IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

WRIT PETITION (CIVIL) NO. 1246 OF 2026

IN THE MATTER OF:

Rakesh Kumar Singh alias Rakesh Singh **...PETITIONER**

VERSUS

Union of India & Ors. **...RESPONDENTS**

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FILED BY:
(MUDIT GUPTA)
Advocate-on-Record for the Petitioner
Place: New Delhi
Filed on: 16.11.2026

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REJOINDER AFFIDAVIT ON BEHALF OF THE PETITIONER TO THE COUNTER AFFIDAVIT DATED 26.10.2026 AND THE SUPPLEMENTARY AFFIDAVIT DATED 14.11.2026 FILED ON BEHALF OF RESPONDENT NOS. 2 TO 5

I, Rakesh Kumar Singh alias Rakesh Singh, aged about 58 years, son of Late Tripurari Prasad Singh, resident of Village Sonwan, P.S. Ghoshi, District Jehanabad, presently residing at 14, Vidyut Board Colony, Patna Sadar, L.B.S. Nagar, P.O. L.B.S. Nagar, District Patna – 800023, do hereby solemnly affirm and state as under:

A. PRELIMINARY

1. That I am the Petitioner in the above Writ Petition and am fully conversant with the facts and circumstances of the case. I am competent to swear this affidavit.

2. That I have read and understood the Counter Affidavit dated 26.10.2026 ("**CA**") and the Supplementary Affidavit dated 14.11.2026 ("**SA**"), both affirmed by Shri Bhanu Prakash Yeturu, Deputy Election Commissioner, on behalf of Respondent Nos. 2 to 5. This consolidated Rejoinder Affidavit answers both, in terms of the liberty granted by this Hon'ble Court by its order dated 27.10.2026. Paragraph references prefixed "CA" and "SA" are to those affidavits; references



prefixed "WP" are to the Writ Petition; and Annexures R-1 to R-17 are those filed by the Respondents.

3. That I reiterate and reaffirm the Synopsis, List of Dates, averments, grounds and prayers of the Writ Petition. Nothing in the CA or the SA is admitted save what is expressly admitted below. Where I rely on a statement in the CA or SA, I rely on it as an admission of the Respondents and not as an acceptance of any inference they draw from it. The CA itself (para 3) sought liberty to file "a detailed comprehensive affidavit with para-wise response". That liberty having been availed by the SA, which (SA para 3) merely adopts the CA without any para-wise response, the specific averments of the Writ Petition that are not specifically traversed stand unrebutted. A general or evasive denial is, in law, no denial (*Badat & Co. v. East India Trading Co.*, AIR 1964 SC 538, on the principle of Order VIII Rules 3 to 5 CPC, which applies by analogy to pleadings on affidavit).

4. That Respondent No. 1 (Union of India), Respondent No. 6 (Senior Deputy Election Commissioner) and Respondent No. 7 (Director General, Information Technology) have not filed any affidavit. In particular:

   a. although CA para 35 asserts that "**Form 6 can only be amended by the Central Government**", Respondent No. 1 has not stated that any amendment to the Registration of Electors Rules, 1960 was made, proposed or consulted upon under Section 28 of the Representation of the People Act, 1950; and
   b. the recorded objection of Respondent No. 4 dated 14.08.2026 that the Director General (IT) "*doesn't have any legal authority to restrict proper and complete access ... to the statutory authorities*" (WP para 47; Annexure P-2 at p. 77) stands unanswered by Respondent No. 7.

B. THE CASE IN A NUTSHELL

5. That the Writ Petition raises one narrow and fundamental question: whether acts done, communicated and implemented **in the name of the Election Commission of India** were in fact decisions of the Commission a three-member

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constitutional body taken unanimously or, upon difference of opinion, by majority, as mandated by Article 324(1) to (3) of the Constitution and Sections 17 and 18 of the Chief Election Commissioner and Other Election Commissioners (Appointment, Conditions of Service and Term of Office) Act, 2023 ("2023 Act"); or whether they were taken by one member, or by officers and divisions of the Secretariat, without any such decision.

6. That when the Writ Petition was filed on 27.09.2026, this question rested on the contemporaneous written objections of two of the three members of the Commission, Respondent Nos. 4 and 5, as reported in Annexure P-2. The position has since changed materially. The CA was, as stated in CA para 4, "**approved for filing … by a unanimous decision of the three members of the Election Commission**". It now admits on oath, with the approval of Respondent Nos. 3, 4 and 5 alike, the substance of the very matters on which the Petitioner sought production of the record (set out in Part C below). Those admissions bind all three members, including Respondent No. 3, and the Writ Petition no longer depends on newspaper reportage.

7. That on the Respondents' own showing:
   i. steps were taken by officers "***which needed to be corrected to ensure that they are fully aligned with the steps approved by the Election Commission***" (CA para 34);
   ii. an SIR declaration was "***entered into the online page of Form 6***", in a manner that "***could be construed as though an amendment of Form 6 had been made***", although "***Form 6 can only be amended by the Central Government***", and was separated only by a decision of the "***ER Division***" dated 21.10.2026 (CA paras 35 and 54);
   iii. an order altering the internal allocation of work was issued on 28.07.2026 by an officer on deputation and was "***never implemented***" only because of a joint direction of the two Election Commissioners (CA para 32);
   iv. new IT modules and portals will be placed before the Commission "***henceforth***" (CA para 58); and



v. appeals before the West Bengal Appellate Tribunals seeking deletion of electors found eligible by judicial officers were filed by officers of the Chief Electoral Officer, West Bengal, and "***these matters were not brought to the Commission***" (CA para 63).

vi. The Respondents' own Delegation Order dated 12.01.1996 (Annexure R-5, para 4) provides: "***In all other cases where no specific delegation has been made decisions will be taken by Election Commission***." No delegation in R-5 or R-6 covers any of these acts.

C. ADMISSIONS IN THE COUNTER AND SUPPLEMENTARY AFFIDAVITS

8. That the Petitioner relies on the following admissions. Each is quoted or closely paraphrased from the paragraph cited.

No.	Source /Para	Admission	Bearing on the Petitioner's case
1	CA 3	The denial is "except for matters forming part of the record including the comments / views of the members of the Commission".	The recorded objections of Respondent Nos. 4 and 5 (WP paras 36, 41 to 50) are not denied; they are matters of record.
2	CA 4	The CA was approved by a unanimous decision of all three members.	Every admission in the CA is the admission of Respondent Nos. 3, 4 and 5.
3	CA 13	"The constitutional, quasi-judicial and other important functions are directly under the ambit of the Commission as a whole."	Altering the statutory enrolment process, restricting statutory officers' access, and filing lakhs of appeals against electors are, on any view, "important functions".
4	CA 25	Procedure for transaction of business and allocation of business among the	No such unanimous decision has been produced.

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		members "shall be regulated only by a unanimous decision".	
5	Ann R-5, para 4	"In all other cases where no specific delegation has been made decisions will be taken by Election Commission."	None of the impugned acts falls within any of the 27 items delegated by R-5 or the 12 items in R-6.
6	CA 29	In exigencies, approval of members is obtained electronically and "duly recorded later on the official file".	Approval can be recorded after the event; the contemporaneous record must therefore be examined.
7	CA 30	Contemplates communications or orders issued "without the approval of the Competent Authority" and promises action against erring officials.	Confirms the practice objected to on 28.10.2025, 16.04.2026 and 24.04.2026; no action against any official is disclosed.
8	CA 32	Office Order dated 28.07.2026 on internal work allocation was issued by an IAS officer of Additional Secretary rank on deputation; the two Election Commissioners wrote separately to the Cabinet Secretary on 29.07.2026; the order "was never implemented" in view of their joint direction dated 30.07.2026.	Confirms WP para 48 in full. An officer altered the Commission's internal arrangements without any decision of the Commission, and it took the majority of members to neutralise it.
9	CA 34	"Certain steps taken by the officers … needed to be corrected to ensure that they are fully aligned with the steps approved by the Election Commission".	Officers acted in the Commission's name beyond what the Commission had approved.
10	CA 35	The online presentation "could be construed as though an amendment of Form 6 had been made"; "Form 6 can	Vindicates the notings of Respondent No. 5 (16.05.2026) and

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		only be amended by the Central Government".	Respondent No. 4 (19.05.2026 and 13.08.2026) (WP paras 43 and 44).
11	CA 37, 40, 42	The Declaration was "amended so as to introduce the concept of 'mapping'", "substituted" and "rationalized".	Contradicts CA para 44 ("no significant change").
12	CA 38; CA 52	Outside the SIR, only Form 6 is to be submitted; after the SIR, Forms under the 1960 Rules are to be used "without any additional Declaration".	No authority existed for making the Declaration part of the online Form 6 for applicants outside the SIR.
13	CA 54	"the Declaration was entered into the online page of Form 6"; separated by "decision dt. 21.10.2026 of the ER Division".	The merger and its reversal were both done without any pleaded decision of the Commission; the reversal came after the Writ Petition was filed.
14	CA 56, 57	The Commission decided on 26.09.2026 and 30.09.2026 to constitute a Committee "to double-check the compliance of ECINet with applicable Acts and Rules", constituted by Circular dated 14.10.2026.	Compliance of ECINet with the statutory framework was in genuine doubt. After the Present Writ Petition was filed.
15	CA 58	"henceforth, all new initiatives about IT modules and portals will be discussed in the Committee of Officers (COO), followed by approval of the Commission"; "in case any further functional flexibility is required by the field officers, that will also be made operational".	Before this undertaking, IT modules and portals were not placed before the Commission (the objection of 16.04.2026, WP para 41(ii)); field officers lacked functional flexibility (the objections of 29.05.2026 and 14.08.2026).

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16	CA 60	The electors against whom appeals were filed are on the rolls, voted in the recent Assembly elections, have documents on the portal and have favourable orders of judicial officers.	The appeals target electors already adjudged eligible.
17	CA 63	The appeals were filed by officers of the Office of the CEO, West Bengal, and "these matters were not brought to the Commission".	Confirms WP paras 49 and 50: proceedings of the gravest consequence to electors were instituted in the Commission's name without any decision of the Commission.
18	SA 4, 5; R-15	A new work order dated 04.11.2026 re-allocates oversight of the IT/ICT Division to a Senior DEC, with the DG (IT) putting up files through him "before the Commission".	A corrective re-allocation after the Writ Petition; confirms that oversight of the IT establishment was a live issue.
19	SA 6; R-16	Previously enrolled electors omitted from the draft roll were "hesitant to submit Form 6" for fear of prosecution under Section 31 of the RP Act, 1950, and such an elector "is required to seek inclusion afresh … irrespective of whether the elector had been enrolled previously".	Existing electors were driven to the new-elector route; a clarification was needed after the Writ Petition.
20	SA 8 to 10; R-17	Electors marked ASDD (Absent, Shifted, Dead or Duplicate) are to be given "one more opportunity", and the "same EPIC number" is to be re-assigned to them.	Re-assignment of the same EPIC acknowledges that such persons are existing electors who were left out.
21	SA 11	"There have been and will be problems".	Systemic difficulties are admitted.

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D. AVERMENTS OF THE WRIT PETITION THAT STAND UNREBUTTED

9. That the following specific averments have not been specifically traversed in either affidavit and are deemed to be admitted:

No.	Averment	WP reference	Response in CA / SA
1	Respondent Nos. 4 and 5 recorded at least fourteen objections between 28.10.2025 and 14.08.2026.	Paras 36, 41	Treated as "matters forming part of the record" (CA 3). **Not denied.**
2	Respondent No. 5 recorded on 16.04.2026 that for over a year he had received neither agendas before nor minutes after meetings of the Commission.	Para 42	**No response.** No agenda or minutes of any meeting are produced.
3	Foreign travel by officers was undertaken without the Commission's approval (objection of 16.04.2026).	Paras 41(v), 42	**No response.**
4	Communications were issued in the name of the Commission without its approval (objections of 28.10.2025, 16.04.2026 and 24.04.2026).	Paras 41(i), (iii), (vi), 42	Only a general description of practice (CA 27 to 30). CA 30 contemplates such instances.
5	The altered Form 6, requiring an answer to the disputed field as a precondition to submission, was introduced in July 2026 despite the notings of 16.05.2026 and 19.05.2026; Respondent No. 4 recorded on 13.08.2026 that it was "unauthorised and illegal".	Paras 43, 44	**Not denied.** CA 54 admits the merger into the online Form 6.

