforementioned order that the Appellate Tribunals will be free to evolve their own procedure in accordance with the principles of natural justice and that they may provide a fair opportunity of being heard to the parties while deciding the appeals.

3. Meanwhile, a letter was received by Hon'ble the Chief Justice of the High Court from a former Chief Justice, who has graciously consented to preside over one of the Appellate Tribunals. Vide such a letter, the issue regarding the procedure for providing 'personal hearing' to the affected party has been highlighted.

4. In this regard, it appears to us that, in order to establish uniformity in the procedures to be followed by all 19 Appellate Tribunals, it is essential for such procedures to be formally established prior to the adjudication of appeals. Consequently, we request the Chief Justice of the High Court at Calcutta to constitute a Committee of three former Chief Justices or Judges, who will establish the procedure that must be consistently followed by all 19 Appellate Tribunals. We urge the Hon'ble Chief Justice to constitute this Committee without delay and to endeavour to have the procedure prescribed by tomorrow, i.e., 07.04.2026, to accelerate the resolution of the appeals.

A copy of the order dated 06.04.2026 passed by this Hon'ble Court in WPC No. 1089 of 2025 is annexed herewith as **ANNEXURE P17 (Pg 331 to 346)**.

- 40.** This Hon'ble Court on 13.04.2026 heard fresh applications filed by individuals whose names were deleted from the electoral roll after adjudication and who have already filed appeals before the Appellate Tribunals. The said applications were tagged with and heard alongside the batch of petitions on West Bengal SIR matters i.e., WP(C) No. 1089 of 2025 titled *Mostari Banu v. The Election Commission of India & Ors.*. That *vide* order dated 13.04.2026, this Hon'ble Court stated the following regarding the Appellate Tribunals:

*7. Vide the said communication, Hon'ble the Chief Justice of the High Court further apprised us that, in furtherance of our order dated 06.04.2026, a Committee comprising three former Judges: Justice T.S. Sivagnanam, former Chief Justice of the High Court at Calcutta, along with Justice Pradipta Ray and Justice Pranab Kumar Deb, former Judges of the High Court at Calcutta, had been constituted on 06.04.2026 for the purpose of formulating the procedure to be followed by all Appellate Tribunals. **The said Committee thereafter prepared a Standard Operating Procedure on 07.04.2026 to be uniformly adhered to by all 19 Appellate Tribunals.***

8. Thereafter, it appears that a team from the High Court conducted an inspection of the venue designated to house the Appellate Tribunals on 10.04.2026, in order to assess preparedness. On 12.04.2026, a portal introduction session and

interactive meeting were convened in the presence of Hon'ble the Chief Justice of the High Court, the Members of the Committee, and the Members of the Appellate Tribunals, wherein an in-depth discussion was held regarding the operation of the appellate portal as well as the modus operandi to be followed. The Appellate Tribunals were thereafter scheduled to commence functioning from 13.04.2026.

9. Having regard to these developments, it is evident that all requisite training for the Members of the Appellate Tribunals stands completed and that, as on date, the Appellate Tribunals are fully functional. At this juncture, we hasten to note that over 34 lakh appeals have already been filed, not only against alleged wrongful exclusion, but also, in a substantial number of cases, by objectors aggrieved by the inclusion of several persons in the revised electoral rolls. **All such appeals are, therefore, required to be adjudicated by the Appellate Tribunals in accordance with the Standard Operating Procedure formulated by the Committee, as well as the parameters indicated in our order dated 01.04.2026, which read as follows:**

10. To eliminate any doubt, we request the Appellate Tribunals to revisit the full records, including the reasons assigned by the Judicial Officers while adjudicating the objections, before making a decision on the appeals filed before them, and also to inform the parties of these reasons. **The Appellate Tribunals are free to evolve their own procedures in accordance with the principles of natural justice, and are requested to adjudicate the appeals after providing the parties with a fair opportunity of being heard.**

11. We, therefore, invoke our powers under Article 142 of the Constitution of India and direct the ECI that, wherever the Appellate Tribunals are able to decide the appeals by 21.04.2026 or 27.04.2026, as the case may be, such appellate orders shall be given effect to by issuing a supplementary revised electoral roll, and all necessary consequences with respect to the right to

vote shall follow. However, it goes without saying that the mere pendency of appeals preferred by excluded persons before the Appellate Tribunals shall not entitle them to exercise their right to vote. [emphasis supplied].

A copy of the order dated 13.04.2026 passed by this Hon'ble Court in WPC No. 1089 of 2025 is annexed herewith as **ANNEXURE P18** (Pg 347 to 359).

41. That the aforesaid orders passed by this Hon'ble Court demonstrate the following position with regard to the Appellate Tribunals:

- a. The Appellate Tribunals commenced functioning from 13.04.2026 at Syama Prasad Mookerjee National Institute of Water and Sanitation (SPM-NIWAS) located at Joka, on the Diamond Harbour Road (Near IIM Calcutta).
- b. A Standard Operating Procedure for the Appellate Tribunals has been finalised on 07.04.2026 by a 3-member judicial committee, which is to be uniformly adhered to by all 19 Tribunals.
- c. As of 16.04.2026, over 34 lakh appeals were filed under two categories: (i) Appeals against alleged wrongful exclusion/deletion (ii) Appeals filed by objectors aggrieved by

the inclusion of persons in the revised electoral rolls (which includes Election Commission of India officials aggrieved by the inclusion of names by the adjudicatory authorities).

