



2<sup>nd</sup> June 2024

**Chief Election Commissioner & Commissioners,**

Election Commission of India  
Nirvachan Sadan, Ashoka Road  
New Delhi - 110001

**Subject: Petition Against Attempts to Undermine the Integrity of the Electoral Process**

Dear Sir,

We, wish to draw your urgent attention to the grave and coordinated attempts by opposition parties, led by the Indian National Congress (INC), and certain motivated civil society groups to undermine the integrity of the ongoing electoral process. These efforts are a direct attack on our democratic institutions and pose significant risks to public order and trust in the electoral system.

The decisive mandates given by the Indian electorate in the 2014 and 2019 general elections, which brought the BJP under the leadership of Prime Minister Narendra Modi to power, have been repeatedly challenged by the opposition through baseless allegations and actions. Despite clear verdicts from the people, the opposition has resorted to a series of unfounded claims aimed at discrediting the election process.

Opposition parties and their affiliated civil societies have systematically orchestrated campaigns over the past several years to target the judiciary and the Election Commission of India (ECI). The pattern is clear: first, target the institutions; then, the election process; and if court verdicts do not favor them, target the judicial verdicts. Numerous petitions have been filed challenging the integrity of Electronic Voting Machines (EVMs), Voter Verifiable Paper Audit Trails (VVPATs), and the counting process. The Supreme Court has consistently rejected these conspiracy theories and questioned the bona fides of these petitions, highlighting their baseless nature. These actions are a clear attempt to undermine the authority of the Supreme Court and the ECI, thereby eroding public trust in these crucial institutions. It will be pertinent to note that the Supreme Court of India, in the petition filed by the Association for Democratic Reforms while hearing the challenge regarding the return to the paper ballot system and counting of 100% VVPAT,



made some significant observations in its judgment dated 26th April 2024.<sup>1</sup> We are extracting the relevant paragraphs of the said judgment for the sake of convenience here. It was observed by the Hon'ble Supreme Court that:

*“At the outset, we take on record that the counsel for the petitioners, in unison, have stated that the petitioners do not attribute any motive or malice to the Election Commission of India, or for that matter contend that the Electronic Voting Machines have been tutored or configured to favour or disfavour a candidate or political party. However, due to the possibility of manipulating the EVMs, there is suspicion and, therefore, this Court should step in to instil confidence in the voters and the people. Voters have the right to know that the franchise exercised by them has been correctly recorded and counted.”*

*“We have referred to the data, after elucidating the mechanics and the safeguards embedded in the EVMs to check and obviate wrongdoing, and to evaluate the efficacy and performance of the EVMs. We acknowledge the right of voters to question the working of EVMs, which are but an electronic device that has a direct impact on election results. However, it is also necessary to exercise care and caution when we raise aspersions on the integrity of the electoral process. Repeated and persistent doubts and despair, even without supporting evidence, can have the contrarian impact of creating distrust. This can reduce citizen participation and confidence in elections, essential for a healthy and robust democracy. Unfounded challenges may actually reveal perceptions and predispositions, whereas this Court, as an arbiter and adjudicator of disputes and challenges, must render decisions on facts based on evidence and data. This is the reason why we had re-listed the matters for directions and clarifications on 24.04.2024, when specific points/questions raised were answered by the ECI. The petitioners were also heard.”*

*“We must reject as foible and unsound the submission to return to the ballot paper system. The weakness of the ballot paper system is well known and documented. In the Indian context, keeping in view the vast size of the Indian electorate of nearly 97 crore, the number of candidates who contest the elections, the number of polling booths where voting is held, and the problems faced with ballot papers, we would be undoing the electoral reforms by directing*

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<sup>1</sup> See Association For Democratic Reforms vs. Election Commission of India and another, WP (C) No. 434 of 2023 (SC)



*reintroduction of the ballot papers. EVMs offer significant advantages. They have effectively eliminated booth capturing by restricting the rate of vote casting to 4 votes per minute, thereby prolonging the time needed and thus checking the insertion of bogus votes. EVMs have eliminated invalid votes, which were a major issue with paper ballots and had often sparked disputes during the counting process. Furthermore, EVMs reduce paper usage and alleviate logistical challenges. Finally, they provide administrative convenience by expediting the counting process and minimizing errors.”*