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6	Respondent No. 5 recorded the "gradual centralisation of the electoral roll database" (29.05.2026), endorsed by Respondent No. 4 (13.07.2026).	Para 46	**Not denied**; only a general statement in CA 55.
7	Respondent No. 4 recorded on 14.08.2026 that State-level officials lacked "proper and complete access" and that the DG (IT) had no legal authority to restrict it.	Para 47	**Not denied**. CA 58 promises "further functional flexibility".
8	Respondent No. 4 recorded on 12.08.2026 that he did not know who had authorised the West Bengal appeals, and that neither he, nor Respondent No. 5, nor the Chief Electoral Officer of West Bengal had been informed of their basis.	Para 50	**Not denied**. CA 63 confirms the matters were not brought to the Commission.
9	The first full meeting of the three members in four months was held on 09.09.2026.	List of Dates	**Not denied.**
10	On 04.11.2025 and 02.01.2026, a Deputy Election Commissioner, on the instructions of Respondent No. 4, wrote to the DG (IT) that IT systems must not curtail the statutory functions of EROs.	List of Dates	**Not denied.**
11	The Commission did not respond to the questionnaire of 21.09.2026.	Para 51	**Not denied.**

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E. CORRECTIVE MEASURES TAKEN AFTER THE REPORT AND AFTER THE WRIT PETITION

10. That the following measures, every one of them taken after publication of Annexure P-2 on 22.09.2026 and most of them after the institution of this Writ Petition on 27.09.2026, have been placed on record by the Respondents themselves. Each addresses a matter raised in the recorded objections and in the Writ Petition:

Nos	Date	Measure	Source	Timing
1.	26.09.2026	Unanimous decision that BLOs visit homes of unmapped or "logical discrepancy" electors; hearings only exceptionally, preferably online.	CA 48	After P-2; before WP
2.	26.09.2026	Press Note: after the SIR, Forms under the 1960 Rules to be used without any additional Declaration.	CA 52	After P-2; before WP
3.	26.09.2026 and 30.09.2026	Decisions to constitute a committee to "double-check the compliance of ECINet with applicable Acts and Rules".	CA 56	After P-2; the second decision after WP
4.	13.10.2026	Status report of the CEO, Goa on 97 electors.	CA 59; R-12	After WP
5.	14.10.2026	Circular constituting the ECINet Committee.	CA 57	After WP
6.	21.10.2026	ER Division decision separating Form 6 and the SIR Declaration online.	CA 54	After WP

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7.	22.10.2026	Communication of the CEO, West Bengal on who filed the appeals (not annexed).	CA 63	After WP
8.	Undated	Undertaking that IT modules and portals will "henceforth" go to the COO and then for the Commission's approval.	CA 58	Pleaded in CA of 26.10.2026
9.	03.11.2026	Clarification that no action under Section 31 of the RP Act, 1950 is to be initiated against previously enrolled electors filing Form 6.	SA 6; R-16	After WP
10.	04.11.2026	Office Order re-allocating oversight of the IT/ICT Division to a Senior DEC.	SA 4, 5; R-15	After WP
11.	06.11.2026	"One more opportunity" to ASDD electors, with re-assignment of the same EPIC number, addressed to seven States/UTs.	SA 8 to 10; R-17	After WP

11. That these measures are welcome as far as they go. But they are, in law and in fact, admissions that the matters raised were real. They do not render the Writ Petition infructuous. This Hon'ble Court takes note of subsequent events in moulding relief (*Pasupuleti Venkateswarlu v. Motor & General Traders*, (1975) 1 SCC 770), and such events here call for directions rather than closure, for four reasons:

    a. none of them answers the anterior question of who authorised the original acts and under what decision of the Commission;

    b. several were themselves taken by officers or divisions, without any pleaded decision of the Commission under Section 18 — the ER Division decision of 21.10.2026 (CA 54), the Under Secretary's letter of 03.11.2026 (R-16) and the Principal Secretary's Office Order of



04.11.2026 (R-15), which does not itself recite any approval of the Commission;

c. a void act is not validated by later correction or ratification (*Marathwada University v. Seshrao Balwant Rao Chavan*, (1989) 3 SCC 132); and

d. their reach is incomplete: R-17 is addressed only to seven States/UTs, and the 16.10 lakh appeals remain pending.

F. INTERNAL CONTRADICTIONS IN THE RESPONDENTS' AFFIDAVITS

12. That the two affidavits contradict themselves on every material point, which itself makes production of the primary record indispensable:

a) **"Based only on a news article" versus admitted record.** CA paras 6 and 70 call the Writ Petition a petition founded only on a newspaper report. But CA para 3 treats the members' comments as matters of record, CA para 72 does not deny that the internal notes exist (it denies only that the Commission authorised their release), and CA paras 32, 34, 35, 54, 58 and 63 admit their substance.

b) **Cabinet Secretary.** CA para 31 calls the allegations about the letters to the Cabinet Secretary "misconceived". CA para 32 admits the letters, the offending order and its neutralisation by the joint direction of the two Election Commissioners.

c) **Form 6.** CA paras 33, 42 and 53 assert that there was "no change in Form 6". CA paras 35 and 54 admit that the Declaration was entered into the online page of Form 6 and could be construed as an amendment, and that it was separated on 21.10.2026.

d) **The Declaration.** It was "amended" (CA 37), "substituted" (CA 40) and "rationalized" (CA 42), yet there is "no significant change" (CA 44).

e) **ECINet.** CA para 55 asserts that "no entry is added or deleted or modified except by order of the Electoral Registration Officer" and that EROs have complete operational freedom. Yet a committee was needed to verify ECINet's compliance with the Acts and Rules (CA 56), "further functional flexibility" for field officers is promised (CA 58), and in Goa, per Annexure P-2 (p. 78), which is not denied, EROs who found 97 voters eligible after

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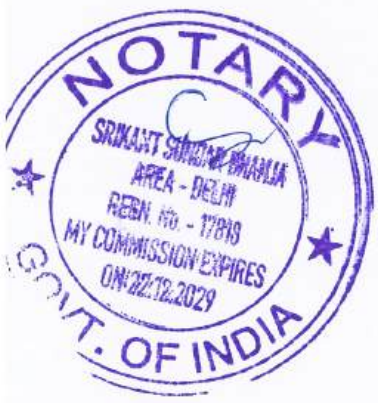
hearings held under this Hon'ble Court's order of 29.01.2026 could not record those decisions on the software. The Respondents' answer (CA 59) is that those persons were made to file fresh Form 6. That confirms the statutory decisions of the EROs could not be given effect on ECINet.

f) **Goa figures.** CA para 59 states that 88 of the 97 electors "had already filled Form 6 … and their applications had been accepted" and that 6 "were out of country". The Respondents' own Annexure R-12 records "Form 6 filled and accepted/under Process: 88" and "Form 6 not filled/ foreign National and voter aboard/ shifted: 06".

g) **West Bengal appeals.** CA paras 61 and 62 rely on this Hon'ble Court's orders dated 01.04.2026 and 06.04.2026, which record the statement of the Commission's own learned Senior Counsel that appeals might be filed "by the authorities of the Election Commission of India" (R-13, para 9). CA para 63 then disclaims the appeals as matters "not brought to the Commission". Moreover, Respondent No. 4 recorded (P-2 at p. 78; WP para 50) that the Chief Electoral Officer of West Bengal had not been informed of the basis or process of the appeals, whereas CA para 63 attributes the appeals to officers of that very Office, on the strength of a communication dated 22.10.2026 which is not annexed.

h) **IT oversight.** SA para 5 asserts that the IT/ICT Division "has always remained under the supervision of a DEC". CA para 32 admits an order of 28.07.2026 on internal work allocation which both Election Commissioners took to the Cabinet Secretary as removing a layer of oversight over the IT establishment (WP para 48), and which was neutralised only by their joint direction.

i) **Reach of the ASDD directions.** SA para 8 states that the directions of 06.11.2026 were issued to the CEOs of "the States/ UTs where the SIR is ongoing". Annexure R-17 is addressed only to the CEOs of NCT of Delhi, Maharashtra, Haryana, Andhra Pradesh, Jharkhand, Telangana and Nagaland, whereas CA para 51 states that the SIR is ongoing in 16 States and 3 Union Territories. Electors in the 13 States and Union Territories where the SIR is complete (CA 68) receive no comparable opportunity.



j) **Unanimity of the pleadings.** The CA (para 4) records that its filing was approved unanimously by the three members. The SA contains no such statement.

k) **EVMs.** CA paras 64 to 66 answer a challenge to Electronic Voting Machines that the Writ Petition nowhere makes, and impute to the Petitioner, by quoting *Association for Democratic Reforms v. Election Commission of India*, (2025) 2 SCC 732, an intention to "discredit the system". The imputation is baseless and is repudiated.

G. SUBMISSIONS IN LAW

I. THE COMMISSION, NOT ITS CHAIRMAN, IS THE REPOSITORY OF POWER

13. That Article 324(1) vests superintendence, direction and control in "a Commission". Article 324(2) composes it of the Chief Election Commissioner and such other Election Commissioners as the President may fix. Article 324(3) makes the Chief Election Commissioner its "Chairman" when other Commissioners are appointed. Section 17 of the 2023 Act requires the Commission's business to be transacted "in accordance with the provisions of this Act", and Section 18 prescribes the only two modes: unanimity "as far as possible" and, on difference of opinion, "the opinion of the majority". A Constitution Bench in *T.N. Seshan, Chief Election Commissioner of India v. Union of India*, (1995) 4 SCC 611 upheld this scheme and rejected the view that the Election Commissioners are advisers whose opinions the Chief Election Commissioner may override; to treat his word as final would render them "**non-functional or ornamental**". *S.S. Dhanoa v. Union of India*, (1991) 3 SCC 567 explains why plurality matters in a body wielding vast powers. *Anoop Baranwal v. Union of India*, (2023) 6 SCC 161 holds the independence of the Commission integral to free and fair elections.

14. That a power vested in a body must be exercised by that body; its head cannot exercise it in the body's name, and an act so done is not cured by later ratification (*Marathwada University v. Seshrao Balwant Rao Chavan*, (1989) 3 SCC 132). Where a statute requires a thing to be done in a particular manner, it must be done in that manner or not at all (*Nazir Ahmad v. King Emperor*, AIR 1936 PC 253;

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State of U.P. v. Singhara Singh, AIR 1964 SC 358). A delegate cannot exceed or re-delegate what is delegated (*Sahni Silk Mills (P) Ltd. v. Employees' State Insurance Corporation*, (1994) 5 SCC 346).

II. *SECTION 18(2): THE MAJORITY CANNOT BE OVERRIDDEN BY THE ORDER OF FILE MOVEMENT*

15. That CA para 9 describes how files move: first to one Election Commissioner, then to the other, "and then finally to the Chief Election Commissioner". CA para 8 likens the process to a "chain of command". The description proves the Petitioner's apprehension. On the Form 6 question, Respondent No. 5 recorded on 16.05.2026, and Respondent No. 4 concurred on 19.05.2026, that Form 6 could not lawfully be altered without amending the Rules (WP paras 43 and 44; not denied). Two of three members are a majority. Yet the alteration was implemented in July 2026 and remained until 21.10.2026. Only two explanations are possible:

    a) the majority opinion was overridden by the member at the end of the file chain, in direct breach of Section 18(2) and of *T.N. Seshan*; or
    b) the alteration was made without any decision of the Commission at all, as CA para 54 (ER Division) suggests. On either hypothesis the act was not the act of the Commission. Calling the recorded opinions of members "suggestions", "observations" or "queries" (CA paras 8 and 10) cannot alter the statutory consequence of a recorded difference of opinion.

III. THE DELEGATION DEFENCE FAILS ON THE RESPONDENTS' OWN DOCUMENTS

16. That the Respondents invoke Section 19A of the Representation of the People Act, 1951 and the Delegation Orders dated 12.01.1996 and 09.12.1997 (CA paras 11, 19, 20 to 24, 27). Section 19A permits performance of the Commission's functions by a Deputy Election Commissioner or Secretary only "subject to such general or special directions … as may be given by the Election Commission". The directions given are R-5 and R-6. They delegate enumerated matters: designation of DEOs and EROs, permissions, leave, financial sanctions, posts, staff and the like. None concerns altering the statutory enrolment process, configuring access of statutory officers to the electoral roll database, re-allocating



oversight of the Commission's divisions, or instituting appeals against electors. Para 4 of R-5 reserves "all other cases" for decision "by Election Commission". The saving in Section 21(2) of the 2023 Act continues earlier instruments only "insofar as it is not inconsistent with" that Act, and so cannot save any practice contrary to Section 18. No instrument delegating powers to the Chief Election Commissioner individually (CA para 13) has been produced.

17. That an officer's self-satisfaction that a communication "falls within his delegated authority" (CA para 27) cannot create authority that the delegation does not confer. Nor does the internal allocation of work among officers fall within any delegation: it is business of the Commission which, absent delegation, belongs to the Commission. An Additional Secretary on deputation therefore had no authority to make the order of 28.07.2026 (CA para 32).