- d. Given the 2-phase polling schedule for West Bengal assembly election, polling dates being 23.04.2026 & 29.04.2026, electors included/excluded by the Appellate Tribunals by 21.04.2026 & 27.04.2026 were allowed/disallowed to cast their vote.

42. That, as observed by this Hon'ble Court, a substantial number of electors whose names have been excluded from the electoral rolls have already preferred appeals before the Appellate Tribunals, and the number of such appeals is expected to increase further over time. The said electors, having been disenfranchised immediately prior to the Assembly Elections, are gravely aggrieved and are left without clarity regarding the modalities, procedure and functioning of the Appellate Tribunals. Several crucial aspects relating to the appellate process continue to remain uncertain and undefined, thereby directly prejudicing the rights and remedies available to the appellants.

43. That as per news reports, data reported till 29.04.2026, i.e. the last date of polling in West Bengal assembly election, show that the

names of 1607 electors were restored in the electoral roll by the Appellate Tribunals. A copy of news article dated 29.04.2026 titled “West Bengal polls: Tribunals clear 1,468 names, delete 6 for 2nd phase poll published in Times of India is annexed herewith as **ANNEXURE P19 (Pg 360 to 361)**).

- 44.** That as per news reports, the data available till 14.05.2026 shows that only 6,581 appeals out of approximately 24.98 lakh appeals filed had been disposed of by 12 out of the 19 Tribunals, which is merely 0.26% of the total appeals. Out of the disposed appeals, 4,043 appeals, i.e. around 62%, were allowed, while 1,267 were rejected, and the status of 1,271 appeals is not disclosed. The data further shows extremely low disposal in districts such as Murshidabad and Malda, where only 112 and 185 appeals respectively were disposed of out of 6,29,392 and 5,26,215 appeals filed. The aforesaid facts clearly show that the appellate mechanism has failed to provide an effective and timely remedy to lakhs of affected voters. That the same has also been reported in article titled “*Until mid-May, barely 6,000 appeals cleared by Bengal SIR tribunals, 4,000 back on rolls*” dated 22.05.2026 published by *The Indian Express*. The relevant portion from the said article is reproduced below:

Set up on March 20 in the run-up to the West Bengal elections, 12 of the 19 Supreme Court-ordered Appellate Tribunals disposed of 6,581 appeals out of 24.98 lakh filed — 0.26% — against decisions of Judicial Officers during the Special Intensive Revision (SIR) of electoral rolls, The Indian Express has learnt. Till May 14, the 12 tribunals, covering 17 of the state's 23 districts, accepted 4,043 appeals and rejected 1,267, according to official data accessed by The Indian Express. These appeals include both those filed by citizens whose names were deleted from the rolls and those filed by the Election Commission against inclusions ordered by the judicial officers.

While the data does not mention the status of the remaining 1,271 appeals, EC sources in Kolkata and Delhi have said that some of the appeals were filed by those who had been included in the rolls through supplementary lists published before the polls, which meant their appeals did not require action.

The two districts with the highest number of appeals and deletions, Murshidabad and Malda, had just over 100 disposals each as of May 14. Murshidabad, with 6,29,392 appeals, had 112 disposed; Malda, with 5,26,215 appeals, had 185. Across the 12 tribunals, 98 appellants appeared in online mode and 21 in offline mode.

A copy of news article dated 22.05.2026 titled *Until mid-May, barely 6,000 appeals cleared by Bengal SIR tribunals, 4,000 back on rolls* published in *The Indian Express* is annexed herewith as **ANNEXURE P20 (Pg 362 to 363)**.

- 45.** The process for filing appeals before the Appellate Tribunals is presently shrouded in uncertainty, with no clarity on multiple

important points. These points include, but are not limited to (A) Whether appellants can file documents, (B) How notice will be issued, (C) In what manner hearings will take place, (D) Whether written orders will be provided and (E) Which classes of excluded voters are eligible to file appeals. Unless the procedure is made transparent and easy to understand, it will not remedy the mass disenfranchisement of otherwise eligible voters.

- 46.** That many of the voters excluded from the electoral rolls are poor, illiterate and uneducated. It is thus impossible for them to file appeals either online or offline, unless ground-level legal assistance is provided and comprehensive guidelines are issued by the Respondents in local languages. For that, at present there are no provisions for providing legal aid and assistance to appellants from poor and marginalized backgrounds. Many such persons do not have the means to either participate in the hearing themselves or to engage private lawyers. In absence of such safeguards, the appellate process risks becoming fundamentally discriminatory, wherein only those who possess the resources to participate in and contest their case will be able to avail of their constitutional rights. Lack of legal aid provisions also violates Article 39A of the Constitution, which provides that the State shall ensure equal justice and free legal aid to all citizens.

47. That even if wrongfully deleted electors eventually succeed in having their names restored by the Appellate Tribunals, at present there is a lack of clear guidelines detailing the process and no timelines have been announced for disposal of appeals. The lack of such clarity regarding the procedure for filing and deciding appeals directly impacts the ability of appellants to approach and effectively argue their case before the Tribunals. This is violative of the principles of natural justice, particularly the principle of *audi alteram partem*.

