

Theme	Relevant Law / Case Law	Duty of ECI / Officers	Failure → Remedies / Penalties
1. Constitutional Mandate	Art. 324(1), Constitution – ECI has “superintendence, direction & control” over rolls and elections.	- Ensure free and fair elections. - Cannot disclaim responsibility for voter rolls or polling conduct.	Judicial Review – SC (Art. 32) / HC (Art. 226). Election Petition – RPA 1951, s.80 & 100 (void election if materially affected). Contempt of Court – Disobedience punishable under Contempt of Courts Act, 1971. Removal of Commissioners – Art. 324(5).
	Mohinder Singh Gill v. CEC (1978) – Article 324 obligates ECI to ensure free & fair elections.		Criminal Liability – BNS ss. 198, 199, 255, 256 (up to 3 yrs imprisonment). – Case Law – <i>Union of India v. ADR</i> (2002): Voter’s right to know strengthens free choice.
2. Electoral Rolls: Non-delegable Duty	RPA 1950, ss.15, 17, 18, 22 – ECI control; no duplicate/multiple entries; ERO must correct/amend errors.	- Maintain clean, error-free rolls. - Correct/delete duplicate, ineligible, fake entries.	Criminal Liability – BNS ss.198, 199, 255, 256. Departmental Action – Under Conduct of Election Rules, 1961 and service rules (suspension, dismissal, loss of pension, etc.).
3. Chain of Responsibility: BLO → ERO → DEO → CEO → ECI	BLO Handbook (ECI) – BLOs = “custodians of rolls.” RPA 1950, s.22 – ERO corrections. RPA 1951, s.28A – All officers deemed on deputation to ECI. Case: Mohit Kumar v. Kuldeep Singh (2025) – SC overturned election	- BLOs verify residences & prevent duplicates. - EROs supervise, correct rolls. - DEO supervises district rolls. - CEO oversees state rolls.	Criminal Liability – BNS ss.198, 199, 255, 256; Prevention of Corruption Act, 1988. Departmental Action – Disciplinary proceedings for dereliction (suspension, dismissal, loss of pension).

after recount,
reaffirming
accountability.

- ECI holds ultimate
responsibility.

**Rule 13, Registration
of Electors Rules, 1960**

– Form 6 only for first-
time voters; verification
mandatory.

- BLO/ERO must
verify before inclusion.
- Prevent multiple
enrolments.

Election Petition – RPA 1951,
s.100(1)(d)(iv).

**4. Misuse of Form
6**

**Case: G.S. Iqbal v.
K.M. Khander (2009)** –
Election can be void if
wrongful inclusion
affects result.

- Preserve verification
records (logs, CCTV,
etc.).

Criminal Liability – BNS ss.198, 199,
255, 256; Prevention of Corruption Act.

Departmental Action – Service
penalties.

RPA 1950, s.23 – Rolls
open to inspection.

- Publish inclusions,
deletions, corrections.

**5. Transparency
Obligations**

**PUCI v. Union of
India (2003)** –
Transparency = voter's
right to know.

- Provide digital rolls,
ensure CCTV access.

Judicial Review – SC/HC intervention.

Election Petition – RPA 1951, ss.80 &
100.

Contempt of Court – Non-compliance
with judicial directions.

Removal of Commissioners – Art.
324(5).

Criminal Liability – BNS ss.198, 199,
255, 256.

**RPA 1950, ss.17–18, 22,
23** – Prohibitions on
duplicates; ERO
scrutiny.

- Prevent duplicates,
fake addresses, bulk
entries.

**6. Why ECI
Cannot Disclaim
Responsibility**

RPA 1951, s.28A – All
officers under ECI
control.

- Verify photos, enforce
Form 6 scrutiny.

- Ensure transparency
(digital rolls, CCTV).

- Every irregularity (duplicates, fake
addresses, Form 6 misuse, denial of
transparency) = legal failure of ECI
under Art. 324 + RPA 1951.