IV. ARTICLE 324 OPERATES SUBJECT TO LAW; FORM 6 IS STATUTORY

18. That Article 324 supplements and does not supplant valid law, and cannot be invoked against it (*Mohinder Singh Gill v. Chief Election Commissioner*, (1978) 1 SCC 405; *A.C. Jose v. Sivan Pillai*, (1984) 2 SCC 656; *Kanhiya Lal Omar v. R.K. Trivedi*, (1985) 4 SCC 628). Form 6 is a statutory form under the Registration of Electors Rules, 1960, framed by the Central Government under Section 28 of the Representation of the People Act, 1950. The Respondents accept that it "can only be amended by the Central Government" (CA para 35). Administrative instructions may supplement statutory rules but cannot supplant them (*Sant Ram Sharma v. State of Rajasthan*, AIR 1967 SC 1910). What cannot be done by amending the form cannot be done by re-engineering its online version, so that an applicant "could not proceed" without answering a field the Rules do not prescribe (P-2 at p. 76; not denied).

19. That the judgment in *Association for Democratic Reforms v. Election Commission of India*, (2026) 7 SCC 1 (Annexure R-10), as quoted in CA para 49, recognises a "degree of residual authority to formulate an appropriate documentation framework suited to the exigencies of a Special Intensive Revision", which "is not unbounded" and must "remain cognisant of the existing statutory scheme" (para 174). It does not authorise any alteration of the statutory Form 6 for continuous enrolment outside the SIR. The Respondents themselves

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say that outside the SIR only Form 6 is to be used (CA paras 38 and 52). Nor did the judgment consider whether any act now impugned was a decision of the Commission under Section 18.

20. The justification now offered for merging the Declaration with the online Form 6 on grounds of convenience, namely, "a single OTP and single e-sign" (Counter Affidavit, paragraph 54), finds no contemporaneous basis in any order or decision of the Commission. The legality of an administrative action must be assessed on the reasons recorded at the time of its adoption and cannot be supplemented by fresh justifications in an affidavit (*Mohinder Singh Gill v. Chief Election Commissioner*, (1978) 1 SCC 405, paragraph 8).

Further, the so-called convenience raises a significant legal question: **If an applicant submits Form 6 but does not submit the additional Declaration, will the Form 6 still be accepted and processed, or will the application itself be treated as incomplete or invalid? If the latter, the additional Declaration effectively becomes compulsory, even though it is not part of the statutory Form 6.** This consequence assumes particular significance since the single e-sign also authenticated an additional Declaration containing a penal warning under Section 31 of the Representation of the People Act, 1950.

V. TECHNOLOGY CANNOT DISPLACE STATUTORY OFFICERS

21. That the preparation and revision of the roll is entrusted by the Representation of the People Act, 1950 to the Electoral Registration Officer (Sections 13B, 21, 22 and 23), with appeals under Section 24, and the ERO must act after due inquiry (*Lal Babu Hussein v. Electoral Registration Officer*, (1995) 3 SCC 100). Section 13CC deems the CEO, DEO, ERO and other officers to be on deputation to the Commission and subject to its control, superintendence and discipline. That provision cuts both ways. The Commission cannot disclaim knowledge of appeals filed by officers who are by law under its control (CA 63). And the Commission's IT establishment, which is not a statutory authority under the 1950 Act, cannot by software configuration override or nullify the statutory decisions of EROs, as happened in Goa. An IT system is a means of discharging statutory functions; it cannot become a source of power.

VI. BURDEN OF PRODUCTION AND ADVERSE INFERENCE

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22. That the agendas, minutes, file notings, approval sheets, electronic approvals and audit trails are exclusively in the Respondents' custody. Facts especially within a party's knowledge must be proved by that party (Section 109, Bharatiya Sakshya Adhiniyam, 2023; *Shambhu Nath Mehra v. State of Ajmer*, AIR 1956 SC 404). A party in possession of the best evidence who withholds it invites an adverse inference (*Gopal Krishnaji Ketkar v. Mohamed Haji Latif*, AIR 1968 SC 1413). The Respondents refer to, but have not annexed, at least the following:

(i) the Office Orders dated 23.09.2025 and 28.07.2026;

(ii) the letters dated 29.07.2026 and the joint direction dated 30.07.2026;

(iii) the minutes of the meetings of 26.09.2026 and 30.09.2026;

(iv) the Press Note dated 26.09.2026; (Annexed herewith)

(v) the Circular dated 14.10.2026;

(vi) the SSR Order dated 15.10.2026;

(vii) the ER Division decision dated 21.10.2026;

(viii) the CEO, West Bengal communication dated 22.10.2026;

(ix) the letter dated 29.10.2026 referred to in R-17;

(x) any instrument of delegation to the Chief Election Commissioner; and

(xi) any unanimous decision under Section 10(1) of the 1991 Act or Section 18(1) of the 2023 Act regulating procedure and allocation of business.

If the impugned acts were decisions of the Commission, these records will show it. Confidentiality, if claimed, can be addressed by production in a sealed cover (*S.P. Gupta v. Union of India*, 1981 Supp SCC 87; *State of U.P. v. Raj Narain*, (1975) 4 SCC 428).

VII. ***MAINTAINABILITY***

23. That the Writ Petition is maintainable under Article 32, which is itself a guaranteed right (*Romesh Thappar v. State of Madras*, AIR 1950 SC 124). It concerns the lawful functioning of the constitutional body that determines who is on the electoral roll and therefore who may vote. Casting a vote is a facet of expression under Article 19(1)(a) (*People's Union for Civil Liberties v. Union of India*, (2003) 4 SCC 399; *People's Union for Civil Liberties v. Union of India*,

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(2013) 10 SCC 1). Arbitrary or unauthorised action in the preparation of rolls engages Article 14. The Commission exercises nationwide jurisdiction, so no High Court can grant complete relief. No prior representation is a precondition to an Article 32 petition. In any event, the question no longer rests on a newspaper report but on the Respondents' admissions, and this Hon'ble Court may call for the record to find the facts (*People's Union for Democratic Rights v. Union of India*, (1982) 3 SCC 235; *Bandhua Mukti Morcha v. Union of India*, (1984) 3 SCC 161).

24. That as to Prayer A (CA para 69): the Petitioner has never questioned the appointment of Respondent No. 3. The grievance pleaded (WP paras 57 to 60) concerns title to the collective authority of the Commission, which Article 324(3) does not confer on its Chairman individually. Prayer A in any event seeks "any other appropriate writ, order or direction". Prayers B, C and D stand on their own footing irrespective of the quo warranto limb.

H. PARA-WISE REPLY TO THE COUNTER AFFIDAVIT DATED 26.10.2026

25. Paras 1 and 2. Matters of record as to the deponent's designation and authority. It is denied that the deponent has personal knowledge of what each Member considered, approved or objected to on any impugned matter. No such contemporaneous record is annexed. Mere designation cannot substitute for proper authorisation or personal knowledge of the relevant facts. The Respondents are, therefore, required to disclose the specific authorisation under which the deponent has affirmed the Counter Affidavit on behalf of Respondent Nos. 2 to 5.

26. Para 3. Denied as framed. The general denial is no traverse. The Petitioner relies on the express exception for "matters forming part of the record including the comments / views of the Members of the Commission": the objections pleaded in WP paras 36 and 41 to 50 stand admitted as matters of record. Dussehra vacations cannot justify the absence of a para-wise reply. The liberty sought to file one has been availed by the SA without any such reply. The Respondents cannot avoid addressing material pleadings by relying upon a general denial while simultaneously acknowledging that the relevant comments and views form part of the official record.



27. **Para 4.** The Petitioner accepts that the CA was approved unanimously by the three Members, and relies on that fact: its admissions are the admissions of Respondent Nos. 3, 4 and 5. It is, however, denied that unanimous approval of a pleading is evidence that each impugned act, done at different times by different officers, was a unanimous or majority decision when it was done. Unanimity in defending an act is not unanimity in deciding it. Approval of the CA also does not withdraw any objection recorded by Respondent Nos. 4 and 5 at the relevant time, and the CA does not say that any was withdrawn. The legality of each impugned action must be examined on the basis of the decision and approval existing at the time it was undertaken, and not on the basis of a subsequent unanimous stand adopted in litigation.

28. **Para 5.** The issuance of the SIR Orders dated 24.06.2025, 27.10.2025 and 14.05.2026 (R-1 to R-3) is a matter of record. The Petitioner notes the statement, approved by all three Members, that they issued upon unanimous decisions, although no file noting or minute is annexed to show the date or manner of those decisions; R-1 to R-3 are communications signed by officers of the Secretariat. Even accepting the statement at face value, it answers none of the Petitioner's case on the subsequent acts. Approval to commence and conduct a revision is not authority to alter the statutory Form 6 online, re-configure statutory officers' access, re-allocate oversight of the IT Division, or file lakhs of appeals against electors, all of which on the Respondents' own showing (CA 34, 54, 58, 63) were never placed before the Commission. Each act must trace its own authority. The Respondents must place on record the relevant decisions and approvals to demonstrate compliance with Section 18 of the 2023 Act. It is denied that the Writ Petition casts aspersions on the institution: it seeks to uphold the institution against the exercise of its powers by others in its name.

29. **Para 6.** Denied. The Writ Petition is founded on the constitutional and statutory scheme and on contemporaneous written objections of two Members, which the Respondents now accept as matters of record and whose substance they admit. The Petitioner has not questioned the integrity of any Member; he has questioned whether the statutory mode of decision was followed. The Respondents cannot reduce the present constitutional challenge to a mere reliance on a news report when the Petition is supported by official orders, communications and the Commission's own records. The material question



remains whether the impugned actions were taken by the Commission in accordance with the procedure prescribed under Section 18 of the 2023 Act.

30. **Para 7.** Denied. The Writ Petition is maintainable for the reasons set out in the present Rejoinder. Having chosen to answer the Writ Petition on merits and having admitted material facts forming part of the official record, the Respondents cannot seek to avoid adjudication by raising a bald objection to maintainability. The objection is misconceived and deserves to be rejected.

31. **Para 8.** Denied. The Election Commission is not a "chain of command". The Election Commissioners are Members of a multi-member constitutional body and are not subordinates of its Chairman (*T.N. Seshan v. Union of India*, (1995) 4 SCC 611). The paragraph itself confirms that differing views, queries and observations of the Members form part of the official record. However, it does not identify a single instance in which a difference of opinion was resolved by majority under Section 18(2) of the 2023 Act. Merely stating that the views of all Members are considered does not establish that the final decision was taken in accordance with the statutory procedure.

32. **Para 9.** Movement of a file is not a decision of the Commission. Section 18 recognises only two modes of decision-making: a unanimous decision under Section 18(1) or a majority decision where Members differ in opinion under Section 18(2). It does not recognise a decision by whichever Member signs last. The Petitioner relies upon the description of file movement for the submissions made hereinabove. The Respondents have not produced the complete files relating to any of the impugned matters to demonstrate how the objections of Respondent Nos. 4 and 5 were dealt with, whether they were withdrawn or whether the matters were ultimately decided by majority. The real question is not merely who signed the communication, but who actually took the decision, by what procedure and under whose authority.

33. **Para 10.** Denied. Labels do not alter substance. A recorded objection to the legality or propriety of a proposed step may constitute a difference of opinion within the meaning of Section 18(2), irrespective of whether the Respondents describe it as a "**suggestion", "observation" or "query".** If the Respondents contend that no difference of opinion arose, they must explain how the objections were dealt with and identify the authority under which the subsequent action was taken. On either footing, the Respondents must establish

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the decision of the Commission. Treating substantive objections as inconsequential queries would defeat the very purpose of Section 18 and reduce the role of the other Election Commissioners to a mere formality.

34. **Paras 11 and 12.** The statutory provisions referred to are matters of record. Section 19-A of the Representation of the People Act, 1951, does not confer blanket authority upon the Secretariat or its officers to independently take decisions on behalf of the Commission. Any delegated functions remain subject to the general or special directions of the Commission. Similarly, Section 10(1) of the 1991 Act required the procedure for transaction of the Commission's business and allocation of business amongst its Members to be regulated by a unanimous decision. The Respondents have not produced any such unanimous decision under Section 10(1) of the 1991 Act or Section 18(1) of the 2023 Act regulating the procedure or allocation of business relied upon by them. The existence of a statutory provision cannot, by itself, establish compliance with it.

35. **Para 13.** The Petitioner relies on the admission that "constitutional, quasi-judicial and other important functions are directly under the ambit of the Commission as a whole". The remaining averments are denied for want of particulars. Decisions concerning changes to the statutory Form 6 and its online filing process, the inclusion of additional declarations, appeals affecting electors and oversight of the Commission's IT systems are matters of substantial importance and cannot be treated as routine administrative functions without examining their nature and impact. No instrument delegating powers to the Chief Election Commissioner individually, or unanimous decision under Section 18(1) authorising such delegation, has been produced. The Chief Election Commissioner cannot assume the collective authority of the Commission merely by virtue of being its Chairman.

36. **Para 14.** Denied. Section 21(2) of the 2023 Act saves earlier actions and procedures only "insofar as" they are not inconsistent with the provisions of the 2023 Act. The Respondents have neither identified the specific procedure allegedly saved nor produced the unanimous decision or document by which it was approved. The saving clause cannot be relied upon as a blanket justification to bypass the requirements of Section 18 of the 2023 Act. The Respondents must establish that the procedure relied upon is consistent with, and complies with, the statutory framework presently in force.