We are placing reliance on the observation of the Hon'ble Supreme Court to bring to your attention the repeated attempts made by the so-called civil societies in the guise of seeking transparency, but the ultimate attempt was to undermine the sanctity of the entire election process. It is pertinent to note the observation made by the Supreme Court on the conduct of the petitioners. Such civil societies in different names and forms are sometimes coming before the courts on the basis of unfounded facts and motivated petitions. **Now that they have failed in the law courts and also have serious apprehension that they failed in the court of public opinion, these bodies now want to resort to anarchy.**

The Election Commission of India has repeatedly called upon all opposition parties to list their concerns regarding the electoral process, including the poll process where EVMs have been used. The same opposition parties, when they win where EVMs are used, claim their victory as a victory of democracy. However, when the Bharatiya Janata Party is winning, they start doubting the EVMs, judiciary, and ECI.

**This is a sinister attempt where certain bodies, in the guise of civil societies clearly fronting for the opposition, are now coming ahead to further undermine the electoral process. We are concerned about these sinister attempts and feel it is our duty to point them out to the ECI and the public at large to expose these criminal conspiracies.**

Through various public-spirited bodies, the opposition has approached the Supreme Court to challenge the election process. Petitions questioning the disclosure of Form 17C and seeking booth-wise voter turnout data have been decisively rejected by the Court. The Supreme Court's refusal to entertain these petitions underscores their flawed and untimely nature, serving only to distract from the conclusive election results. **These manufactured controversies are intended to create mistrust in the electoral process and instigate unrest among citizens.**



Opposition parties have also targeted the media, spreading false narratives to discredit the electoral process. They have consistently criticized the media and the ECI whenever results do not favor them, while conveniently ignoring the same process when they win state elections in Delhi, West Bengal, Karnataka, and Telangana. This selective outrage and manipulation of media narratives are aimed at lowering the image of Prime Minister Modi internationally and painting a picture of victimhood.

**We are gravely concerned about the veiled threats of violence issued by opposition leaders and motivated civil societies.** These threats aim to provoke unrest in the event that the election results once again favor Prime Minister Modi and the BJP. Such actions are not only undemocratic but also pose serious threats to public order and national security. The opposition's failure in the people's court has led them to resort to anarchy as their ultimate weapon to disrupt and distort a predicted historic third term to PM Shri Modi.

The opposition's inability to accept this reality has led to a sustained campaign to undermine the electoral process, including instigating civil societies with partisan interests to denigrate Prime Minister Modi and the election process itself. This continuous effort to malign the Prime Minister's reputation, both domestically and internationally, involves the same discredited actors who continually stir up trouble in what is otherwise a transparent and effective electoral process.

We are also in receipt of the so-called **Delhi Resolution**, adopted on May 28, 2024, by an unknown, unverified persons instigated by opposition parties. *[copy enclosed]* This resolution outlines a series of actions, more in the manner of a TOOL KIT, aimed at discrediting the election process and creating unrest. This Tool Kit prescribes mass letter-writing campaigns to the President of India, Chief Justice of India, and other officials, and preparing for peaceful protests if the election process is perceived to violate the Constitution. While presented as measures to ensure transparency, these actions are fundamentally aimed at creating doubt and unrest, undermining the democratic process, and instigating citizens to resort to anarchy. We do not know whether such resolutions are authentic, but since they have come to our attention, we find it imperative to bring them to your attention as similar resolutions are being circulated to the public at large.

**In light of the above, we urge the Election Commission of India to:**

1. Ensure that every official engaged in the counting process is fully conversant with the minutest details of the prescribed process and engages diligently with ECI counting protocols so as there are no deviations therefrom.



2. Ensure the safety and security of the electoral process during the counting and announcement of results, including enhanced monitoring and security measures to prevent any attempts at violence or unrest.
3. Take cognizance of the systematic attempts to undermine the electoral process and take stringent action against those responsible.
4. Issue a public statement affirming the integrity of the electoral process and warning against any attempts to disrupt the democratic process.

We trust that the ECI will uphold the sanctity of India's democratic process and take all necessary steps to ensure a free, fair, and peaceful election. The faith of the Indian electorate in the democratic process must not be allowed to be eroded by those who cannot accept the will of the people.

With regards,

Yours Sincerely,

**Nirmala Sitharaman**

**Piyush Goyal**

**Om Pathak**

**Sanjay Mayank**