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भारत निर्वाचन आयोग

ELECTION COMMISSION OF INDIA

निर्वाचन सदन,
अशोक रोड, नई दिल्ली-110001

Nirvachan Sadan,
Ashoka Road, New Delhi-110001

No. 437/06/WB-LA/ES-II/2026

Dated : 2nd April, 2026

To

The Director General,
National Investigation Agency,
National Investigation Agency Headquarters,
Opposite CGO Complex, Lodhi Road
New Delhi-110003

Subject :- Order of Hon'ble Supreme Court in Suo Moto Writ Petition (Civil) No(s). 3/2026 (IN RE: safety and security of Judicial Officers deputed for work relating to SIR of Electoral Rolls in the State of West Bengal and ancillary issues).

Sir,

I am directed to refer to the Order dated 02.04.2026 of the Hon'ble Supreme Court in Suo Moto Writ Petition (Civil) No(s). 3/2026. (copy enclosed) in respect of gherao of seven judicial officers involved in the Special Intensive Revision (SIR) of electoral rolls by anti-social elements at the BDO office in the Kaliachowk area of Maldah District.

2. As per the para 13(viii) of the order, inter-alia, the Hon'ble Court has directed as follows:-

"13(viii.) We also direct the ECI to entrust the inquiry/ investigation into yesterday's incident to an independent agency, such as the Central Bureau of Investigation or the National Investigation Agency. Appropriate orders to this effect shall be passed during the course of the day. A compliance report regarding this shall also be submitted to this Court. In this regard, we further direct the agency to which the investigation is entrusted, to submit a preliminary inquiry report directly to this Court."

3. In this regard, I am directed to request that the necessary inquiry/investigation into the matter be conducted, and a preliminary inquiry report be submitted directly to the Hon'ble Court as per the above directions.

Yours faithfully,

Sujeet Kr. Mishra

(SUJEET KUMAR MISHRA)
SECRETARY

Copy to:

1. The Chief Electoral Officer, West Bengal.
2. The Chief Secretary, Govt. of West Bengal.

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G SSUO MOTO WRIT PETITION(CIVIL) No(s). 3/2026IN RE: SAFETY AND SECURITY OF JUDICIAL OFFICERS DEPUTED FOR WORK
RELATING TO SIR OF ELECTORAL ROLLS IN THE STATE OF WEST BENGAL AND
ANCILLARY ISSUES
Petitioner(s)

Date : 02-04-2026 This petition was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE JOYMALYA BAGCHI
HON'BLE MR. JUSTICE VIPUL M. PANCHOLI

For Petitioner(s) : By Courts Motion, AOR

For Respondent(s) :

Mr. Kapil Sibal, Sr. Adv.
Mr. Kalyan Bandopadhyay, Sr. Adv.
Mr. Shyam Divan, Sr. Adv.
Mr. Debanjan Mandal, Adv.
Mr. Kunal Chatterji, AOR
Ms. Fauzia Shakil, Adv.
Mr. Shourya Dasgupta, Adv.
Ms. Mahima Cholera, Adv.
Ms. Aparajita Jamwal, Adv.
Mr. S. Divatia, Adv.
Mr. Ankur Singhal, Adv.
Mr. Aman Naqvi, Adv.
Mr. Ashish Kumar Pandey, Adv.

Mr. Tushar Mehta, Solicitor General

Mr. D.S. Naidu, Sr. Adv.

Mr. Gopal Sankaranarayanan, Sr. Adv.

Dr. Menaka Guruswamy, Sr. Adv.

Mr. Ram Narayan Mohanty, Adv.
Mr. Sanjeev Kumar Agarwal, AOR

UPON hearing the counsel the Court made the following

O R D E R

Signature Not Verified
Digitally signed by
NITIN TALWAR
Date: 2026.04.02
17:25:49 IST
Reason: L

A D.O. letter dated 02.04.2026 was received this morning from

Hon'ble the Chief Justice of the High Court at Calcutta,

enumerating certain disturbing events that have arisen in connection with the Special Intensive Revision (SIR) of electoral rolls being undertaken by the Election Commission of India (ECI) in the State of West Bengal. The matter is presently under consideration in Writ Petition (C) No. 1089/2025, and this Court has been continuously monitoring the situation, issuing directions from time to time.

2. The aforementioned letter was preceded, late last night, by WhatsApp message received by some of us from Hon'ble the Chief Justice of Calcutta High Court, detailing that seven judicial officers, including three women, were gheraoed by anti-social elements at the BDO office in the Kaliachowk area of Maldah District. The gherao is stated to have commenced at around 3:30 p.m., following which the Registrar General of the High Court immediately apprised the State's administrative authorities and requested urgent intervention. However, it appears that the matter was met with conspicuous inertia until approximately 8:30 p.m.

3. This situation prompted the Registrar General to contact the Home Secretary and the Director General of Police through a group call with Hon'ble the Chief Justice of the High Court. In this regard, the officials extended oral assurances of prompt intervention; however, despite such assurances, no significant action appears to have been taken by the authorities.

4. We are informed that the situation was so dire that even food and water were not permitted to be supplied to the judicial officers. The Hon'ble Chief Justice further pointed out that neither the District Magistrate nor the Superintendent of Police

had reached the BDO office where the officers were gheraoed. The Chief Justice was thereafter constrained to contact the Director General of Police and the Home Secretary, and call them at his residence, to jointly monitor the situation.