37. **Paras 15 to 17.** Denied for the reasons already stated hereinabove. As to paragraph 16, the Petitioner's case is correctly noted. The Respondents have not identified the decision or authorisation pursuant to which any of the communications objected to, particularly those dated 28.10.2025, 16.04.2026 and 24.04.2026, were issued. Merely issuing a communication in the name of the Commission does not establish that it represents a decision of the Commission. As to paragraph 17, the "legal architecture" set out by the Respondents itself supports the Petitioner's case and reinforces the requirement of collective decision-making under the applicable statutory framework.

38. **Paras 18 to 21.** Matters of record as to the statutory provisions and Annexures R-4 to R-7. The Petitioner relies upon Section 10 of the 1991 Act and Sections 17, 18 and 21 of the 2023 Act, particularly the statutory requirement of collective decision-making. The delegation orders relied upon by the Respondents deal with enumerated administrative, financial and roll-related matters. They do not cover any of the impugned acts. Further, Section 19-A of the Representation of the People Act, 1951, does not confer independent decision-making authority upon Secretariat officers, but permits the performance of the Commission's functions subject to its general or special directions.

39. **Paras 22 to 24.** Paragraph 22 is a matter of record. As to paragraphs 23 and 24, it is denied that the earlier delegation orders can continue in a manner inconsistent with Section 18 of the 2023 Act. Section 21(2) saves earlier actions and procedures only insofar as they are consistent with the new Act. Their continuance, in any event, brings with it paragraph 4 of Annexure R-5, under which every matter not specifically delegated remains within the authority of the Commission. The Respondents have not demonstrated that the impugned actions fall within any specific delegation.

40. **Para 25.** The Petitioner relies on the admission that the procedure for transaction of business and allocation of business amongst the Members "shall be regulated only by a unanimous decision". No such decision has been produced. The Respondents must establish the existence and scope of the

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unanimous decision governing the procedure and allocation of business relied upon by them.

41. **Para 26.** Section 18(2) is a matter of record. It is denied that Section 18 explains or authorises delegation of functions to officers. Section 18 governs decision-making amongst the Members of the Commission, whereas delegation to officers derives from Section 19-A of the Representation of the People Act, 1951, and the directions issued thereunder. The two provisions operate in distinct fields and cannot be conflated to dilute the requirement of collective decision-making.

42. **Para 27**. Denied. The Secretariat implements the decisions of the Commission; it does not independently make them. Altering the online statutory enrolment process and filing appeals seeking deletion of electors cannot be treated as routine administrative or non-quasi-judicial decisions merely by assigning them such labels. These actions directly affect electoral rights and must be supported by lawful authority. An officer's self-certification of authority cannot create jurisdiction or validate an otherwise unauthorised action. The Respondents have also failed to identify the officers who issued the impugned communications or the specific delegation under which they acted.

43. **Para 28.** Denied as framed. The Respondents have not disclosed a single date, agenda or minute of any meeting during the period of the objections, i.e., 28.10.2025 to 14.08.2026. The averments that Respondent No. 5 received no agendas or minutes for over a year (WP paragraph 42), and that the meeting dated 09.09.2026 was the first full meeting in four months, have not been specifically denied. The Respondents themselves assert that decisions are taken in meetings or recorded on files bearing the signatures of all three Members. If decisions concerning the impugned matters were indeed taken in this manner, the corresponding records must exist and ought to have been produced. The Respondents cannot rely upon the existence of such records while withholding the very documents necessary to establish compliance with Section 18 of the 2023 Act.

44. **Para 29.** Denied as framed. The paragraph confirms that approvals may be recorded later" on file. However, no rule or unanimous decision under Section

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18(1) authorising such post-facto recording has been produced, nor has any impugned act been shown to have involved an exigency warranting departure from the ordinary procedure. The SIR Orders and the introduction of the additional Declaration in the online Form 6 process were planned measures, not unforeseen emergencies. Urgency may affect the mode of obtaining approval; it cannot dispense with approval itself. The Respondents must produce the contemporaneous file notings and electronic records evidencing when and how approval was obtained and whether any difference of opinion was resolved in accordance with Section 18(2) of the 2023 Act.

45. **Para 30.** The paragraph acknowledges that communications may be issued without approval of the competent authority. The Petitioner relies upon this admission. Despite the three written objections recorded by Members of the Commission on 28.10.2025, 16.04.2026 and 24.04.2026, the Respondents have disclosed neither any action taken against the officials concerned nor whether any such communication was withdrawn or corrected. The identity of the officials responsible and the action, if any, taken against them must be disclosed.

46. **Para 31.** Denied. The Respondents' attempt to describe the Petitioner's allegations concerning the communications between the Election Commissioners and the Cabinet Secretary as misconceived is contradicted by their own averments in paragraph 32. The separate letters dated 29.07.2026 and the subsequent joint direction dated 30.07.2026 raise a serious question as to the authority under which the Office Order dated 28.07.2026 was issued. The Respondents have not explained why the order was issued without the knowledge or approval of the other two Members of the Commission.

47. **Para 32.** The issuance of the Office Order dated 28.07.2026 by an IAS officer on deputation, the separate letters dated 29.07.2026 addressed by the two Election Commissioners to the Cabinet Secretary, and the non-implementation of the order pursuant to their joint direction dated 30.07.2026 are admitted and relied upon. The remaining averments are denied. The order was issued without any demonstrated decision of the Commission and without authority, as stated hereinabove. The fact that two Members of the Commission had to issue a joint direction to prevent its implementation and separately approach the Cabinet Secretary demonstrates that the order was not an act of the Commission. The Respondents have neither identified the officer concerned nor disclosed whether

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any action was taken in terms of their own averment in paragraph 30. Further, the Office Orders dated 23.09.2025 and 28.07.2026, the letters dated 29.07.2026 and the joint direction dated 30.07.2026 have not been placed on record. The Respondents must produce these documents to establish the authority under which the impugned allocation of work was made and subsequently reversed.

48. **Para 33.** Denied as misstating the Petitioner's case. The Petitioner has not contended that the text of Form 6 prescribed under the Registration of Electors Rules, 1960, was amended by the SIR Orders. The specific grievance, as pleaded in paragraphs 43 and 44, Ground (n) and Prayer D(i) of the Writ Petition, is that in July 2026 the online Form 6 was altered in such a manner that an applicant could not proceed without answering whether he, his parents or grandparents "exist" in the electoral roll of the last SIR, despite the recorded objections of two Members and without any amendment to the Rules. The Respondents' own averments in paragraphs 35 and 54 of the Counter Affidavit substantially acknowledge the alteration and the legal position that Form 6 can be amended only by the Central Government. The issue, therefore, is not an amendment to the printed form, but the imposition of an additional requirement through the online platform without demonstrated statutory authority.

49. **Para 34.** The admission that "certain steps taken by the officers … needed to be corrected to ensure that they are fully aligned with the steps approved by the Election Commission" is relied upon. The remaining averments are denied. This admission itself establishes that certain steps taken by officers were not aligned with the Commission's approved decisions. However, the Respondents have withheld the particulars of those steps, the identity of the officers responsible, the dates and manner of their correction, and the action taken to fix responsibility. A "mammoth exercise" cannot authorise officers to act beyond their powers or excuse non-compliance with the statutory procedure.

50. **Para 35.** The admissions that the online presentation of the Declaration "could be construed as though an amendment of Form 6 had been made" and that "Form 6 can only be amended by the Central Government" are relied upon. The remaining averments are denied. The Respondents have not disclosed when the alleged review took place or who conducted it. The issue is not merely one of perception or presentation: in actual operation, the online system required the additional field to be answered before the statutory application could be

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submitted. This was precisely the step which two Members had objected to in May 2026 and which Respondent No. 4 subsequently recorded on 13.08.2026 as "unauthorised and illegal". The Respondents have not explained how the continued operation of the altered online Form 6 was authorised despite these objections.

51. **Para 36.** Denied as framed. Whether the Declaration is described as a separate document is immaterial. Its legality must be examined by reference to its actual operation and effect. Once incorporated into the online Form 6 process and made incapable of being bypassed, it became a condition for submission of the statutory application. The Respondents have conspicuously avoided answering the central question: could an applicant submit the online Form 6 without completing the additional Declaration? They have not asserted that this was possible. The distinction sought to be drawn between Form 6 and a separate Declaration cannot legitimise an additional compulsory requirement not prescribed under the Registration of Electors Rules, 1960.

52. **Para 37.** The admission that the Declaration under the SIR Orders dated 27.10.2025 and 14.05.2026 "was amended so as to introduce the concept of 'mapping'", requiring details of entries of the applicant, his parents or grandparents in the electoral rolls of 2002/2003, is relied upon. This admission also contradicts the assertion in paragraph 44 of the Counter Affidavit that there was no significant change in the Declaration. More importantly, the Respondents' own statement that this methodology is applicable only to SIR processes under Section 21(3) of the Representation of the People Act, 1950, reinforces the Petitioner's case. A methodology devised specifically for an SIR cannot, without independent statutory authority, be imposed upon applicants seeking inclusion in the electoral roll through the ordinary Form 6 process outside an SIR. The Respondents have failed to explain the authority under which this SIR-specific mapping requirement was incorporated into the online Form 6 process.

53. **Para 38.** The admission that in any other exercise "it is only the Form 6 which is to be submitted" is relied upon. The Respondents have not stated that the merged online field was confined to applicants in States/UTs undergoing the SIR. Annexure P-2 (p. 76) expressly describes the additional requirement as applicable to "every adult citizen" seeking to become a voter, and this assertion

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has not been denied. The admission, therefore, reinforces the Petitioner's case that an SIR-specific Declaration was incorporated into the ordinary online Form 6 process. Annexure R-8 is a matter of record and is relied upon.

54. **Paras 39 and 40.** The Bihar experience under the Order dated 24.06.2025 is irrelevant to the question of authority. A measure described as facilitative must nevertheless be supported by lawful authority and a decision of the Commission in accordance with Section 18 of the 2023 Act. The Respondents have not produced any decision approving the substitution of Annexure IV for Annexure D or its incorporation into the online Form 6 process. Describing the change as a facilitative measure cannot cure the absence of such authority.

55. **Para 41.** Denied. The two purported "methods" do not remove the additional burden; they merely provide alternative means of satisfying it. Under either method, the applicant must furnish historical electoral-roll mapping details or supporting documents in relation to the Declaration. This requirement particularly prejudices first-time electors, many of whom may have no entry of their own, or any traceable entry of their parents or grandparents, in the 2002/2003 electoral rolls. The provision of two alternative methods does not make an otherwise compulsory requirement voluntary.

56. **Para 42.** Denied. The Respondents have conflated the statutory text of Form 6 with the actual operation of the online application process. Paragraph 54 of the Counter Affidavit itself admits that "the Declaration was entered into the online page of Form 6". Consequently, the applicant's single OTP and e-signature authenticated not merely the statutory Form 6 but also an additional Declaration carrying a warning of prosecution under Section 31 of the Representation of the People Act, 1950. The Respondents have withheld the date on which the Declaration was incorporated, the authority and decision pursuant to which it was done, whether the Central Government was consulted, and the number of applications rejected, kept pending or abandoned during the period of its operation. These particulars are within the exclusive knowledge and custody of the Respondents and ought to be disclosed. The Respondents cannot avoid scrutiny by asserting that Form 6 was not formally amended when their own online system required applicants to submit something beyond the statutory form.



57. **Para 43.** The comparison at Annexure R-9 is a matter of record and is relied upon by the Petitioner.

58. **Para 44.** Denied. Annexure R-9 demonstrates that Annexure IV introduced several substantive changes, including: (i) additional particulars such as mobile number, spouse details and EPIC numbers of relatives; (ii) mapping of the applicant's or a relative's entry in the last SIR electoral roll by State, district, Assembly Constituency, part and serial number; (iii) a separate BLO undertaking verifying such details; (iv) an expanded list of supporting documents, including Aadhaar pursuant to the directions dated 09.09.2025 and an extract of the Bihar SIR electoral roll; and (v) an Information Sheet contemplating further notice where the details are unavailable or do not match the database. These are substantive changes to the information, verification and documentary requirements and cannot be characterised as merely procedural. Significantly, the Respondents themselves describe the Declaration as having been "amended" in paragraph 37, "substituted" in paragraph 40 and "rationalised" in paragraph 42, while asserting in paragraph 44 that there was no significant change. This contradiction further undermines their defence.

59. **Paras 45 to 47.** Paragraphs 2(e) of the Order dated 27.10.2025 and 2(f) of the Order dated 14.05.2026 are matters of record. These provisions concern the issuance of notices and verification after publication of the draft electoral roll. They do not authorise any alteration of the online Form 6 or the imposition of an additional requirement at the threshold of enrolment. Further, the Respondents admit that a hearing is contemplated only "in case the Electoral Registration Officer (ERO) deems it necessary". Such a subsequent and discretionary hearing cannot cure the imposition of an unauthorised condition at the initial stage of submission of the statutory application.