48. That in order to ensure that the Appellate Tribunals function in a fair, transparent and effective manner, it is imperative that the modalities governing the appellate process be clarified and made accessible to ordinary electors who have been deprived of their rights and seek redress before the said Tribunals. In this regard, the following issues require clarification:

- a. Whether submission of supporting documents is mandatory at the stage of filing Appeals, particularly when the online appeal filing interface available on the ECINET App and the portal at <https://ecinet.eci.gov.in> does not provide any option for uploading documents?

- b. What are the prescribed modes for issuance of notice to appellant electors informing them of the date and venue of hearings?
- c. Whether personal appearance of the concerned elector before the Appellate Tribunal is mandatory, or whether representation through advocates and/or authorised representatives is permissible?
- d. Whether hearings before the Appellate Tribunals may be conducted through video conferencing facilities from designated venues situated at district headquarters, particularly for electors residing in remote districts situated far from Kolkata?
- e. In view of the large number of deletions arising from spelling discrepancies in the names of electors and/or their parents/grandparents in the 2002 SIR Roll, or due to subsequent changes in names, whether appellant electors would be permitted to place **fresh documents** before the Appellate Tribunals?
- f. In cases where errors were committed during filling of the Enumeration Forms by electors and/or BLOs, particularly with respect to mapping or linking with the 2002 SIR Roll, whether such electors would be afforded an opportunity to

refill the Enumeration Form and/or submit fresh applications?

- g. Whether electors whose names were deleted during the Enumeration phase and/or during the Claims and Objections phase would also be entitled to prefer Appeals before the Appellate Tribunals?
- h. Whether reasoned written orders passed by the Appellate Tribunals in each Appeal would be furnished to the concerned appellants and, if so, within what time frame and through which mode?
- i. Whether any outer time limit has been prescribed for filing Appeals as well as for completion of proceedings before the Appellate Tribunals?

49. That on 19.05.2026, the Department of Women & Child Development and Social Welfare, Government of West Bengal issued a notification for the Annapurna Yojana scheme, which has replaced the former TMC government's flagship scheme for cash transfer to women known as Lakshmir Bhandar. As per the notification those who have been struck off the rolls in the SIR exercise will not remain beneficiaries to the Scheme, while those who have filed appeal before the SIR Tribunal and shall get financial assistance under the Scheme till their applications are disposed of.

Thus, it is even more important that more and more wrongfully deleted electors file their appeals so as to ensure that they get benefits under the government's beneficial schemes. A copy of the notification dated 19.05.2026 issued by the Department of Women & Child Development and Social Welfare, Government of West Bengal is annexed herewith as **ANNEXURE P21** (Pg 364).

50. The following measures may be adopted to strengthen the functioning and accessibility of the Appellate Tribunals:

- a. The number of Appellate Tribunals may be increased, as the presently constituted 19 Tribunals are inadequate. Ideally, one Tribunal may be constituted for each Parliamentary Constituency, resulting in 42 Tribunals across the State, with each Tribunal exercising jurisdiction over seven Assembly Constituencies.
- b. A facility for virtual appearance through video conferencing may be introduced to enable easier access for appellants, with District or Block Offices being designated as facilitation centres for such proceedings.

- c. A defined timeline for filing appeals as well as for disposal of cases may be prescribed and duly notified to ensure expeditious adjudication.

51. In light of the above, it is imperative that step by step guideline is made available for those who wish to file appeals against deletion of their names so that they are not further excluded from welfare or beneficial schemes of the government.

SIR-related alterations had a significant bearing on the electoral outcome in West Bengal

52. That an AC-wise analysis of the West Bengal assembly election results indicates that, out of the 207 seats secured by the BJP in 2026, the extent of alterations carried out under the SIR, including deletions and additions, exceeded the eventual margin of victory in 82 Assembly Constituencies. Out of these 82 constituencies, 70 were situated in 12 Muslim-concentrated districts. Notably, in 2021, the BJP had secured victory in only 9 of these constituencies. The data therefore suggests that the SIR-related alterations may have had a significant bearing on the electoral outcome in these 82 Assembly Constituencies. The same has been published in *The*

Hindu in its news article dated 22.05.2026 titled “*Decoding SIR Impact in West Bengal*”. The relevant part is quoted herein below:

Deletions under SIR in West Bengal occurred in three phases, viz., enumeration; claims and objections; and adjudication. Out of the 58.2 lakh total ASDD (Absent, Shifted, Deceased, Duplicate) deletions in the first phase, 32 lakh were classified as Absent or Shifted. Digital scrutiny of the ASDD lists revealed that roughly 7.34 lakh (23%) out of Absent or Shifted electors were Muslims. In the 27.16 lakh voters deleted after adjudication, which were mainly the “logical discrepancy” cases, roughly 17.65 lakh (65%) were Muslims (Table 2).

Thus, out of the total of 64.7 lakh State-wide aggregate SIR deletions, excluding deletions under Deceased and Duplicate categories, over 25 lakh were Muslims, i.e., 38.6%, which is higher than their proportion of 27% in the population as per the 2011 Census.

...
The EC should be held accountable for conducting SIR in a manner that not only led to en-masse disenfranchisement of genuine electors on the eve of a general election, but also endangered the future of free and fair elections in the country, which is the cornerstone of parliamentary democracy. The EC must publish a comprehensive statistical report of all SIR related data on deletions, additions and modifications to the electoral rolls in West Bengal, which are hitherto not officially reported, to facilitate further independent analysis and judicial scrutiny.

