

# **My Vote, My Right How Do I Secure my Vote?**

**Inside the Special Intensive Revision**

**Deadly Deadlines, Mechanical Disenfranchisement, and the Ground Reality of Claims and Objectives period & SIR Notices/ Hearings**

# Defending Your Democratic Voice

## You Are Not Alone — Your Voting Right is Absolute, Your Citizenship is an Inherent Guarantee

- **The Power of Article 326:** Your right to vote is a fundamental constitutional guarantee. It cannot be arbitrarily erased by flawed software or rushed administrative deadlines.
- **The Legal Presumption of Citizenship:** Under the Supreme Court's landmark *Lal Babu Hussein (1995)* judgment: If you possess an EPIC (Voter ID) and your name is on the roll, the law presumes your eligibility. You are a citizen, not a suspect.
- **The State's True Burden:** The Election Commission's legal mandate is to ensure "*no eligible citizen is left out.*" An SIR notice is merely an inquiry, not an eviction from democracy.

# Demystifying the SIR Notice: The Ground Reality

## A Systemic Hurdle, Not a Final Verdict

- **The Algorithmic Dragnet:** Millions of valid voters (e.g., 1.4 crore in West Bengal) received notices due to untested software attempting to map records to 2002-2004 rolls.
- **Systemic Errors Driving the Notices:**
  - **Translation Flaws:** Automated software forcefully translated regional names (like Bengali) to English, flagging minor spelling mismatches as "suspicious."
  - **Age-Gap Glitches:** Algorithms miscalculated family age gaps, flagging legitimate families.

**The Reality?** A notice means you must now legally compel the system to recognise the human truth that the computer failed to verify.

# The "Legacy Data" Threat

## Overcoming Unreasonable Historical Demands

- **The Core Challenge:** The administration expects voters to produce 20-year-old lineage data. This disproportionately penalises tenants, displaced persons, and marginalised groups who lack historical paperwork.
- **The Legal Counter:** Even if you cannot locate your parents' names in the 2003 rolls, your current, documented existence holds profound constitutional validity.

**Stand firmly on your present-day primary documents. A lack of legacy data does not extinguish your present rights.**

# Establishing Your Identity

## Forcing Compliance: The Supreme Court Mandates

To protect citizens, the Hon'ble Supreme Court has established binding guidelines. Authorities are legally obligated to accept these original documents:

- **For Age, Parentage, and Educational Verification:** Your proper Admit Card and Madhyamik (10th Grade) Marksheet. *(Mandated by the Supreme Court Orders dated 19.01.2026 and 25.02.2026).*
- **For Primary Identification:** Your Aadhaar Card. *(Mandated by the Supreme Court Order dated 08.09.2025).*

**Note:** These foundational documents carry absolute legal weight. Local EROs **do not** have discretionary power to reject them.

# Organising Supplementary Records

## Building an Impenetrable, Organic Defense

While Aadhaar and Madhyamik Marksheets are your primary shields, a strong supplementary file eliminates any room for bureaucratic excuses. Organise a clear timeline:

- Identity cards or Pension Orders issued prior to 1987.
- Recent, continuous utility bills, Ration Cards (Yellow Cards), or local residence certificates.
- Passports, Bank Passbooks, or registered rent agreements.

*An organized file forces the reviewing officer to acknowledge an undeniable, documented truth of your residence.*

# Combating Malicious Objections

## The Weaponisation of Form 7

- **The Threat:** Form 7 is routinely weaponised by malicious actors to file mass, fraudulent objections against legitimate voters. (Organised political actors are targeting vulnerable and marginalised populations this way)
- **Ground Realities:** Investigations have uncovered individuals filing dozens of fake objections, signatures forged in languages the objector cannot write, and even living people being marked as "dead."
- **Your Absolute Right:** If your notice stems from a Form 7, you have the legal right to demand the exact name and details of the person who filed it against you.

# Counter-Strike: Defeating False Claims

## Taking Legal Action against Fraudulent Objectors

- **The Law is on Your Side:** Filing a false statement or objection is a criminal offense punishable by up to one year in prison and/or a fine under **Section 31 of the Representation of People Act, 1950.**
- **Taking Action:** Do not let false objectors hide in the shadows. We will assist you in sending legal notices and filing formal police complaints against those who attempt to steal your voting rights.