60. **Para 48.** The unanimous decision dated 26.09.2026 is noted and relied upon. It was taken four days after publication of Annexure P-2 and acknowledges the hardship arising from the earlier procedure. It demonstrates that the Commission was capable of taking a collective decision when the matter was placed before it. This makes the absence of any corresponding decision approving the impugned acts all the more significant. In any event, a subsequent corrective decision cannot retrospectively validate an earlier action taken

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without demonstrated statutory authority or compliance with Section 18 of the 2023 Act.

61. **Para 49.** Denied. The Petitioner has neither misinterpreted nor sought to reopen the judgment in *Association for Democratic Reforms v. Election Commission of India*, (2026) 7 SCC 1. The judgment, including paragraphs 173, 174, 182 and 183 relied upon by the Respondents, concerned the documentation framework under the SIR Order dated 24.06.2025. While recognising the Commission's residual authority to prescribe a documentation framework suited to an SIR, this Hon'ble Court expressly clarified that such authority "is not unbounded". The judgment did not examine or adjudicate upon: (i) the subsequent introduction of Annexure IV under the Orders dated 27.10.2025 and 14.05.2026; (ii) the incorporation of the SIR Declaration into the online Form 6 process in July 2026 and its application to applicants outside the SIR; or (iii) whether the impugned actions were decisions of the Commission taken in accordance with Section 18 of the 2023 Act. The judgment, therefore, cannot be treated as a blanket judicial endorsement of subsequent modifications or administrative actions which were not before this Hon'ble Court.

62. **Para 50.** The order dated 16.07.2026 in *R. Siva v. Election Commission of India* (R-11) is a matter of record. The dismissal of the petitions, stated to be in accordance with the judgment in *Association for Democratic Reforms*, does not constitute an adjudication of the distinct issues raised in the present Petition, particularly the legality of the impugned actions under Section 18 of the 2023 Act and the incorporation of the additional Declaration into the online Form 6 process. The order itself granted liberty to avail other remedies. The Respondents cannot rely upon the dismissal of separate proceedings to defeat adjudication of issues which were neither raised nor decided therein.

63. **Para 51.** The contents are a matter of record. However, the Respondents have not disclosed whether the successive orders extending the SIR in different States and Union Territories were decisions of the Commission taken collectively in accordance with Section 18 of the 2023 Act, or were issued administratively by individual officers. The relevant decisions and approvals must be placed on record. The scale and continuing nature of the exercise further underline the public importance of the issues raised in the present Petition.

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64. **Para 52.** The statement that, after completion of the SIR, the Forms prescribed under the Registration of Electors Rules, 1960, are to be used "without any additional Declaration" is relied upon. It confirms that the statutory Form 6 alone governs ordinary enrolment outside an SIR. The Press Note dated 26.09.2026 and the SSR Order dated 15.10.2026 have not been annexed. In any event, neither a subsequent Press Note nor the commencement of an SSR can retrospectively validate the earlier alteration of the online Form 6 or the imposition of an additional Declaration without demonstrated statutory authority.

65. **Para 53.** Denied. The Respondents have not answered the Petitioner's specific grievance concerning the substantive alteration of the online Form 6 by incorporating the additional Declaration. The distinction between a formal amendment of the statutory form and the actual operation of the online application process does not answer the challenge raised in the Writ Petition.

66. **Para 54.** The admission that "the Declaration was entered into the online page of Form 6" is relied upon, as is the admission that the online application was subsequently separated into two parts pursuant to a "decision dt. 21.10.2026 of the ER Division". The remaining averments are denied. The Respondents have not disclosed who authorised the original integration of the Declaration, when it was undertaken, or whether the Commission approved it in accordance with Section 18 of the 2023 Act. The ER Division is not the Commission, and no decision of the Commission under Section 18 has been pleaded either for the original integration or for its subsequent separation. Significantly, the separation took place after institution of the present Writ Petition and more than five months after two Members had recorded their objections to the legality of the change. Administrative convenience or the justification of a "single OTP" cannot confer authority to alter a statutory application process. The subsequent separation itself reinforces the Petitioner's contention that the earlier online process had combined the statutory Form 6 with an additional Declaration.

67. **Para 55.** The statutory position that the ERO is the competent authority under Sections 13B, 22 and 23 of the Representation of the People Act, 1950, with appeals provided under Section 24, is admitted and relied upon. The remaining averments are denied. The assertion that no entry is altered except by an order of the ERO, and that EROs enjoy complete operational freedom, is contradicted

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by the Respondents' own averments in paragraphs 56 and 58 and by the Goa episode. Further, the Respondents have not specifically answered the objections recorded on 29.05.2026, 13.07.2026 and 14.08.2026, as pleaded in paragraphs 46 and 47 of the Writ Petition. The officers heading and supervising the ECINet team, its reporting structure, and the authority under which the impugned access configuration was introduced have not been disclosed. The Respondents cannot rely upon the statutory independence of the ERO while withholding the particulars necessary to establish whether the ECINet system enabled the EROs to exercise their statutory functions.

68. **Paras 56 and 57.** The decisions dated 26.09.2026 and 30.09.2026 and the Circular dated 14.10.2026 constituting a Committee to "double-check the compliance of ECINet with applicable Acts and Rules" are admitted and relied upon. The constitution of the Committee after institution of the present Writ Petition is significant, as it demonstrates the need to examine whether ECINet was functioning in conformity with the applicable statutory framework. However, the Respondents have not disclosed the Committee's terms of reference, timeline, findings or report. Further, apart from two external experts, the Committee comprises officers of the same establishment whose actions and systems are under scrutiny. The report, together with the record of material changes made to ECINet access and functionality since 01.10.2025, ought to be placed before this Hon'ble Court. The constitution of an internal Committee cannot substitute for judicial scrutiny of the issues raised in the present Petition.

69. **Para 58.** The admissions that upgradations and alterations "have already been carried out by the operating authority", that "further functional flexibility" will be made operational for field officers, and that "henceforth" all new IT modules and portals will be placed before the COO, followed by approval of the Commission, are relied upon. The use of the expression "henceforth" raises a serious question as to whether earlier IT modules and alterations were undertaken without prior approval of the Commission, as specifically objected to by a Member on 16.04.2026 (paragraph 41(ii) of the Writ Petition). The Respondents have withheld the nature and dates of the alterations, the officers responsible for them and the approvals, if any, obtained. A subsequent approval mechanism cannot retrospectively validate earlier actions taken without demonstrated compliance with Section 18 of the 2023 Act.

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70. **Para 59.** Denied as framed. The Respondents have failed to answer the specific case concerning 97 electors in Goa who were found eligible by the EROs after hearings conducted pursuant to the order dated 29.01.2026 passed by this Hon'ble Court, but whose decisions could not be recorded or implemented through ECINet. The Respondents have also failed to deny that the office of the CEO, Goa addressed eight communications between 11.02.2026 and 17.02.2026 to the Senior Deputy Election Commissioner in charge, with copies to the DG (IT), seeking the necessary facility, which was not enabled before final publication of the electoral roll (Annexure P-2, p. 78). The subsequent requirement that these electors submit fresh Form 6 applications only reinforces the Petitioner's grievance that the existing system did not permit implementation of the EROs' decisions. Further, the Press Note dated 26.09.2026 reportedly stated that 81 of the 97 electors had submitted Form 6, whereas the Counter Affidavit refers to 88 applications having been accepted. This discrepancy has not been explained. The reliance upon Annexure R-12, dated 13.10.2026, is equally misplaced, as it post-dates the institution of the present Writ Petition and does not answer the original grievance. The Respondents must disclose why the facility was not enabled despite repeated communications and why electors whose eligibility had already been determined were required to submit fresh applications.

71. **Para 60.** The admission that the electors against whom appeals have been filed are already on the electoral rolls, had exercised their right to vote in the recent Assembly elections, have their documents available on the portal and had obtained favourable orders from the learned Judicial Officers is relied upon. It is precisely because these appeals seek to challenge or undo such determinations of eligibility that the authority for filing them in the name of the Commission assumes significance. The Respondents have not disclosed who authorised the filing of these appeals, the criteria adopted, or the number of cases in which such decisions were taken. Annexure P-2 (p. 78) records that 16.10 lakh appeals were filed against electors whose names had been included in the electoral rolls; this figure has not been specifically denied. The Respondents must disclose the decision-making authority, the relevant approvals and the basis on which such a large number of appeals were instituted, particularly where the eligibility of the concerned electors had already been adjudicated in their favour.

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72. **Para 61.** Denied as framed. Paragraph 9 of the order dated 01.04.2026 (R-13) merely records the statement made by the Commission's learned Senior Counsel that the Appellate Tribunals would have access to the relevant records in appeals that "may be filed … by the authorities of the Election Commission of India, who may be aggrieved". It neither directs the filing of any appeal nor dispenses with the requirement of a decision by the competent authority before such appeals are instituted. Having made the said statement before this Hon'ble Court, the Commission cannot now contend that the filing of such appeals was not its concern. The Respondents have still not disclosed who authorised the filing of the appeals in question.

73. **Para 62.** The order dated 06.04.2026 (R-14) is a matter of record. It recognises the right of aggrieved ECI authorities to approach the Appellate Tribunals; it does not authorise the filing of appeals in the name of the Commission without a decision by the competent authority or dispense with the requirement of lawful authorisation. The order cannot be treated as a blanket approval for the appeals in question.

74. **Para 63.** The admission that the appeals "have been filed by the officers of the Office of the CEO, West Bengal" and that "these matters were not brought to the Commission" is relied upon. The remaining averments are denied. First, the Chief Electoral Officer and the officers concerned function under the superintendence, direction and control of the Commission in terms of Section 13CC of the Representation of the People Act, 1950. Further, in the absence of any demonstrated delegation, a matter of such magnitude fell within the authority of the Commission under paragraph 4 of Annexure R-5. Secondly, the communication dated 22.10.2026, upon which the Respondents rely, has not been annexed and does not disclose the officers responsible, the authority under which they acted, the criteria adopted or the number of appeals filed. Thirdly, the Respondents' explanation is inconsistent with the undenied account of Respondent No. 4 that the Chief Electoral Officer, West Bengal, had not been informed of the basis or process of filing these appeals (paragraph 50 of the Writ Petition; Annexure P-2, p. 78). Lastly, despite admitting that the appeals were not brought to the Commission's notice, the Respondents have disclosed no action taken against the officers concerned, as contemplated by their own averment in paragraph 30 of the Counter Affidavit. The Respondents must

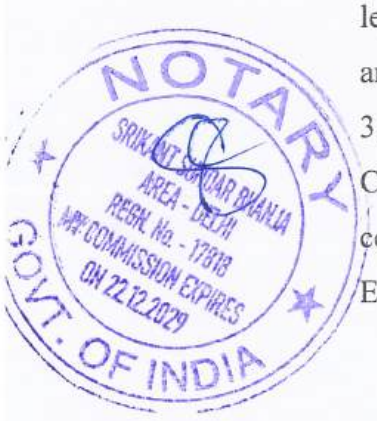
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disclose the names and designations of the officers, the authority and criteria under which the appeals were filed, the total number of appeals and all relevant approvals and records.

75. **Paras 64 to 66.** Denied as irrelevant and misconceived. The Writ Petition raises no challenge to Electronic Voting Machines (EVMs), their functioning or their reliability. The judgments and observations relied upon by the Respondents have no bearing on the issues arising in the present proceedings. The imputation that the Petitioner seeks to "discredit" the electoral process is wholly unwarranted and is repudiated. The Petitioner's endeavour is precisely the opposite: to ensure that the constitutional authority of the Commission is exercised by the Commission itself, in accordance with the Constitution and the governing statutes.

76. **Paras 67 and 68.** The contents are matters of record insofar as they refer to the SIR under Section 21(3) of the Representation of the People Act, 1950, and its present stage. However, the completion or near completion of the exercise does not cure any illegality in the individual actions undertaken during its course, nor does it answer the distinct question of compliance with Section 18 of the 2023 Act. The Respondents' own figures, indicating that the exercise has been completed in 13 States/UTs and completed or is nearing completion in 16 States and 3 Union Territories, demonstrate its extensive reach and the large number of electors affected. This further underscores the need for adjudication on merits. It is also significant that the restoration mechanism under Annexure R-17 is confined to seven States/UTs, without any explanation as to why a similar opportunity has not been extended to electors in the other States/UTs where the SIR is being conducted. The completion of the exercise cannot render the present challenge infructuous or obviate the need for appropriate corrective directions.

