

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s).1157/2025

TAMILAGA VETTRI KAZHAGAM

Petitioner(s)

VERSUS

ELECTION COMMISSION OF INDIA & ORS.

Respondent(s)

(IA NO.313077/2025 - PERMISSION TO FILE APPLICATION FOR DIRECTION,  
IA NO.313079/2025 - EXEMPTION FROM FILING O.T.)

Date : 04-12-2025 This petition was called on for hearing today.

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

For Petitioner(s) :Mr. Gopal Sankaranarayanan, Sr. Adv.  
Mr. Avishkar Singhvi, Adv.  
Mr. Yash S. Vijay, AOR  
Ms. Dixita Gohil, Adv.  
Mr. Pranjal Agarwal, Adv.  
Ms. Trisha Chandran, Adv.  
Mr. T Mahendran, Adv.  
Ms. Shweta Surana, Adv.  
Mr. Shikhar Aggarwal, Adv.  
Mr. Jatin Patil, Adv.

For Respondent(s) :Mr. Rakesh Dwivedi, Sr. Adv.  
Mr. Eklavya Dwivedi, AOR

UPON hearing the counsel the Court made the following  
O R D E R

IA No.313077/2025

1. This application has been moved by the applicant/petitioner-Tamilaga Vettri Kazhagam, *inter alia*, seeking the following reliefs:

"a. Direct Respondent no.1, the Election of India, to pay *ex gratia* interim compensation to all Booth-Level Officers who have died by suicide after the issuance of the Impugned Notification being instruction No.23/2025-

ERS (Vol.II) dated 27.10.2025;

b. Direct Respondent No.1, the Election Commission of India, to pay *ex gratia* interim compensation to all Booth-Level Officers who have died by health complications or otherwise, after the issuance of the Impugned Notification being Instruction NO.23/2025-ERS (Vol.II) dated 27.10.2025;

c. Formulate a scheme for compensation for Booth-Level Officers, or direct Respondent no.1, the Election Commission of India, to formulate a scheme for compensation for Booth-Level Officers and implement the same to the satisfaction of this Hon'ble Court, to ensure suitable rehabilitation of their dependents and families;

d. Direct Respondent No.1, the Election Commission of India, to extend the 'enumeration period' deadline of the SIR process from 11.12.2025 to March 2026, or any other date considered reasonable by this Hon'ble Court; and/or

e. Pass any other/further order(s) as this Hon'ble Court may deem fit and proper in the interests of justice."

2. In substance, the allegations are that various employees, like Anganwadi workers, have been deployed to perform the duties of BLOs, overlooking the extreme difficulties being experienced by them. Though the application gives certain illustrative instances from different States, it seems that the applicant is espousing the cause of some employees who, for varied reasons are unable to perform the duties assigned by the Election Commission of India. It is also highlighted that wherever the employees are reluctant to perform the duties, the Election Commission of India is contemplating to initiate criminal prosecution against them.

3. We have heard learned senior counsel on behalf of the applicant as well as learned senior counsel for the Election

Commission of India.

4. There can indeed be no quarrel that the employees, who have been deployed by the State Governments/State Election Commission at the disposal of the Election Commission of India for the purpose of performing statutory duties, including for SIR, are obligated to perform such duties. In case they are facing hardships, including being overburdened with their own routine duties as well as the additional responsibilities assigned by the Election Commission of India, the State Governments can obviate such hardships, for which we deem it appropriate to issue the following directions:

(i) The State Governments may consider the desirability of deputing additional staff at the disposal of the Election Commission of India so that the working hours of the deployed staff can be proportionately reduced.

(ii) Wherever any individual has specific reasons for seeking exemption from duty assigned by the Election Commission of India, the competent Authority in the State Governments may consider such a request on a case-to-case basis and replace such person with another employee. However, it shall not be construed or understood that after withdrawing the deployed employees, their substitutes shall not be provided. In other words, the State shall be obligated to deploy the requisite workforce at the disposal of the Election Commission of India, though the strength of such employees can be increased, as observed above.

5. For any other relief, which has not been dealt with above, the aggrieved person or the applicant shall be at liberty to file an

appropriate application.

6. The Interlocutory Application stands disposed of accordingly.

7. Post the main case on 09.12.2025.

(ARJUN BISHT)  
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)  
ASSISTANT REGISTRAR