

Sl. 13
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Court No.19
BP

WPA 1566 of 2026

Basudeb Das
-versus-
The State of West Bengal and others

Mr. Billawadal Bhattacharyya, Sr. Advocate
Mr. Anish Kumar Mukherjee
Mr. Aditya Mondal
Ms. Megha Datta
Mr. Tamoghna Pramanik
..for the petitioner

Mr. Srijan Nayak
Mrs. Rituparna Maitra
..for the Election Commission

Mr. Asish Kumar Guha
Mr. Benazir Ahmed
..for the State

Mr. Ankit Sureka
Mr. Partha Sarathi Pal
..for the respondent nos. 3 and 4

One of the contesting candidates in the delegate election of Ranichak Samabay Krishi Unnayan Samiti Limited (for short “RSKUSL”) has approached this Court praying for certain directions upon the Co-operative Election Commission and the police authorities for free and fair elections.

The Returning Officer has issued an election notification dated 31st December, 2025 wherefrom it appears that the date of poll; counting of votes and declaration of results is fixed on January 25, 2026.

The petitioner has submitted a representation before the Co-operative Election Commission (for short “the Commission”); the Returning Officer and other

authorities requesting them to deploy adequate number of security forces on the day of election i.e. on January 25, 2026; to install sufficient number of CCTV cameras for surveillance and to ensure that persons other than the voters and those engaged for conduct of election are not allowed to come within a specific radius of the polling station.

Mr. Bhattacharyya, learned senior advocate appearing for the petitioner submits that in a Public Interest Litigation being WPA (P) 340 of 2021 in the case of Debdutta Maji @ Devdutta Majhi Vs. the State of West Bengal & Ors. concerning the election of Kolkata Municipal Corporation, the Hon'ble Division Bench passed an order on December 14, 2021 directing installation of CCTV cameras to add to the transparency in the election process. He also places reliance upon an order of a Co-ordinate Bench in WPA 28968 of 2024 passed on December 6, 2024 concerning the election to a Co-operative society wherein a direction was passed upon the Officer-in-Charge of the local police station to provide necessary assistance to facilitate the removal of camps set up by the rival parties within a specific radius. Mr. Bhattacharyya also places reliance upon a decision of the Hon'ble Supreme Court in Special Leave to Appeal (C) No(s) 13916 of 2024 in the case of Rabindra Nath Thakur Vs. The State of West Bengal and others concerning the

election of a Co-operative Society wherein installation of CCTV cameras were directed at the polling station.

Mr. Nayak, learned advocate appears for the Commission. He submits that the Commission has taken all necessary steps to ensure free and fair election. He further submits that a letter dated December 31, 2025 has been issued to the Inspector-in-Charge of the local police station for deployment of police personnel on the date of poll for election of delegates of RSKUSL. He submits that at the time of filing the nomination papers and other poll related activities necessary safeguards were also taken. He further submits that no complaint alleging happening of any untoward incident till the time of filing of the nomination has been reported to the Commission.

The learned advocate appearing for the State submits that necessary steps will be taken by the Inspector-in-Charge, local police station to ensure free and fair election in terms of the directions passed by the Commission.

Mr. Bhattacharyya, learned senior advocate for the petitioner does not dispute that no untoward incident took place till the filing of the nomination. He, however, submits, on instructions, that some untoward incidents happened on January 20, 2026 which gave rise to an apprehension in the mind of the petitioner that certain attempts to disrupt the elections might be made by interested parties on the date of poll.

The learned advocate appearing for the State upon instructions from the Inspector-in-Charge of local police station however, disputes the submission of Mr. Bhattacharyya on happening of any untoward incidents.

Heard the learned advocates for the respective parties and perused the materials on record.

It is the duty of the Co-operative Election Commission to ensure free and fair delegate election of the concerned Co-operative Society.

Installation of CCTV cameras in and around the polling station will undoubtedly add to transparency in the election process as observed by the Hon'ble Division Bench in Debdutta Maji (supra) and the same would be in aid of free and fair election.

The Hon'ble Supreme Court in Rabindra Nath Thakur (supra) also directed deployment of forces to prevent any untoward incident and for installation of CCTV Cameras for free and fair election.

The learned advocate appearing for the State submits that adequate number of police personnel shall be deployed at the locale on the date of poll. He further submits that the authorities of the local police station shall also make an arrangement for installation of adequate number of CCTV cameras for surveillance. He, however, submits that the cost of the installation of CCTV cameras should be provided by the petitioner.

Mr. Bhattacharyya, learned senior advocate for the petitioner, on instruction, submits that considering the paucity of time, the petitioner is ready and willing to bear the cost of installation of CCTV cameras at the locale and other ancillary charges and such cost and charges shall be paid upon an intimation to that effect being given by the authorities of the Co-operative Election Commission to the petitioner.

The learned advocate on record of the petitioner is directed to furnish e-mail address of the petitioner to Mr. Nayak and the learned advocate for the State in course of this day.

In the light of the submissions made by the learned advocates for the respective parties WPA 1566 of 2026 stands disposed of with the following directions:

1. The Superintendent of Police, Purba Medinipur being the 9th respondent shall direct the Inspector-in-Charge, Nandigram Police Station being the 10th respondent to deploy adequate number of police personnel on the date of poll at the polling station and surrounding areas of the polling station so that no untoward incident takes place. If sufficient number of police personnel are not available at the local police station, necessary arrangement for the same shall be made by the 9th respondent.

2. The Inspector-in-Charge, Nandigram Police Station being the 10th respondent shall make necessary arrangements and get the CCTV cameras installed in and around the polling station under the control, direction and supervision of the Co-operative Election Commission.
3. The 10th respondent shall also ensure that the rival parties do not set up camps within such radius of the polling station as may be fixed by the Co-operative Election Commission.
4. The cost of such installation of CCTV cameras should be borne by the petitioner and the payment shall be made within 48 hours of receipt of the intimation as to the cost of such installation to the learned advocate of the petitioner through E-mail or otherwise.
5. The entire process of election till the declaration of result shall be recorded. The CCTV footages thereof shall be preserved by the Co-operative Election Commission.

All parties are directed to cooperate with the Co-operative Election Commission in the matter of installation of CCTV and for conduct of election by the Commission.

It is, however, made clear that this Court has passed the aforesaid directions considering the special facts and circumstances of this case.

There shall be however no order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Hiranmay Bhattacharyya, J.)