77. **Para 69.** Denied. The validity of the appointment of Respondent No. 3 and the legality of the decisions and actions undertaken in the name of the Commission are distinct issues. The Petitioner does not seek the removal of Respondent No. 3; the substantive challenge concerns the failure to conduct the business of the Commission in accordance with Section 18 of the 2023 Act and the consequential actions taken without demonstrated approval of the Commission. Even assuming the appointment of Respondent No. 3 to be valid, it does not



confer immunity upon the Commission or its officers from judicial scrutiny of actions alleged to have been undertaken contrary to the Constitution and the governing statutes. The Respondents cannot use Article 324(5) or the validity of an appointment to defeat the independent substantive reliefs sought in the present Petition.

78. **Para 70.** Denied. The Writ Petition does not rest solely upon the newspaper report annexed as Annexure P-2. It is founded upon the constitutional and statutory framework, the ECI's own orders and communications, documents obtained under the Right to Information Act and, significantly, the Respondents' own admissions in the Counter Affidavit and Supplementary Affidavit. The newspaper report merely brought certain matters to the Petitioner's attention, which have since been sought to be verified against the official record. The relevant records concerning the decision-making process, ECINet modifications and authorisation of the impugned actions remain in the exclusive custody and control of the Respondents. Further, no prior representation is a condition precedent for invoking the jurisdiction of this Hon'ble Court under Article 32. In any event, the Commission did not respond to the questionnaire dated 21.09.2026, as pleaded in paragraph 51 of the Writ Petition, which has not been specifically denied.

79. **Para 71.** Denied as a mischaracterisation of the Petitioner's case. The Petitioner had candidly stated that the investigative reportage required verification against the primary record and, on that basis, sought production of the relevant documents under Prayer C of the Writ Petition. Such a disclosure cannot be construed as an admission that the allegations are unsubstantiated. The Respondents cannot rely upon the Petitioner's inability to produce internal records which are exclusively within their own custody and control, while simultaneously withholding those very records from this Hon'ble Court.

80. **Para 72.** It is admitted to the limited extent that a newspaper report, by itself, does not constitute conclusive proof of the facts reported. The Petitioner has never contended otherwise, nor has he alleged that the Commission authorised any disclosure of its internal communications. The Respondents have not, however, specifically denied the existence or contents of the internal notes and communications referred to in the report; they have merely stated that the Commission did not release or authorise their disclosure. The manner in which



information came into the public domain is distinct from the question of its truth or accuracy. Significantly, the Respondents' own admissions in the Counter Affidavit and Supplementary Affidavit corroborate several material aspects of the Petitioner's case. The appropriate course is, therefore, to call for and examine the original records rather than dismiss the Petition on the ground that certain facts were initially brought to light through reportage. The approach adopted by this Hon'ble Court in *People's Union for Democratic Rights v. Union of India*, (1982) 3 SCC 235, and *Bandhua Mukti Morcha v. Union of India*, (1984) 3 SCC 161, supports the need for an effective examination of material relevant to the enforcement of fundamental rights.

81. **Para 73.** Denied, for the reasons stated hereinabove. The Petitioner does not seek the removal of Respondent No. 3, and Article 324(5) does not place actions purportedly undertaken in the name of the Commission beyond judicial review. The provision protects the tenure of the Chief Election Commissioner; it does not confer immunity upon actions taken without lawful authority or dispense with compliance with Section 18 of the 2023 Act. The reliefs sought by the Petitioner are intended to ensure that the statutory procedure governing the functioning of the Commission is given effect to, and cannot be characterised as an attempt to frustrate the independent functioning of a constitutional authority.

82. **Para 74.** Denied. The Respondents' bald assertion that the present Writ Petition is not maintainable is unsupported by any cogent reasoning and does not answer the substantial constitutional and statutory questions raised therein. The Petition concerns the decision-making procedure of the Election Commission under Section 18 of the 2023 Act, the authority under which the impugned actions were undertaken and their conformity with the statutory framework governing electoral registration. The Respondents cannot defeat judicial scrutiny merely by describing the Petition as not maintainable without addressing the specific pleadings, documents and admissions on record. The present Writ Petition, therefore, deserves to be adjudicated on its merits.

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I. PARA-WISE REPLY TO THE SUPPLEMENTARY AFFIDAVIT DATED 14.11.2026

83. **Para 1.** The contents are matters of record. Unlike paragraph 4 of the Counter Affidavit, the Supplementary Affidavit does not state that its filing was approved by the Members of the Commission. In any event, the designation of the deponent as Deputy Election Commissioner and his authorisation to affirm the Supplementary Affidavit do not dispense with the requirement to place the underlying records and decisions before this Hon'ble Court, particularly when the issues concern the functioning of the Commission as a multi-member body and the authorisation of changes to the ECINet platform.

84. **Para 2.** The contents are matters of record. The permission granted by this Hon'ble Court vide Order dated 27.10.2026 to file a Supplementary Affidavit cannot be construed as acceptance of the Respondents' stand or as validation of the actions under challenge. The Supplementary Affidavit must be examined on its own merits and in the context of the issues that remain unanswered.

85. **Para 3.** Denied insofar as the Respondents seek to adopt the Counter Affidavit as a substitute for answering the issues arising from subsequent developments. The Supplementary Affidavit furnishes no para-wise reply to the specific averments in the Writ Petition, despite liberty having been sought in paragraph 3 of the Counter Affidavit. The averments set out in Part D above, therefore, remain unrebutted. The subsequent disclosures, in fact, reinforce the necessity of examining whether the decisions concerning the IT/ICT Division, the online Form 6 process and the SIR-related procedures were taken and implemented in accordance with Section 18 of the 2023 Act.

86. **Para 4.** The issuance of Office Order No. 226/7/2026 dated 04.11.2026 (Annexure R-15), in partial modification of the earlier Office Order dated 23.09.2025, is a matter of record. The assertion that the fresh allocation was made "with the approval of the Commission" is noted. However, Annexure R-15 does not itself record the manner in which such approval was obtained. It is signed "By Order" by the Principal Secretary, and no agenda, minutes, file notings, circulation note or electronic approval evidencing the Commission's decision has been produced. The earlier Office Order dated 23.09.2025, which is purportedly modified, has also not been placed on record. Further, the explanation that a fresh order became necessary upon the joining of a new Deputy Election Commissioner on 02.11.2026 does not answer how the IT/ICT Division was being supervised and its decisions processed under the earlier



arrangement, or how the Office Order dated 28.07.2026 came to be issued. A subsequent work-allocation order cannot establish the legality of the earlier arrangement or retrospectively validate actions taken thereunder. The Respondents must produce the original records relating to both Office Orders and the decision-making process leading to their issuance.

87. **Para 5.** The statement that oversight of the IT/ICT Division now stands allocated to a Senior Deputy Election Commissioner, and that the Director General (IT) puts up files through him before the Commission, is relied upon. However, the assertion that the Division has "always remained under the supervision of a DEC" is denied, being contrary to the Respondents' own averments in paragraph 32 of the Counter Affidavit and the admitted letters addressed by the two Election Commissioners to the Cabinet Secretary, as referred to in paragraph 14(h) above. In any event, supervision of a Division by an individual officer cannot be equated with a decision of the Commission as a multi-member body. The Respondents have failed to clarify whether every material alteration, upgradation or modification of ECINet was placed before and approved by the Commission, or whether only selected files were routed through the Senior Deputy Election Commissioner. The complete file movement and approval trail concerning the introduction of the additional Declaration into the online Form 6 process, its subsequent separation pursuant to the decision dated 21.10.2026, and all other material ECINet changes impugned in the present Petition must be disclosed. The fresh Office Order dated 04.11.2026 does not answer whether the earlier actions were undertaken with the requisite approval under Section 18 of the 2023 Act.

88. **Para 6.** The issuance of Letter No. 23/2026-ERS (Vol.-II) dated 03.11.2026 (Annexure R-16) is admitted and relied upon. R-16 itself records that electors whose names appeared in previous electoral rolls but were omitted from the draft roll were hesitant to submit Form 6 because its declaration required them to state that their names were being included for the first time. It further records that such electors were required to seek inclusion afresh, irrespective of their previous enrolment. The clarification, therefore, acknowledges the difficulty created by requiring existing electors to follow the route prescribed for fresh applicants. However, it addresses only the apprehension of prosecution under Section 31 of the Representation of the People Act, 1950. It does not explain

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why such electors were omitted from the draft roll, why they were required to seek fresh inclusion, or what mechanism was available to restore their existing electoral status. Further, the clarification is conditional upon the applicant not being enrolled in another Parliamentary or Assembly Constituency and the declaration being otherwise in accordance with law. No decision of the Commission authorising the issuance of this clarification has been produced; R-16 is signed by an Under Secretary. The clarification cannot substitute for an effective mechanism to restore the names of eligible electors omitted from the draft roll.

89. **Para 7.** The contents are matters of record insofar as they refer to the judgment of the Hon'ble Delhi High Court in *Nilotpal Datta & Anr. v. Election Commission of India & Ors.*, W.P.(C) No. 14955 of 2026, decided on 14.10.2026. The said judgment, as described in R-16, addressed the apprehension concerning a false declaration and the submission of Form 6. It does not decide the distinct issues raised in the present Petition concerning the legality of the online alteration of Form 6, the additional requirements imposed upon applicants, or compliance with Section 18 of the 2023 Act. The subsequent direction to publicise the clarification further demonstrates that the Commission considered it necessary to address apprehensions among electors. The Respondents have not disclosed the steps actually taken to communicate the clarification effectively to affected electors across all concerned States and Union Territories, or the number of electors who had refrained from submitting Form 6 due to the apprehension of prosecution.

90. **Para 8.** The decision, following the suggestion made by this Hon'ble Court on 28.10.2026 in *Anjali Bhardwaj v. Election Commission of India*, W.P.(C) No. 1188 of 2026, to provide a further opportunity to electors marked as ASDD (Absent, Shifted, Dead or Duplicate) is admitted and relied upon as a corrective measure. It acknowledges that a category of electors was left out of the draft electoral rolls and required a further opportunity and facilitation mechanism for inclusion. The Respondents have, however, failed to explain the basis on which such electors were marked as ASDD, the verification undertaken before their exclusion from the draft roll, or whether they were individually informed of the reasons for their non-inclusion. Further, the statement that directions were issued to the CEOs of States/UTs where the SIR was ongoing is inconsistent

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with Annexure R-17, which is addressed to only seven States/UTs, as stated in paragraph 14(i) above. The Respondents must disclose the State-wise and constituency-wise particulars of electors marked under each ASDD category and explain the basis for limiting the corrective directions to the States/UTs identified in R-17.

91. **Para 9.** The directions for fresh display of booth-wise lists of ASDD electors, indicating probable reasons for non-inclusion, processing of Enumeration Forms under Rule 21(1) of the Registration of Electors Rules, 1960, and reassignment of the same EPIC number to electors whose applications are accepted are admitted and relied upon. The requirement to display the lists afresh demonstrates the need for transparency and disclosure of the reasons for exclusion. Further, reassignment of the same EPIC number recognises that the persons concerned may be existing electors whose earlier electoral particulars already existed, and not fresh applicants. The Respondents have not explained why such electors were required to undergo a fresh process of inclusion instead of being dealt with through an appropriate restoration mechanism. Nor have they disclosed the time within which pending Form 6 applications of such electors are to be decided or how the applicants will be informed of the outcome. The Respondents must place on record the State-wise number of such electors, together with the number of applications received, accepted, rejected and pending.

92. **Para 10.** Annexure R-17 is a matter of record. Its directions, including fresh publication of booth-wise lists, regeneration of partially filled Enumeration Forms on the ECINet dashboard, house-to-house visits by BLOs, coordination with Booth Level Agents, electronic delivery of forms and an additional opportunity for physical or online submission, demonstrate the extent of corrective intervention required in the original process. The Respondents must disclose how these directions are being implemented and whether the ECINet system has been suitably modified to ensure that applications are not rejected, duplicated or kept pending due to technical or procedural difficulties. Significantly, R-17 is addressed only to the CEOs of Delhi, Maharashtra, Haryana, Andhra Pradesh, Jharkhand, Telangana and Nagaland. The Respondents have not explained whether comparable categories of affected electors exist in other States/UTs where the SIR is ongoing or has been

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completed and, if so, why equivalent corrective directions have not been issued. The letter dated 29.10.2026 referred to in R-17 has also not been produced. In any event, corrective measures introduced after the filing of the present Writ Petition cannot retrospectively validate the impugned process or defeat the grievances raised herein.

93. **Para 11.** The admission that "there have been and will be problems" is relied upon. Administrative and technological difficulties arising from the scale of the exercise cannot dilute the constitutional and statutory obligations of the Commission, justify requirements unsupported by law, or excuse the exclusion of eligible electors. On the contrary, such difficulties make transparency, accountability and adherence to the prescribed decision-making procedure all the more necessary. The obligation to maintain the purity of the electoral process must operate in conjunction with the equally important obligation to ensure that every eligible elector is afforded a fair and effective opportunity to be included in the electoral roll. Purity of the electoral roll and inclusion of eligible electors are complementary obligations; neither can be pursued at the cost of the other. The subsequent clarifications and corrective directions dated 03.11.2026 and 06.11.2026 do not retrospectively validate the earlier process or absolve the Respondents of their obligation to explain the omissions, identify responsibility and produce the records evidencing the decisions through which the impugned procedures were introduced and implemented.