A copy of the news article dated 22.05.2026 titled *Decoding SIR Impact in West Bengal* published in *The Hindu* is annexed herewith as **ANNEXURE P22 (Pg 365 to 371)**).

53. It is submitted that the scale of deletions was exceptionally high in districts such as Murshidabad, North & South 24 Parganas, Kolkata, Malda, Howrah, Nadia, Hooghly, Purba and Paschim Bardhaman, Birbhum and Uttar Dinajpur. The impact was particularly severe in border districts, minority-concentrated districts, and areas with high migrant-worker populations and economically vulnerable sections. That same has also been reported by *The Wire* in its news article dated 07.04.2026 titled *Nearly 89 Lakh Names Removed: Five Takeaways on the Bengal SIR's Brutal Math*. The relevant portion is reproduced below:

The adjudication numbers alone are enormous: over 60 lakh voters were examined, of whom roughly 32.68 lakh were found eligible, while 27.16 lakh were declared ineligible. Set against the broader pre-revision numbers, the total electorate has been slashed by 11.61%. As the state heads to the polls, an analysis of the final published list reveals a troubling picture of systemic, administrative disenfranchisement.

...While the statewide average of deletion during the adjudication phase stands at a severe 45.22% (27,16,393 voters deleted out of 60,06,675 examined), the district-wise strike rate exposes an even harsher administrative reality. In certain districts, being flagged for adjudication has almost a guaranteed ticket to disenfranchisement.

Nadia district experienced an astonishing 77.86% deletion rate under adjudication, where 2,08,626 of the 2,67,940 flagged voters were marked ineligible.

Hooghly was not far behind with a 70.33% deletion rate (1,20,813 deleted out of 1,71,778).

Kolkata North saw 63.96% of its adjudicated voters struck down, while Purba Bardhaman and North 24 Parganas registered deletion rates of 57.40% (2,09,805 deleted) and 55.08% (3,25,666 deleted), respectively.

...The geographical breakdown of the purged data exposes a stark demographic concentration. This suggests the ECI's process disproportionately impacted specific communities and border regions.

The highest volume of deletions in the judicial review of the under adjudicated voters occurred in Murshidabad, the district with the highest Muslim population in the state, where an astonishing 4.55 lakh voters were rendered ineligible. This pattern continues across minority-heavy border districts. Maldah saw 3.25 lakh names dropped, followed by South 24 Parganas (2.22 lakh), Nadia (2.08 lakh), and Uttar Dinajpur (1.76 lakh). Looking at the total roll shrinkage, Murshidabad lost a staggering 7.44 lakh voters, Maldah dropped by 4.53 lakh, and Uttar Dinajpur shrank by 3.63 lakh.

Equally impacted are the core regions of the Matua community, a marginalised group historically vulnerable to citizenship and documentation disputes. North 24 Parganas and Nadia, the primary epicentres of the Matua vote, faced a relentless culling. North 24 Parganas suffered the highest overall district deletion in the state, with a massive 12.38 lakh voters wiped from the pre-SIR rolls. Nadia similarly lost 4.82 lakh overall

...The 15 districts going to polls in the first phase on April 23, account for 39.57 lakh deletions across 152 seats. Among these Phase 1 districts, the heaviest overall reductions are concentrated in minority dominated Murshidabad (7.44 lakh), Maldah (4.53 lakh), Uttar Dinajpur (3.63 lakh), and Hindi-speaking, migrant worker-dominated industrial Paschim Bardhaman (3.83 lakh).

The eight districts going to the polls in the Phase 2 on April 29, Howrah, Hooghly, Kolkata North, Kolkata South, Nadia, North 24 Parganas, South 24 Parganas, and Purba Bardhaman, account for a massive 49.38 lakh deletions, or 55.5% of the total statewide reduction. Yet, these districts account for 142 of the state's 294 seats.

A copy of report titled *Nearly 89 Lakh Names Removed: Five Takeaways on the Bengal SIR's Brutal Math* dated 07.04.2026

published by The Wire is annexed as **ANNEXURE P23**
(Pg 372 to 375).

54. The actions and explanations furnished by the Election Commission reveal serious procedural irregularities, arbitrariness, and lack of transparency in the publication of supplementary electoral rolls. Despite the Commission claiming that lakhs of cases had already been disposed of by judicial officers, a substantial number of such cases were excluded from the supplementary lists on the ground that they lacked “e-signatures”. The subsequent explanation that the digital signature feature was introduced later into the adjudication software reflects serious administrative lapses and raises concerns regarding the legality, consistency, and transparency of the entire process. That the same has also been reported by *Times of India* in its news article dated 29.03.2026 titled “3rd supplementary list out, but mystery of missing e-sign plagues SIR in Bengal”. The relevant portion from the said report is reproduced below:

...After the completion of the special intensive revision of Bengal's electoral roll, the EC had marked about 60 lakh voters as 'under-adjudication', whose cases are currently being reviewed by over 700 judicial officers. On March 23 evening, senior EC officials indicated that about 29 lakh pending cases had been disposed of by the judicial officers. Bengal CEO Manoj Agarwal had said, "Whatever names come through with e-signature

of judicial officers up to 5 pm today will all be published in the first supplementary list." Yet, when the first list was published around midnight, it had only 10 lakh names. The same story was repeated on Friday. EC officials said a total of 37 lakh cases had been disposed of till evening.

