

Date: 24-03-2025

To,

Shri Gyanesh Kumar

Chief Election Commissioner

Election Commission of India (ECI)

Dr Sukhbir Singh Sandhu

Election Commissioner

Election Commission of India (ECI)

Dr Vivek Joshi

Election Commissioner

Election Commission of India (ECI)

Subject: Meeting with the Commission in pursuance to the Supreme Court order dated 18-3-2025 in Association for Democratic Reforms and others Vs. Election Commission of India, W.P (C) No. 1382/2019

Dear Sir(s),

1. On 18th March, 2025 the Hon'ble Supreme Court of India (SC) in a petition filed by 'Association for Democratic Reforms' (ADR) and Common Cause titled *Association for Democratic Reforms and Anr Vs. Election Commission of India & Anr, W.P (C) No. 1382/2019* had directed the petitioners to file a submission before the Election Commission of India (ECI) for the redressal of various grievances raised in the captioned petition. This direction of the Apex court had come upon ECI's own submission before the court during the hearing held on 18-03-2025 wherein the Commission had asked ADR to have a meeting with the members of the Commission to address various issues raised in the petition.
2. At the outset, this letter is being filed before the Commission to examine and place on record certain vital facts about the petition and to also bring the kind attention of this Commission to various irregularities and discrepancies found during the 18th Lok Sabha, 2024 Elections.
3. On 4th November, 2019, ADR and Common Cause had filed a petition in the Supreme Court seeking directions from the court to order the ECI **to completely stop the practice of announcing election results based on provisional and estimated data, prior to an actual and accurate reconciliation of data. This was verified by Commission's Press Note dated 01 June**

2019 that stated “...the final data on votes counted has been made available within a few days of declaration of results.....”

4. On 27th February, 2020 **first application was filed in the court against the ‘mysterious rush and urgency’ shown by the Commission by destroying the VVPAT slips used in 2019 Lok Sabha elections in just four months after the results were declared.** This was in contravention of the rules prescribed under Rule 94 (b) Conduct of Election Rules, 1961 and Commission’s own directions to all the CEOs of States and Union Territories to not *dispose of slips if any election petition or court case is pending in the competent court.*
5. On 4th and 9th May, 2024, **two separate applications were filed asking the court to direct the ECI to disclose authenticated record of voter turnout by uploading on its website scanned legible copies of Form 17C Part-I** of all polling stations, **tabulated polling station-wise data in absolute figures** of the number of votes polled as recorded in Form 17C Part- I after each phase of polling and **scanned legible copies of Form 17C Part- II on ECI’s website** after the compilation of results of the 2024 Lok Sabha elections.
6. On 22nd August, 2024, **fourth application was filed in the court based on ADR’s report titled “Discrepancies between the votes cast and the votes counted in the 2024 Lok Sabha election: Multiple Perspectives” released on 29.07.2024.** The said report highlighted significant discrepancies found in the total number of EVM votes cast and total actual number of EVM votes counted during the 18th Lok Sabha Elections, 2024. In addition, the inordinate delay in the release of final voter turnout data, absence of disaggregated constituency and polling station figures in absolute numbers and whether the elections results were declared based on final reconciled data raised serious concerns and public suspicion regarding the correctness of the 18th General election results
7. In this backdrop, it is stated that the petitioners through this petition and subsequent applications filed in the Apex Court sought following direction to the ECI:
 - i) To conduct actual and accurate reconciliation of data before the declaration of the final result of any election.
 - ii) To upload on its website scanned legible copies of Form 17C Part- I (Account of Votes Recorded) of all polling stations which contains the authenticated figures for votes polled, within 48 hours of the close of polling and scanned legible copies of Form 17C Part- II which contains the candidate-wise result of counting after the compilation of results of the 2024 Lok Sabha elections;
 - iii) To provide the following information in the public domain for the 2019 and 2024 Lok Sabha elections and for all future elections i.e Statutory forms 17C (Account and number of votes recorded), Form 20 (Final Result Sheet), Form 21C, 21D (the candidate to whom the largest number of valid votes have been given), Form 21 E (return of election) and index cards (contains details and break up of voter turnout.
 - iv) To provide a specific explanation for the discrepancies which were found in each of the 538 constituencies during the 18th Lok Sabha elections.
 - v) To formulate an efficient, transparent, rational and robust procedure/mechanism for the investigation of any discrepancy found in the election data by creating a separate

department/grievance cell for investigation of discrepancies in election data for all future elections.

8. Through this letter the petitioners are also highlighting few vital facts of the captioned report. **Votes polled and counted showed significant discrepancies in 538 PCs, except Amreli, Attingal, Lakshadweep and Dadra Nagar Haveli and Daman Diu.** Surat PC was uncontested. **The total discrepancies between EVM votes counted and EVM votes polled in 538 PCs were 5,89,691. In 362 parliamentary constituencies, a total of 5,54,598 votes counted were less than the votes polled. In 176 parliamentary constituencies, a total of 35,093 votes were counted in excess of the votes polled.** The same was the case in the **2019 General Elections when discrepancies were found in 347 out of 542 constituencies.** Details of the discrepancies in the votes counted and votes polled in the General Elections, 2024 are given in the tables in the attached report as **Annexure A1.**
9. It is further submitted that based on the crucial findings of the captioned report **ADR had written a letter dated 31-07-2024 to the ECI calling for an immediate attention of this Commission to the various discrepancies and irregularities seen in the conduct of the 18th Lok Sabha election** and had also requested the Commission to take steps/action in the light of the findings of the attached report. The letter, however was never acknowledged by the Commission nor any intimation of any action taken against the discrepancies/irregularities was received.
10. ECI has so far failed to give any reasonable explanation in declaring the election results before releasing the final and authentic data on vote count, the mismatch found between EVM votes polled and EVM votes counted, increase in voter turn-out, non-disclosure of number of votes polled in numbers, unreasonable delay in release of votes polled data and the clean-up of certain data from its website. **The ECI failing to address and take appropriate steps against the egregious incidents of violations, illegalities and irregularities seen in the Lok Sabha, 2019 and Lok Sabha Election 2024 elections has led to the trepidations in the mind of the electorate.** These apprehensions must be immediately addressed and put to rest.
11. **It is not only a legal requirement of the Commission to declare final election results based on actual genuine data but it is also a constitutional duty as envisaged under Article 324 read with Article 19 (1) (a) of the Indian Constitution.** Election Commission of India is duty bound to make sure that the elections are driven by fairness, credibility and honesty and not by manipulation, misconduct and illegalities. **In order to uphold and preserve the sanctity of elections, it is undeniably imperative that election results are accurate.**
12. **It is also reiterated that ADR has not challenged the final results of 2024 General Elections by means of petition or this letter.** However, the issues and irregularities that arose in the conduct of Lok Sabha 2024 elections indeed demand a careful legal insight by the Commission and the Apex court in order to effectuate free and fair elections, survival of democracy and for the enforcement of fundamental rights.

13. In the light of the above and in pursuance to the directions of the Hon'ble Supreme Court of India in its order dated 18-03-2025, we are therefore, requesting for a meeting with the Commission to deliberate upon the issues at length at a mutually convenient date and time after April 01, 2025.
14. It will be appreciated if the receipt of this letter is acknowledged.

Yours sincerely,



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