J. OVERALL SUBMISSIONS: MAINTAINABILITY OF THE WRIT PETITION AND GROUNDS FOR INTERFERENCE

94. The present Writ Petition is maintainable under Article 32 of the Constitution of India for the following reasons:

a. Violation of Constitutional Rights: The Petition raises substantial issues concerning Articles 14, 21 and 326 of the Constitution, particularly the arbitrary exclusion or potential disenfranchisement of eligible electors and the denial of a fair and transparent electoral registration process.

b. Violation of Section 18 of the 2023 Act: The central challenge is whether the impugned decisions, modifications and consequential

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actions were taken by the Election Commission as a multi-member body in accordance with the statutory requirement of unanimity or majority. The Respondents have failed to produce the relevant decisions and approvals.

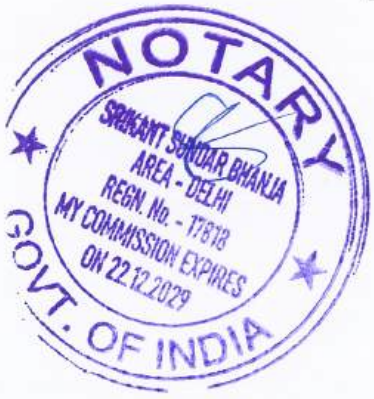
c. Unauthorised Exercise of Powers: The Counter Affidavit itself admits that several actions were undertaken by officers and administrative divisions without the matters being brought before the Commission. The Respondents cannot claim the authority of the Commission to justify such actions while simultaneously disclaiming the Commission's knowledge or approval.

d. Unauthorised Modification of Form 6: The additional Declaration, historical mapping requirements and supporting-document obligations were incorporated into the online Form 6 process without demonstrating the requisite statutory authority. The online platform cannot be used to impose conditions beyond those prescribed under the Registration of Electors Rules, 1960.

e. Admissions Regarding ECINet: The Respondents have admitted that the Declaration was incorporated into the online Form 6 page and that the online process was subsequently separated into two parts pursuant to the decision dated 21.10.2026. This raises a serious question regarding the legality of the earlier process and the authority under which it was implemented.

f. Exclusion of 97 Electors in Goa: The Respondents have admitted that 97 electors were left out and that house-to-house visits had to be undertaken to collect their Form 6 applications. They have failed to explain why these electors were left out despite repeated communications from the concerned electoral authorities.

g. Appeals Against Electors in West Bengal: Appeals were filed by officers of the CEO, West Bengal, against favourable orders passed by Judicial Officers. The Respondents have admitted that these appeals were not brought to the notice of the Commission. They have failed to disclose who authorised the appeals, the criteria applied and the reasons for challenging orders in favour of electors.



h. Contradictory Stand of the ECI: The Respondents repeatedly rely upon the authority of the Commission under Article 324 and the 2023 Act, but have failed to establish that the impugned decisions were actually taken by the Commission in accordance with Section 18. Their own admissions raise serious questions regarding the decision-making process.

i. Subsequent Corrective Measures Do Not Cure Earlier Illegality: The subsequent separation of the online Form 6 and Declaration, constitution of an internal Committee to examine ECINet compliance, and introduction of a mechanism requiring Commission approval for future IT initiatives cannot retrospectively validate earlier actions undertaken without established statutory authority.

j. Newspaper Report Is Not the Sole Basis: The Petition is founded upon the statutory framework, ECI orders, official communications, press statements and admissions in the Counter Affidavit. The newspaper report merely brought certain issues to light. The original records are within the exclusive custody of the Respondents, making their production necessary for proper adjudication.

k. Judicial Review Cannot Be Defeated by Article 324(5): The Petitioner does not seek the removal of the Chief Election Commissioner. The challenge concerns the legality of decisions and actions purportedly undertaken in the name of the Commission. Protection of tenure cannot be converted into immunity from judicial scrutiny.

l. Previous Judgments Do Not Bar the Present Challenge: The judgments relied upon by the Respondents concerning the Bihar SIR, EVMs and other electoral disputes do not determine the distinct questions raised herein, particularly compliance with Section 18 of the 2023 Act, the subsequent modifications to the Declaration and its integration into the online Form 6 process.

m. Public Interest and Electoral Integrity: The issues affect not merely the Petitioner but potentially a large number of eligible electors

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across several States and Union Territories. The legality, transparency and accountability of the electoral registration process are matters of constitutional importance.

n. Need for Production of Original Records: The Respondents must be directed to produce the minutes, resolutions, file notings, approvals, communications and records concerning the impugned SIR Orders, modifications to the Declaration, ECINet changes and filing of appeals against electors. Without these records, the central question of compliance with Section 18 cannot be effectively adjudicated.

o. Subsequent Office Order dated 04.11.2026: The Supplementary Affidavit admits that the earlier work allocation under Office Order dated 23.09.2025 continued until a fresh Office Order dated 04.11.2026 was issued, with the approval of the Commission, allocating oversight of the IT/ICT Division to a Senior Deputy Election Commissioner. This subsequent allocation does not establish that the earlier decisions concerning ECINet, integration of the additional Declaration with Form 6, or other impugned IT-related changes were individually considered and approved by the Commission in accordance with Section 18 of the 2023 Act. The Respondents must produce the relevant minutes, approvals and file records.

p. Subsequent Corrective Measures Initiated Only After Filing of the Present Writ Petition: The Respondents have, after the filing of the present Writ Petition, issued the clarification dated 03.11.2026 under Section 31 of the Representation of the People Act, 1950, the fresh Office Order dated 04.11.2026 allocating oversight of the IT/ICT Division to a Senior Deputy Election Commissioner, and the further directions dated 06.11.2026 providing additional opportunities to electors marked as ASDD. These subsequent developments, brought on record through the Supplementary Affidavit dated 14.11.2026, demonstrate that the Respondents were required to undertake further corrective and administrative measures after the institution of the present proceedings. Such

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subsequent measures cannot retrospectively validate the impugned actions or cure the alleged statutory and procedural violations that existed when the present Writ Petition was filed. Rather, they reinforce the necessity of examining the legality of the original decisions, the authority under which they were taken, and their compliance with Section 18 of the 2023 Act.

q. Clarification dated 03.11.2026 regarding Section 31: The Supplementary Affidavit admits that the Commission had to issue a separate clarification dated 03.11.2026 acknowledging that previously enrolled electors, whose names did not appear in the Draft Electoral Roll during the SIR, were apprehensive about submitting Form 6 due to the declaration contained therein and the possibility of prosecution under Section 31 of the Representation of the People Act, 1950. This clarification itself demonstrates that the prescribed Form 6 process created genuine apprehension amongst previously enrolled electors. The clarification merely assures that prosecution will not be initiated solely on that ground, subject to specified conditions; it does not explain why such electors were omitted from the Draft Electoral Roll or why they were required to seek inclusion afresh.

r. Subsequent Corrective Measures Initiated After Filing of the Present Writ Petition: The directions dated 06.11.2026 (Annexure R17), issued after the filing of the present Writ Petition and pursuant to the suggestion made by this Hon'ble Court on 28.10.2026 in *Anjali Bhardwaj v. Election Commission of India*, W.P.(C) No. 1188 of 2026, acknowledge the need for additional measures to reach out to electors marked as ASDD and provide them a further opportunity for inclusion in the Final Electoral Roll. These subsequent corrective measures cannot retrospectively validate the earlier process or render the present Writ Petition infructuous.



s. Limited scope of the directions dated 06.11.2026: Annexure R17 specifically concerns electors who were issued Enumeration Forms but whose names could not be included in the Draft Electoral Roll

because they were marked as Absent, Shifted, Dead or Duplicate and their Enumeration Forms were not received. The directions themselves require fresh publication of booth-wise lists, regeneration of partially filled forms on ECINet, house-to-house visits by BLOs, coordination with Booth Level Agents and further opportunities for submission. The Respondents must disclose the total number of such electors, State-wise and constituency-wise, the number of forms received pursuant to these directions, and the number of electors whose names have actually been restored to the Final Electoral Roll.

t. Reassignment of the same EPIC number: Paragraph 2(vii) of Annexure R17 specifically provides that, upon acceptance of the Enumeration Form, the same EPIC number assigned to the elector prior to the SIR shall be reassigned. This is a significant aspect because it indicates that the mechanism is intended, in appropriate cases, to restore the electoral status of previously enrolled electors rather than treat them as entirely new applicants. The Respondents must explain why such electors were not afforded an effective and accessible mechanism for verification and restoration at the initial stage itself.

u. Continued use of the additional Declaration and historical mapping requirements: Annexure A to the communication dated 06.11.2026 continues to require details concerning the elector and relatives in the previous SIR electoral roll, including historical electoral-roll mapping, along with declarations carrying the warning under Section 31 of the Representation of the People Act, 1950, and a BLO undertaking. The subsequent corrective mechanism, therefore, does not by itself answer the Petitioner's challenge regarding the legality, statutory basis and manner of introduction of these additional requirements. The Respondents must establish the authority under which these requirements were prescribed and implemented.

v. Restricted geographical application of the corrective mechanism: Annexure R17 has been addressed only to the Chief Electoral

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Officers of Delhi, Maharashtra, Haryana, Andhra Pradesh, Jharkhand, Telangana and Nagaland. The Supplementary Affidavit does not disclose whether similar categories of ASDD electors exist in other States/Union Territories where SIR is being conducted, or whether equivalent corrective directions have been issued there. The Respondents must place on record the State-wise position and explain the basis for limiting the directions to the States/Union Territories identified in Annexure R17

w. Admission of continuing administrative and technological difficulties: The Respondents have themselves acknowledged in paragraph 11 of the Supplementary Affidavit that, owing to the large volume of data and digitalisation of the electoral process, "there have been and will be problems". Such an admission cannot dilute the Commission's constitutional and statutory obligations. On the contrary, it reinforces the necessity of transparency, independent scrutiny, effective grievance redressal and production of the original records concerning the impugned decisions and the functioning of ECINet.

K. DIRECTIONS RESPECTFULLY SOUGHT WITHIN THE EXISTING PRAYERS

95. In view of the facts and circumstances stated hereinabove, the submissions made in the present Rejoinder Affidavit, the grounds urged in the accompanying Writ Petition and the subsequent disclosures made by the Respondents in the Supplementary Affidavit, it is most respectfully prayed that this Hon'ble Court may graciously be pleased to:

I. Reject the preliminary objections and contentions raised in the Counter Affidavit and Supplementary affidavit filed on behalf of Respondent Nos. 2 to 5, being misconceived and contrary to the statutory framework and the material on record;

II. Direct Respondent Nos. 2 to 5 to produce before this Hon'ble Court, for its perusal and examination, the original records, including agendas, minutes,

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file notings, circulation sheets, resolutions, electronic approvals and communications, relating to the following:

i. All decisions and records relating to the SIR Orders dated 24.06.2025, 27.10.2025 and 14.05.2026, including decisions concerning the extension, scheduling and implementation of the SIR in various States and Union Territories;

ii. All records relating to the Office Order dated 28.07.2026, communications dated 29.07.2026, direction dated 30.07.2026 and Office Order dated 23.09.2025;

iii. All records concerning the filing of appeals by officers of the Office of the Chief Electoral Officer, West Bengal, including the total number of appeals filed, names and designations of the officers concerned, authority under which such appeals were instituted, criteria adopted and approvals, if any, obtained;

iv. All communications exchanged between the Chief Electoral Officer, Goa, the concerned Electoral Registration Officers and the Commission concerning the 97 electors who were left out of the electoral rolls, including requests and reminders seeking the necessary facility for their inclusion;

v. All records relating to the introduction and incorporation of the additional Declaration into the online Form 6 application on ECINet, including the date of its introduction, the authority approving the same, instructions issued to the operating authority, the number of applications affected and the decision dated 21.10.2026 of the ER Division;

vi. The procedure governing the transaction of business under Section 10(1) of the 1991 Act and Section 18(1) of the 2023 Act, together with all relevant directions issued under Section 19-A of the Representation of the People Act, 1951;

vii. All relevant file notings, observations, objections and communications recorded by Respondent Nos. 4 and 5 during the ten months preceding



the publication of the report annexed as Annexure P-2, insofar as they relate to the issues raised in the present Writ Petition;

viii. The complete file, agenda, minutes, circulation sheets and electronic approvals relating to Office Order dated 04.11.2026 and the earlier Office Order dated 23.09.2025, including the decision approving the allocation of the IT/ICT Division and the records evidencing approval of the Commission for the introduction, modification and subsequent separation of the additional Declaration from the online Form 6 process;

ix. The report of the ECINet Compliance Committee constituted pursuant to Circular dated 14.10.2026, together with the access records, audit trails and particulars of material changes made to ECINet since 01.10.2025;

x. State-wise and constituency-wise data of electors marked as ASDD, with separate figures for Absent, Shifted, Dead and Duplicate categories, and the number of such electors whose names were not included in the draft Electoral Rolls;

xi. The number of Enumeration Forms received, processed, accepted, rejected and pending pursuant to the directions dated 06.11.2026, together with the corresponding status of Form 6 applications already submitted by such electors;

xii. The action taken pursuant to the clarification dated 03.11.2026, including the number of electors who submitted Form 6 during or after the SIR and the number of such applications processed;

xiii. The records demonstrating the technical changes made to ECINet pursuant to the directions dated 06.11.2026, including the regeneration of partially filled Enumeration Forms and the facility for online submission with e-signature; and

xiv. The reasons for issuing the fresh ASDD directions only to the seven States/Union Territories identified in Annexure R-17, and the particulars of similar measures, if any, adopted or proposed in other

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States/Union Territories where the SIR is ongoing or has been completed.