The second supplementary list, therefore, was supposed to carry the remaining 27 lakh names. However, it had only 12 lakh names. "We received 12 lakh cases with e-signatures and published accordingly," a senior EC official said, without explaining why 15 lakh disposed-of cases did not have the e-sign. An EC source claimed the 'digital signature' feature was initially not included in the software developed by the Commission for the judicial adjudication process.

"It was introduced into the process flow later. By then, several judicial officers had disposed of all cases for some booths and assembly segments and moved on to adjudicate cases in other part numbers and constituencies. This is primarily the reason why many cases do not have e-signs even after their disposal.

"These vetted cases will return to their respective judicial officers for e-signature only when the latter have settled all pending cases assigned to them, the source indicated. Senior EC officials have also indicated that the rejection rate after judicial scrutiny is as high as 35%-40%. Yet, five days after the publication of the first supplementary list and 24 hours after the second, there is still no sign of the appellate tribunals — where deleted voters can file appeals — beginning work. As per EC rules, voters struck off the rolls after adjudication can file appeals within 15 days of the publication of the supplementary lists. With April 7 being the 'deadline' for locking voters' lists for the 152 assembly constituencies going to polls in the first phase (April 23), Trinamool Congress has already flagged the narrow window for disposal of appeals. CEO Agarwal on Friday said Calcutta High Court is assessing five locations where the tribunals can be set up.

A copy of news article dated 29.03.2026 titled 3rd supplementary list out, but mystery of missing e-sign plagues SIR in Bengal

published in the *Times of India* **ANNEXURE P24**
(Pg 376 to 378).

- 55.** That WPA(P) No. 195 of 2026 titled *S.K. Anwar Ali v Election Commission of India and Ors* was filed before the Hon'ble High Court of Calcutta to address the grave procedural uncertainty and lack of clarity surrounding the appellate mechanism available to voters aggrieved by large-scale deletions from the electoral rolls in the State of West Bengal following the Special Intensive Revision (SIR) undertaken by the Election Commission of India. Despite the directions issued by this Hon'ble Court in WP(C) No. 1089 of 2025 titled *Mostari Banu v. The Election Commission of India & Ors*, the process for filing and adjudicating appeals before the designated Appellate Tribunals till date remains unclear, inaccessible, and inconsistently implemented. A copy of WPA(P) No. 195 of 2026 titled *S.K. Anwar Ali v Election Commission of India and Ors* filed before the Hon'ble High Court of Calcutta is annexed herewith as **ANNEXURE P25** (Pg 379 to 405). That *vide* order dated 22.04.2026 passed by the Hon'ble High Court of Calcutta, WPA(P) No. 195 of 2026 while allowing the petitioner therein to withdraw the said case, granted liberty to the petitioner to move this Hon'ble Court. A copy of order dated 22.04.2026 passed by the Hon'ble High

Court of Calcutta in WPA(P) No. 195 of 2026 is annexed herewith as **ANNEXURE P26 (Pg 406)**.

56. That the elections to the Kolkata Municipal Corporation are scheduled to be held in December, 2026 while elections to a substantial number of municipalities across the State of West Bengal are scheduled for February, 2027. Zilla Parishad, Panchayat Samiti and Gram Panchayat elections in West Bengal are scheduled for July 2028. It is respectfully submitted that conducting these elections on the basis of the Final SIR rolls, which suffer from several lapses, irregularities, and defects, would cause serious prejudice to voters and adversely affect their right to vote and to participate in free and fair elections.
57. That a similar batch of petitions challenging the West Bengal SIR is currently pending before this Hon'ble Court i.e., WPC No. 1089 of 2026 titled *Mostari Bano v ECI and Ors. Etc.*
58. In view of the above, the Petitioner is filing the present petition on following amongst other grounds, which are taken in the alternative and without prejudice to each other.
59. The petitioner has not filed any other similar writ or application seeking prayers as sought for by the petitioner in the instant writ petition.

GROUND

A. BECAUSE the SIR exercise, as conducted in the State of West Bengal, suffers from manifest arbitrariness, lack of transparency, procedural infirmities and denial of effective remedies, resulting in large-scale disenfranchisement of electors. The absence of statutory safeguards, clear appellate procedures, adequate opportunity of hearing and accessible mechanisms for restoration of names has seriously prejudiced the constitutional right of citizens to participate in the electoral process.

B. BECAUSE this Hon'ble Court through series of orders from 10.03.2026 onward has directed setting up of 19 Appellate Tribunals to hear appeals on SIR additions and deletions in West Bengal, to ensure that more and more voters could participate in the Bengal elections. Despite such judicial intervention, only 1607 names of electors could be restored before the final polling day out of 25 lakh reported appeals pending in the Appellate Tribunals, thereby raising grave concerns regarding the fairness, legality and inclusiveness of the SIR exercise.

C. BECAUSE press note issued by the Office of the Chief Electoral Officer, West Bengal dated 28.02.2026 shows that out of 9.64 lakh Form 6/6A applications submitted for fresh inclusion, only 1.82 lakh applications were accepted thereby indicating that nearly 80% of the Form 6/6A applications had not been admitted, at least till the publication of the Final Roll. Furthermore, while 5.46 lakh names came to be deleted during the Claims and Objections period, only 99,118 Form 7 applications had been received up to the conclusion of the said period. This was further conspicuous because in contrast Bihar SIR witnessed 21.53 additions through Form 6 and 3.66 lakh deletions through Form 7; in Tamil Nadu SIR reportedly there were 27.53 lakh additions through form 6 and 4.23 lakh deletions through Form 7, whereas the warranting a close re-examination.