# The Principle of Natural Justice

## Demanding Your Absolute Right to be Heard

- Constitutional law dictates that the state cannot strip a citizen of their rights without a fair, transparent hearing. You cannot be deleted without your side of the story being recorded.
- The Electoral Registration Officer (ERO) is legally bound to examine your documents patiently and impartially.
- The hearing is a legal space. Your voice, your physical presence, and your organic evidence dictate the outcome.

# The Hearing Process

## Standing Your Ground: What to Expect

- **Authorised Representation:** The Supreme Court (Jan 19, 2026) explicitly directed that you do not have to face this alone. You can submit documents and attend hearings accompanied by an authorised representative or a Booth Level Agent (BLA).
- **Be Prepared:** Arrive with your original documents and one set of self-attested photocopies to leave on the official record.

*Point directly to your documents. State your facts simply and honestly.*

# Addressing Discrepancies Gracefully

## Refusing to be Penalised for System Errors

- Authorities often try to use minor discrepancies—a single misplaced letter in a translated surname or an algorithmic age-gap flag—as grounds for rejection.
- Point these out clearly as software translation errors or clerical mistakes. Remind the tribunal that an administrative typo does not invalidate a human life.
- Offer a sworn affidavit to bridge these minor gaps, and demand that it be placed on the official record.

# Understanding the Ground Reality

## Navigating Hostile or Pressured Environments

- Recognise that Booth Level Officers (BLOs) and local staff are operating under extreme, punishing administrative pressure, leading to a massive workload crisis.
- Maintain a dignified, cooperative, but entirely uncompromising stance regarding your constitutional rights.

**The Protocol:** If an official refuses to accept valid, SC-mandated documents, politely but firmly demand that they provide their refusal, and their legal reasoning, in writing.

# The First Level of Appeal

## Fighting Unfair Deletions: The First Appeal

- If the ERO unjustly rejects your verification and deletes your name, they are legally required to pass a "speaking/reasoned order."
- The 1st Appeal: If deleted arbitrarily, you have the immediate right to file a formal Memorandum of Appeal with the District Magistrate (DM) / District Election Officer under Rule 23.
- This appeal formally challenges the violation of natural justice and demands the immediate restoration of your name.

# The Second Level of Appeal

## Escalating to the Highest Levels: The Judicial Safety Net

- If the DM fails to restore your rights, a 2nd Appeal must be filed with the Chief Electoral Officer (CEO) of the State.
- Supreme Court Intervention (March 10, 2026): Acknowledging the severe flaws in the SIR, the Supreme Court has directed the creation of special appellate bodies comprising former or sitting High Court judges. These bodies exist specifically to hear cases of wrongfully rejected voters.

# Staying Vigilant & Protecting the Vulnerable

## Community Defense and Continuous Tracking

- **Demand Proof:** Never leave a hearing without an official, signed acknowledgment receipt.
- **Community Solidarity:** Actively assist the elderly, daily-wage earners, and those with limited literacy in gathering their organic documents and attending hearings.
- **Supplementary Lists:** The Supreme Court (Feb 24, 2026) ordered that supplementary lists be published continuously to accommodate verified voters. Keep tracking online portals until your name is secured.

# The Official List of Acceptable Documents

- Bring Self-Attested Copies of ANY of These Valid Proofs to Your Hearing:
- Thanks to Supreme Court interventions, the list of acceptable documents has been expanded. The indicative (not exhaustive) list includes:
- Identity card/Pension Payment Order issued to a regular employee/pensioner of any Central Govt./State Govt./PSU.
- Any Identity Card/Certificate/Document issued in India by the Government/local authorities/Banks/Post Office/LIC/PSUs prior to 01.07.1987.
- Birth Certificate issued by the competent authority.
- Passport.
- Matriculation/Educational certificate issued by recognised Boards/universities.
- Permanent Residence certificate issued by the competent State authority.
- Forest Right Certificate.
- OBC/SC/ST or any caste certificate issued by the Competent Authority.
- National Register of Citizens (wherever it exists).
- Family Register, prepared by State/Local authorities.
- Any land/house allotment certificate by the Government.
- For Aadhaar, the Commission's directions issued vide letter No. 23/2025-ERS/Vol.II dated 09.09.2025 (Annexure II) shall apply. (Note: This was NOT accepted in the Bihar SIR).
- Madhyamik (Class-10) Admit Card or Pass Certificate (Mandated by SC vide order dated 19.01.2026)