III. Direct the Respondents to file an affidavit of a responsible officer identifying, in respect of each impugned action, the decision of the Commission relied upon, specifying its date, mode of approval and whether it was unanimous or by majority, or alternatively, the specific delegation under which the action was undertaken;

IV. Direct that, pending final adjudication of the present Writ Petition, no communication, order, direction or appeal shall be issued or instituted in the name of the Election Commission except pursuant to a decision of the Commission recorded in accordance with Section 18 of the 2023 Act or under a specific and duly established delegation of authority;

V. Direct the Respondents to file an affidavit disclosing: the date from which, and the States/Union Territories in which, the additional Declaration was incorporated into the online Form 6 process; the number of Form 6 applications rejected, kept pending or left incomplete during the period in which the additional Declaration was integrated into the online process; and the steps taken to ensure that such applications are processed in accordance with the Registration of Electors Rules, 1960, without imposing the disputed additional requirement;

VI. Direct that the restoration opportunity contemplated under Annexure R-17 be extended to similarly situated ASDD electors in every State/Union Territory where the SIR is ongoing or has been completed, subject to verification in accordance with law, and direct the Respondents to place the corresponding State-wise and constituency-wise data before this Hon'ble Court;

VII. Direct the Respondents to ensure that agendas are circulated to all three Members of the Commission before meetings and that minutes and

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decisions taken therein are duly recorded and circulated thereafter, in accordance with the applicable statutory framework;

VIII. Direct the Respondents to preserve all original files, electronic records, communications, access logs and audit trails relevant to the present proceedings, in terms of interim Prayer (i) of the Writ Petition;

IX. Direct that the Commission take a duly recorded decision under Section 18 of the 2023 Act, within such period as this Hon'ble Court may deem appropriate, concerning whether the appeals filed in the name of the Commission before the West Bengal Appellate Tribunals against electors whose inclusion was directed by Judicial Officers are to be pursued, and place such decision on record before this Hon'ble Court;

X. Allow the prayers made in the accompanying Writ Petition; and

XI. Pass such other or further orders as this Hon'ble Court may deem fit and proper in the interests of justice.

L. CONCLUSION

96. That the Respondents have asserted unanimity but have not produced a single contemporaneous record of any decision of the Commission on any act impugned. They have instead admitted that officers took steps needing correction, that the online statutory form was altered, that an officer re-allocated the Commission's internal work, that IT modules were not placed before the Commission, and that appeals affecting lakhs of electors were filed without the matter being brought to the Commission. Those admissions are the admissions of all three members. An assertion of unanimity is not proof of it. Administrative practice is not statutory authority. Subsequent correction is not authorisation at the time of the act.

97. That the Counter Affidavit and the Supplementary Affidavit are without merit and deserve to be rejected. The Petitioner respectfully prays that the Writ Petition be allowed as prayed, and the production of records in terms of the Schedule be ordered, and that such further orders be passed as this Hon'ble Court may deem fit in the interests of justice.

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DEPONENT

VERIFICATION

I, the above-named Deponent, do hereby verify that the contents of paragraphs of the above Affidavit are true and correct to my knowledge and belief, based on the records of the case and the legal advice received, as applicable. No part of it is false and nothing material has been concealed therefrom.

15 NOV 2026

Verified at New Delhi on this 15 day of November, 2026.

DEPONENT

I identified the deponent who has signed in my presence
D- 4260 /2024

CERTIFIED THAT THE DEPONENT
Shri/Smt./Km. Rakesh Kumar Singh @ Rakesh Sen
S/o. W/o. D/o. Sh. Late Shri Chhedi Chhabi
Identified by Shri/Smt.
has solemnly affirmed before me at Delhi
on 15 NOV 2026 at Sl. No. 13526
that the contents of the affidavit which have been read & explained to me are true and correct to his knowledge

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15 NOV 2026

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ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, NewDelhi-110001

No. ECI/PN/120/2026 **26.09.2026**

PRESS NOTE

The meeting of the Commission was held today i.e. 26.09.2026 at 3:00 PM. The following decisions were aken in the meeting:

i. In case of any person to whom notice has been issued during the ongoing SIR, for being unmapped and logical discrepancies, BLOs will visit the homes of such persons for collection of documents and thereafter upload them on the ECINet, for decision by the ERO. Such persons need not be called for hearing to ERO/AERO office. Only in exceptional circumstances, as decided by the ERO, the hearing will be held preferably online. Any adult member of the family can be authorized by the elector to attend the hearing on their behalf, if required. Facilities for the online hearing to be strengthened.

ii. DEOs (District Election Officers) will create adequate number of help desks/hold special camps for the people living in night shelters, labor, poor people, homeless etc. as per requirement.

iii. **The declaration attached to Form 6 for SIR has been upheld by the Hon'ble Supreme Court**. For non-SIR period, the Forms applicable as per Rules (the Registration of Electors Rules 1960) will be used.

iv. Field officers have role-based access to the ECINET system as per their statutory powers. A Committee headed by Sr. Deputy Election Commissioner (DEC) and including an independent expert from IIT/IIIT will review the ECINET to double-check that it complies with the provisions of the Acts and Rules and submit report to the Commission. Various upgradations of the portal have already been made based on the inputs from State CEOs in the past few months. In case, any further flexibility is required by the field officers, that will be made operational. Henceforth, all the new initiatives about IT modules and portals will be discussed in the Committee of Officers (COO) before approval by the Commission.

v. In view of the request received from CEO Delhi, the period for filing claims and objections has been extended by the Commission till 30th October, 2026. The period of disposal of notices and claims & objections has been extended till 30th November 2026. Also, as per the request received from CEO Maharashtra, the period for filing claims and objections in Maharashtra has been extended by the Commission till 12th October, 2026. The period of disposal of notices and claims & objections in Maharashtra has been extended till 10th November 2026.

ANNEXURE – 2

COMPARATIVE STATEMENT OF DECLARATION UNDER THE SIR ORDERS DATED 24.06.2025 AND 27.10.2025

S. No.	PARTICULARS	ANNEXURE D (SIR ORDER: 24.06.2025)	ANNEXURE IV (SIR ORDER: 27.10.2025)	NATURE OF CHANGE
1	Structure and format	Declaration in the form of Annexure D, accompanying the SIR Order dated 24.06.2025.	Substituted by Annexure IV to the SIR Order dated 27.10.2025, with a revised structure and additional components.	The earlier declaration was replaced by a more elaborate declaration and verification framework.
2	Applicant's particulars	Focused on the declaration and supporting documents relevant to the applicant's eligibility and date/place of birth.	Requires additional particulars, including applicant's name, mobile number and address, along with specified family particulars.	Expanded personal information required from the applicant.
3	EPIC particulars	No equivalent detailed requirement for recording the EPIC particulars of the applicant and specified relatives as part of a mapping exercise.	Provides fields for EPIC numbers of the applicant and relevant family members, where available.	Introduces EPIC-based identification as part of the new process.
4	Historical electoral-roll mapping	No mechanism for mapping the applicant or relatives to an earlier SIR electoral roll.	Introduces mapping with the electoral roll of the earlier SIR, particularly the 2002/2003 roll.	A new historical electoral-roll verification mechanism is introduced.
5	Earlier roll entry	No corresponding structured requirement to furnish the earlier roll's Assembly Constituency, part and serial particulars for mapping.	Seeks details such as State, district, Assembly Constituency, part number and serial number of the relevant earlier-roll entry.	Requires granular historical electoral-roll particulars.
6	Mapping through relatives	No corresponding facility to establish the applicant's link through the electoral-roll entry of parents or grandparents.	Permits mapping through the applicant's own entry or the entry of specified relatives, including parents or grandparents.	Extends the mapping exercise beyond the applicant to family members.
7	Relationship particulars	No separate relationship-based mapping fields in the same format.	Requires the applicant to identify the relationship with the person whose earlier-roll entry is relied upon.	Introduces an express family-link verification requirement.
8	Date and place of birth	Requires documents relating to date and place of birth according to the applicant's applicable birth-period/category.	Where mapping is unavailable or unsuccessful, the relevant birth-related information/documents are addressed through the Information Sheet and subsequent verification process.	The verification sequence is altered; documentary scrutiny is linked to the mapping outcome.
9	Documents at initial stage	Sets out documentary requirements in the Declaration itself, according to the applicable category.	Provides a mapping-based route; where mapping particulars are not furnished or cannot be established, the alternative documentary route is triggered.	The process becomes conditional on whether historical mapping succeeds.
10	Foreign-born / citizenship cases	Specifically addresses the applicable citizenship and supporting-document requirements for persons born outside India or acquiring citizenship by registration/naturalisation.	The revised format reorganises the information and document verification through the revised Declaration/Information Sheet process.	The treatment and placement of these requirements are reorganised; the underlying statutory citizenship requirements are not displaced.
11	Information Sheet	No separate Information Sheet forming part of the same mapping-based process.	Introduces an Information Sheet to capture/check earlier SIR electoral-roll particulars and related information.	A new document and an additional stage of information collection are introduced.
12	BLO verification	No separate BLO undertaking in the same form as the revised Annexure IV.	Contains a separate BLO verification/undertaking component, including identifying particulars and signature.	Adds a formal field-level verification component involving the BLO.
13	Contact with BLO	No equivalent structured process in the Declaration for contacting the BLO to trace or verify historical mapping particulars.	The Information Sheet contemplates contacting/approaching the BLO where earlier-roll details require checking.	Introduces an additional verification channel through the BLO.
14	ERO notice process	Does not set out the same mapping-failure workflow through an Information Sheet and subsequent ERO notice.	Contemplates further action/notice by the ERO where the relevant earlier-roll details are unavailable, mismatched or cannot be verified.	Creates a further notice-based verification stage where mapping is not established.
15	Form 6 / Form 8 reference	Contains the earlier declaration format and its corresponding application context.	Recasts the declaration in the revised SIR framework and refers to the applicable application route, including Form 6/Form 8 as relevant.	The application references and procedural structure are revised.
16	Nature of declaration	Primarily records the applicant's declaration and supporting documentary particulars under the earlier format.	Combines the declaration with mapping particulars, family-link information and additional verification-related components.	The declaration assumes a wider evidentiary and verification function.
17	False statement warning – Section 31	Contains a warning concerning liability for a false declaration under Section 31 of the Representation of the People Act, 1950.	Retains the warning concerning liability under Section 31 of the Representation of the People Act, 1950.	The penal warning is retained; the revised format expands the information being furnished/authenticated.
18	List and treatment of supporting documents	Lists 11 categories of documents, including the Bihar electoral-roll extract dated 01.01.2003 as a specified document.	Reorganises the documentary requirements around the Information Sheet and the mapping-failure / further-verification process.	The documentary framework and the stage at which documents are called for are materially reorganised.

Note: This comparative statement summarises the material differences between the two formats. The original SIR Orders and their respective Annexures should be read for the complete text.

Gmail

Mudit Gupta <muditg88@gmail.com>

RAKESH KUMAR SINGH ALIAS RAKESH SINHG VS UNION OF INDIA , W.P.(C) 1246 OF 2026

1 message

Mudit Gupta <muditg88@gmail.com> Mon, Nov 16, 2026 at 10:41 AM
To: Prabhas Bajaj <prabhasbajaj@gmail.com>, prateekkumaradv@gmail.com, "gs.makkar" <gs.makkar@gov.in>

Dear sir / Madam
Kindly find the attached Rejoinder Affidavit on behalf of the Petitioner to the Counter Affidavit dated 26.10.2026 and the Supplementary Affidavit dated 14.11.2026 filed on behalf of Respondent Nos. 2 to 5

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Best regards,

Mudit Gupta,
Advocate-on-Record,
Supreme Court of India

Office: 501, Nilgiri Apartments, New Delhi - 110001
Mob: +91-9910687976
Email: muditg88@gmail.com

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Rejoinder to CEC Counter & Supplementary Affidavit.pdf
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