D. BECAUSE the said issues and anomalies were pointed out by the West Bengal Pradesh Congress Committee (WBPCC), through memoranda dated 05.03.2026 and 09.03.2026, raising concerns before the ECI. WBPCC also sought clarification as well as re-verification of all Form 6/6A and Form 7 applications. It is submitted that the said anomalies were neither explained by the ECI nor was any re-verification undertaken.

E. BECAUSE no further official disclosure with respect to the Form 6/6A and Form 7 applications has ever been made by ECI since after the publication of the Final Electoral Roll dated 28.02.2026. Thereafter, the electoral rolls were frozen on 06.04.2026 for the First Phase comprising 152 Assembly Constituencies and on 09.04.2026 for the Second Phase comprising 142 Assembly Constituencies. It is pertinent to note that the final figure of the total electorate, namely 6.81 crore electors, was disclosed only after completion of polling for the final phase through Press Note No. ECI/PN/080/2026 dated 29.04.2026 published by the Office of the Chief Electoral Officer, West Bengal.

F. BECAUSE as per the press note dated 28.02.2026, total deletions under the SIR process in West Bengal stood at 90.81 lakh, comprising 58.20 lakh ASDD deletions, 5.45 lakh deletions through Form 7, and 27.16 lakh electors under adjudication. Deducting the same from the base roll strength of 7.66 crore electors as on 27.10.2025 would result in a final electorate of approximately 6.75 crore electors. However, the officially disclosed final electorate strength stood at 6.81 crore electors, thereby indicating that there had been a further inclusion of nearly 6 lakh electors. While the data disclosed on 28.02.2026 reflected only 1.8

lakh additions, no transparent or official disclosure has, till date, been made accounting for the remaining approximately 4.2 lakh additions.

G. BECAUSE non-transparency and absence of aggregated data reporting by ECI on Form 6/6A and Form 7 applications received and admitted, point towards arbitrariness and also raise questions on their legality and thus make it important that ECI may publish the following:

- i. AC-wise and State level aggregated data on Form 6/6A and Form 7 applications received and admitted, phase & date wise.
- ii. Written orders must be made publicly available for all cases of rejection of Form 6 or Form 7 applications.
- iii. All those deleted in the Enumeration & Claims and Objections phase (Form 7), as well as those Form 6 applicants who have been rejected in the Claims and Objections phase, should be allowed to file appeals in the Appellate Tribunals for restoration of their names in the electoral roll.
- iv. The process of Form 6 applications being filled by those wrongfully deleted in the Enumeration phase must be discontinued. Since the Enumeration Form itself is a new

element introduced through the SIR (which does not find any mention in the RPA, 1950), there must be a separate form for electors who have been deleted from the rolls. Form 6 should be exclusively used for new electors, who are applying to enrol for the first time.

H. BECAUSE as per the ECI's own affidavit dated 18.01.2026 (Para 6e), the number of "suspected electors" identified on the basis of children linked to a parent varies drastically depending upon the threshold adopted. While cases involving 20, 50, 100 or 200 linked children are extremely few and could reasonably warrant scrutiny, the ECI reduced the threshold to 5 or 6 children, thereby inflating the number of suspected electors to 4.59 lakh and 2.06 lakh respectively. Given that Indian families commonly have 2-3 children, there exists no rational basis for treating 5 or 6 linked children as an "unusually high number," rendering the thresholds arbitrary and artificially enlarging the category of alleged "logical discrepancies."

I. BECAUSE the criterion treating a parent-child age gap of less than 15 years, and a grandparent-grandchild age gap of less than 40 years, as "logical discrepancies" is arbitrary and inconsistent with the socio-demographic realities of India, particularly West Bengal,

where child marriages and adolescent pregnancies remain prevalent. As per NFHS-5 (2019–21), more than 23% of women in India, and nearly 41% in West Bengal, were married before the age of 18 years. Such thresholds are therefore likely to artificially inflate the number of “suspected electors” and appear to have been devised solely to maximise issuance of notices.

J. BECAUSE discrepancies between the name of an elector or that of his/her relative as reflected in the current and previous SIR Rolls are, in a majority of cases, attributable to data entry errors on the part of the ECI. Variations and inconsistencies in spelling are a common feature of electoral rolls. Furthermore, a substantial number of both Hindu and Muslim women who were enrolled or mapped with the 2002 SIR Roll had undergone changes in their names consequent to marriage, which is a well-recognised social practice in India. Most such discrepancies could have been effectively resolved through field verification by the BLOs, instead of subjecting an extensive number of electors to the issuance of hearing notices.

K. BECAUSE the deletions carried out on the basis of alleged “Logical Discrepancies” suffer from multiple infirmities, such as, the criteria adopted for identifying “Logical Discrepancies” lack statutory

sanction under the SIR Guidelines and the Representation of the People Act, 1950, and bear no rational nexus with verification of voter eligibility.