5. At this juncture, certain senior Judges of the High Court were also associated with a view to mitigate the situation. Ultimately, the Home Secretary and the Director General of Police arrived at the residence of the Hon'ble Chief Justice after midnight. The judicial officers were finally released after 12 midnight.

6. Shockingly, when the judicial officers were released around midnight and were returning to their respective places of stay, their vehicles were pelted with stones and attacked with bamboo sticks and bricks. In this light, the Hon'ble Chief Justice has strongly deprecated the delay on the part of the civil and police administration in taking appropriate action.

7. We are also extremely disappointed to note, from the D.O. letter of the learned Chief Justice, that the Chief Secretary of the State could not be contacted, as he had not shared a mobile number with WhatsApp facility, as a result of which no communication could be conveyed to him.

8. It has also been pointed out that, following yesterday's hearing in Court, all District Judges were addressed through video conferencing with a view to motivate judicial officers to complete the remaining work by the night of 05.04.2026, particularly in districts scheduled to go to poll in the first phase. We are told that after the conference concluded, the judicial officers responded positively. However, the subject incident, as rightly

pointed out by the learned Chief Justice, is likely to have a chilling effect, on the judicial officers who have been working tirelessly, without availing leave even on Saturdays and Sundays.

9. There is no gainsaying that our order dated 20.02.2026 in Writ Petition (C) No. 1089/2025 speaks volumes to the effect that the duties entrusted to judicial officers, who have been assigned the responsibility of adjudicating objections in the SIR process, are being discharged for and on behalf of this Court. They are, in essence, an extension of this Court.

10. In our considered view, and having regard to the attendant circumstances, the incident that took place yesterday is a brazen attempt not only to browbeat judicial officers, but also amounts to a challenge to the authority of this Court. This incident certainly cannot be construed to be a routine occurrence and, *ex facie*, appears to be a calculated, well-planned and deliberate act intended to demoralise judicial officers and obstruct the ongoing process of adjudication of objections in the remaining cases.

11. We have no hesitation in observing that we will not permit any person to take the law into their own hands so as to create a climate of psychological fear in the minds of judicial officers who are discharging their duties. Such conduct, undoubtedly, amounts to criminal contempt within the meaning of Section 2(c) of the Contempt of Courts Act, 1971. Besides, it reflects a complete failure on the part of the civil and police administration, in so far as the law and order situation in Maldah District is concerned.

12. It also pains us to observe that the manner in which the Chief Secretary, the Home Secretary, the Director General of Police, the

Collector and the Superintendent of Police have acted is highly deplorable. They owe an explanation to this Court as to why, upon being informed that the judicial officers had been gheraoed at around 03:30 p.m., no effective measures were taken to secure their safe evacuation. It was incumbent upon the State administration to immediately inform the Election Commission of India and seek deployment of central forces, wherever necessary, to ensure the safety of the judicial officers.

13. Thus, taking cognisance of yesterday's incident, and with a view to ensuring that no obstruction or impediment is caused to the ongoing SIR process entrusted to the judicial officers, and that their life, liberty, property, and that of their family members are duly protected under the orders and directions of this Court, we deem it appropriate to direct the following interim measures for immediate compliance:

(i) The ECI is directed for requisitioning of adequate central forces and for their deployment at all places where the judicial officers have been deputed for adjudication of objections under the SIR process.

(ii) Adequate security arrangements shall be made at all relevant areas and venues, including hotels or Government guest houses etc. where these officers and their families are presently residing.

(iii) Wherever the judicial officers are on duty and if they have any apprehension re: security of his/her family members, such threat perception shall be assessed by the police administration and adequate measures as may be required shall be immediately taken.

(iv) The ECI and the State Government are directed to take all remedial measures that may be necessary to ensure the safety and smooth functioning of the responsibility entrusted upon the judicial officers.

(v) The Chief Secretary, the Home Secretary, the Director General of Police, all the District Magistrates, Senior Superintendent of Police, and other police officers are jointly and severally directed to ensure that not more than 5 persons enter the premises at any given time for the purpose of filing objections or during the hearing of such objections. Moreover, in any premises where adjudication work is in progress, not more than 5 persons shall be permitted to gather, and adequate measures shall be implemented throughout the day to enforce the same.

(vi) The Chief Secretary, the Director General of Police and the Chief Electoral Officer of the State are further directed to submit a compliance report in pursuance of the aforementioned directions.

(vii) Additionally, the Chief Secretary, the Director General of Police, the District Magistrate, Maldah and the Superintendent of Police, Maldah are also directed to show cause as to why suitable action should not be taken against them in light of the D.O. letter received from Hon'ble the Chief Justice of the High Court.

(viii) We also direct the ECI to entrust the inquiry/ investigation into yesterday's incident to an independent agency, such as the Central Bureau of Investigation or the National Investigation Agency. Appropriate orders to this effect shall be passed during the course of the day. A compliance report regarding this shall also be submitted to this Court. In this regard, we further direct

the agency to which the investigation is entrusted, to submit a preliminary inquiry report directly to this Court.

14. Finally, the Registry is directed to forward a copy of the D.O. letter received from Hon'ble the Chief Justice of the High Court to all the concerned authorities. These individuals/officials are further directed to remain present virtually on the next date of hearing i.e., 06.04.2026.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)
ASSISTANT REGISTRAR