# Action Plan for a Flawless Democracy: Your Role in the SIR Process

## What Citizens and Civil Society Can Do to Ensure Accountability in the SIR Process

- **Establish Voter Assistance Centres:** Advocate for the creation of assistance centres at the Gram Panchayat level to help citizens with mapping and documentation, similar to successful models implemented in West Bengal.
- **Simplify Document Issuance:** Push for systemic changes and strict government instructions to easily issue caste or residence proof certificates for those lacking proper documentation, ensuring no genuine voter is left out, akin to processes in Kerala.
- **Train Local Representatives and Officials:** Demand comprehensive training for Ministers, MLAs, Booth Level Officers (BLOs), and Booth Level Agents (BLAs) so they can effectively conduct door-to-door visits and actively work to include eligible names in the voter list, drawing inspiration from Tamil Nadu.
- **Mandate Open Social Audits:** Apply pressure on the State Election Commission to conduct public Social Audits for voter list revisions. This includes holding Gram Sabhas and Ward Sabhas to openly expose fake votes and increase public awareness.
- **Engage with State Leadership:** Continuously dialogue with elected officials, party leaders, and government secretaries to build political will and transition social auditing from an abstract ideal into an operational reality.
- **Conduct Urban Pilot Programs:** Collaborate with local MLAs to initiate pilot Social Audit experiments in complex urban constituencies where standard Ward Sabhas may not suffice, developing new methods for city-level accountability.

# Why Social Audits are Our Democratic Right

## Social Audit & Institutional Mandate

- **Constitutional Foundation:** The Constitution of India, under Articles 243A and 243J, empowers citizens to monitor and audit activities at the local level.
- **Established Precedent:** Social Audits are an institutionalised, legally mandated mechanism used in various mass-based programs (e.g., MGNREGA, Food Security Act) and are backed by specific CAG standards to maintain independence and efficacy.
- **Election Commission Integration:** The Election Commission of India (ECI) has officially incorporated features of social audits into its 'Manual on Electoral Rolls' (December 2023).
- **Mandatory Public Readings:** Under Para 11.2.4(vi) and Para 24.1.2 of the ECI's Manual, Electoral Registration Officers (EROs) must ensure that Booth Level Officers (BLOs) read the draft electoral roll aloud during Gram Sabha or Ward Committee meetings.
- **Judicial Backing:** The Supreme Court has previously examined the CAG's Social Audit Standards and directed their application in statutory implementation, reinforcing their legal validity.
- **Core Objective:** The ultimate purpose of applying Social Audits to electoral rolls is to guarantee that no eligible voter loses their right to vote, while simultaneously preventing illegitimate voting through manipulated lists.

# Your Vote, Your Voice: Navigating the Social Audit Process

## What Voters Need to Know About the Social Audit Process

- **Right to Advance Information:** Voters must be given access to the existing roll, the revised roll, and lists of additions, deletions, and pending documents at least 15 days before a public hearing (Jan Sunwai).
- **Door-to-Door Assistance:** BLOs will/must conduct house-to-house enumeration carrying blank Form 6s to explain and assist voters, without collecting documents at this initial stage.
- **Participation in Public Hearings:** Voters are invited to attend a public hearing where the BLO will read aloud the names of new voters, deleted voters (with reasons), and the details of claims and objections.
- **Right to Testify and Dissent:** During the hearing, any resident can testify to corroborate or oppose entries on the list. All proceedings must be video-recorded, and any dissent from voters must be officially recorded.
- **Transparency in Decisions:** Within 48 hours of the hearing, booth-wise minutes and objection particulars must be published. BLOs must issue speaking orders on claims within 7 days.
- **Access to Appeals:** An Action Taken Report must be placed in the public domain within two weeks of the hearing. Voters must be clearly informed of the timelines, appellate authorities, and procedures for filing appeals regarding their electoral roll status.

# My Vote, My Right

## You Are Not Alone in This Fight

Navigating hostile administrative procedures and fighting for your fundamental right to exist on the voter roll is deeply stressful. It is completely normal to feel a sense of disconnect, anger or anxiety when faced with systemic hurdles.

If you're still feeling unconnected and feeling nervous reach us at:

- Phone: +91 75066 61171
- Email: [votefordemoc@gmail.com](mailto:votefordemoc@gmail.com) | [info@cjp.org.in](mailto:info@cjp.org.in)

**We are always a frontier for your constitutional rights.**