L. BECAUSE a substantial number of disenfranchised electors have already preferred appeals before the Appellate Tribunals, and such number is likely to increase further. However, the appellate mechanism continues to suffer from lack of clarity regarding its procedure, modalities and scope, thereby seriously prejudicing the rights of affected electors. The process governing appeals before the Appellate Tribunals remains uncertain and non-transparent, particularly with respect to filing of documents, issuance of notices, conduct of hearings, passing of written orders, and the categories of excluded electors eligible to appeal. In the absence of a clear and accessible procedure, large-scale disenfranchisement of otherwise eligible voters is likely to persist.

M. BECAUSE the Department of Women & Child Development and Social Welfare, Government of West Bengal issued a notification dated 19.05.2026 for the Annapurna Yojana scheme, which has replaced the former TMC government's flagship scheme for cash transfer to women known as Lakshmir Bhandar. As per the notification those who have been struck off the rolls in the SIR exercise will not remain beneficiaries to the Scheme, while those

who have filed appeal before the SIR Tribunal and shall get financial assistance under the Scheme till their applications are disposed of. Thus, it is even more important that more and more electors file their appeals so as to ensure that they get benefits under the government's beneficial schemes

N. BECAUSE a large number of excluded electors belong to poor, illiterate and marginalised sections of society and are unable to effectively pursue appeals without legal aid, procedural assistance and clear guidelines in local languages. In the absence of such safeguards, the appellate process becomes discriminatory and inaccessible, contrary to Article 39A of the Constitution guaranteeing equal justice and free legal aid. That despite the constitution of Appellate Tribunals, no clear procedure or timeline has been prescribed for filing, hearing and disposal of appeals. The absence of procedural clarity directly impairs the ability of appellants to effectively present their case and is violative of the principles of natural justice, particularly *audi alteram partem*.

O. BECAUSE elections to the Kolkata Municipal Corporation are scheduled to be held in December, 2026 while elections to a substantial number of municipalities across the State of West

Bengal are scheduled for February, 2027. It is respectfully submitted that conducting these elections on the basis of the Final SIR rolls, which suffer from several lapses, irregularities, and defects, would cause serious prejudice to voters and adversely affect their right to vote and to participate in free and fair elections.

P. BECAUSE this Hon'ble Court in ***Mohinder Gill vs Chief Election Commissioner (1978) 1 SCC 405*** observed that free and fair elections based on adult franchise is at the heart of Parliamentary system:

23. Democracy is government by the people. It is a continual participative operation, not a cataclysmic, periodic exercise. The little man, in his multitude, marking his vote at the poll does a social audit of his Parliament plus political choice of this proxy. Although the full flower of participative Government rarely blossoms, the minimum credential of popular Government is appeal to the people after every term for a renewal of confidence. So we have adult franchise and general elections as constitutional compulsions. "The right of election is the very essence of the constitution" (Junius). It needs little argument to hold that the heart of the Parliamentary system is free and fair elections periodically held, based on adult franchise, although social and economic democracy may demand much more."

[Emphasis supplied]

Q. BECAUSE this Hon'ble Court in ***Union of India v. Association for Democratic Reforms and Anr., (2002) 5 SCC 294*** observed that:

38. If right to telecast and right to view sport games and the right to impart such information is considered to be part and parcel of Article 19(1)(a), we fail to understand why

the right of a citizen/voter-a little man to know about the antecedents of his candidate cannot be held to be a fundamental right under Article 19(1)(a). In our view, democracy cannot survive without free and fair election, without free and fairly informed voters. Votes cast by uninformed voters in favour of X or Y candidate would be meaningless. As stated in the aforesaid passage, one-sided information, disinformation, misinformation and non-information, all equally create an uninformed citizenry which makes democracy a farce. Therefore, casting of a vote by a misinformed and non-informed voter or a voter having one-sided information only is bound to affect the democracy seriously. Freedom of speech and expression includes right to impart and receive information which includes freedom to hold opinions. Entertainment is implied in freedom of "speech and expression" and there is no reason to hold that freedom of speech and expression would not cover right to get material information with regard to a candidate who is contesting election for a post which is of utmost importance in the democracy. ...

46. To sum up the legal and constitutional position which emerges from the aforesaid discussion, it can be stated that:

7. Under our Constitution, Article 19(1) (a) provides for freedom of speech and expression. Voter's speech or expression in case of election would include casting of votes, that is to say, vote speaks out or expresses by casting vote. For this purpose, information about the candidate to be selected is a must. Voter's right to know antecedents including criminal past of his candidate contesting election for MP or MLA is much more fundamental and basic for survival of democracy.

R. BECAUSE this Hon'ble Court in ***People's Union for Civil Liberties***

***v. Union of India*, (2013) 10 SCC 1** observed that:

53. Democracy being the basic feature of our constitutional set-up, there can be no two opinions that free and fair elections would alone guarantee the growth of a healthy democracy in the country. The "fair" denotes equal opportunity to all people. Universal adult suffrage conferred on the citizens of India by the Constitution has

made it possible for these millions of individual voters to go to the polls and thus participate in the governance of our country. For democracy to survive, it is essential that the best available men should be chosen as people's representatives for proper governance of the country. This can be best achieved through men of high moral and ethical values, who win the elections on a positive vote. Thus in a vibrant democracy, the voter must be given an opportunity to choose none of the above (NOTA) button, which will indeed compel the political parties to nominate a sound candidate. This situation palpably tells us the dire need of negative voting. ...

56. Free and fair election is a basic structure of the Constitution and necessarily includes within its ambit the right of an elector to cast his vote without fear of reprisal, duress or coercion. Protection of elector's identity and affording secrecy is therefore integral to free and fair elections and an arbitrary distinction between the voter who casts his vote and the voter who does not cast his vote is violative of Article 14. Thus, secrecy is required to be maintained for both categories of persons. [emphasis supplied]

S. BECAUSE this Hon'ble Court in its Constitution Bench judgment in **Anoop Baranwal v. Union of India (2023) 6 SCC 161** , held:

216. *There can be no doubt that the strength of a democracy and its credibility, and therefore, its enduring nature must depend upon the means employed to gain power being as fair as the conduct of the Government after the assumption of power by it. The assumption of power itself through the electoral process in the democracy cannot and should not be perceived as an end. The end at any rate cannot justify the means. The means to gain power in a democracy must remain wholly pure and abide by the Constitution and the laws. An unrelenting abuse of the electoral process over a period of time is the surest way to the grave of the democracy. Democracy can succeed only insofar as all stakeholders uncompromisingly work at it and the most important aspect of democracy is the very process, the electoral process, the purity of which alone will truly reflect the will*

of the people so that the fruits of democracy are truly reaped.[emphasis supplied]

T. BECAUSE the Constitution Bench of this Hon'ble Court in ***Assn. for Democratic Reforms (Electoral Bond Scheme) v. Union of India, (2024) 5 SCC 1*** held the following on free and fair elections:

209. *This Court has also consistently held that free and fair elections form an important concomitant of democracy. [Digvijay Mote v. Union of India, (1993) 4 SCC 175; Union of India v. Assn. for Democratic Reforms, (2002) 5 SCC 294.] In Kuldip Nayar v. Union of India [Kuldip Nayar v. Union of India, (2006) 7 SCC 1] , a Constitution Bench of this Court held that a democratic form of government depends on a free and fair election system. In PUCL v. Union of India [PUCL v. Union of India, (2013) 10 SCC 1 : (2013) 4 SCC (Civ) 587 : (2013) 3 SCC (Cri) 769 : (2014) 2 SCC (L&S) 648] , this Court held that free and fair elections denote equal opportunity to all people. It was further observed that a free and fair election is one which is not “rigged and manipulated and the candidates and their agents are not able to resort to unfair means and malpractices”.*

210. *The integrity of the election process is pivotal for sustaining the democratic form of Government. The Constitution also places the conduct of free and fair elections in India on a high pedestal. To this purpose, Article 324 puts the Election Commission in charge of the entire electoral process commencing with the issue of the notification by the President to the final declaration of the result. [Mohinder Singh Gill v. Chief Election Commr., (1978) 1 SCC 405] However, it is not the sole duty of the Election Commission to secure the purity and integrity of the electoral process. There is also a positive constitutional duty on the other organs of the Government, including the legislature, executive and the judiciary, to secure the integrity of the electoral process.*

PRAYER

In view of the facts & circumstances stated above, it is most respectfully prayed that this Hon'ble Court may in public interest be pleased to:

a) Issue an appropriate writ, order or direction to the Respondents to disclose:

- i) Assembly constituency wise number of Form 6 and Form 7 applications submitted, admitted and rejected during the claims and objection phase & subsequent phases during SIR
- ii) Number of cases pending in each assembly constituency before the Appellate Tribunals
- iii) Number of appeals pending before the Tribunals filed by deleted electors for inclusion and by the ECI for exclusion;
- iv) Data as required to be furnished as per Format 1-8 (Annexure 37) of ECI Manual on Electoral Roll, 2024

b) Issue an appropriate writ, order or direction to the Respondent Nos. 1 and 2 to make public the Standard Operating Procedure (SOP) framed on 07.04.2026 by the 3-member judicial committee as noted at para 7 in order dated 13.04.2026 passed by this Hon'ble Court in *WPC No. 1089 of 2025*;

- c) Issue an appropriate writ, order or direction to Respondents to frame a simplified, step-by-step guideline for the appellate process in Bangla, Hindi and English, so as to ensure wider public participation, awareness and accessibility;
- d) Issue writ, order or directions with the following guidelines for faster and more elector-friendly disposal of appeals:
 - i. to allow appellants and their authorised representatives to appear before the Appellate Tribunals through video conferencing;
 - ii. to ensure that notices of hearing are served upon appellants at least seven days prior to the scheduled date of hearing, both electronically and through physical service by the concerned Booth Level Officers (BLOs); and
 - iii. to set a time-bound schedule for disposal of all appeals before the conduct of the next election, with appeals arising from Municipal Corporation and Municipality areas being accorded priority consideration.
- e) Issue an appropriate writ, order or direction to Respondents to publish regular bulletin showing number of cases heard and decided by Appellate Tribunal;

- f) Issue an appropriate writ, order or direction to allow deleted electors under SIR under all 3 Phases, i.e., Phase 1 - Enumeration, Phase 2 - Claims & Objections, Phase 3 - Adjudication of Logical Discrepancy cases, to file appeals before the Appellate Tribunals so as to get their names restored to the electoral rolls;
- g) Pass such other order as this Hon'ble Court may deem fit and proper in the facts and circumstances of the instant case;

**AND FOR THIS ACT OF KINDNESS THE PETITIONER AS IN DUTY
BOUND SHALL EVER PRAY**

Filed by:

NEHA RATHI
(COUNSEL FOR THE PETITIONER)

Date: 30.05.2026
Place: New Delhi