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SPECIAL INTENSIVE REVISION (SIR) OF ELECTORAL ROLLS

SYLLABUS:

GS 2 > Constitution

REFERENCE NEWS:

The judgment of the Supreme Court of India, on the Special Intensive Revision of electoral rolls, has thrown up many disturbing questions about the powers, the role and the conduct of the Election Commission of India (ECI) in the context of the exercise of its powers in the preparation and revision of electoral rolls.

SPECIAL INTENSIVE REVISION:

Special Intensive Revision (SIR) is a comprehensive **voter-verification exercise** conducted by the **Election Commission of India (ECI)** to update, authenticate, and purify electoral rolls through **large-scale house-to-house verification**. It goes beyond routine annual revisions and seeks to ensure that:

- Every eligible citizen is included.
- Duplicate, deceased, shifted, or ineligible voters are removed.
- Electoral rolls remain accurate, inclusive, and credible.

The Supreme Court in **ADR v. ECI (2025-26)** upheld the ECI's power to conduct SIR under Article 324 of the Constitution and Section 21(3) of the Representation of the People Act, 1950.

- The Constitution envisages:
 - **Article 324** – ECI's superintendence, direction and control over elections.
 - **Article 325** – One general electoral roll; prohibition of exclusion based on religion, race, caste, or sex.
 - **Article 326** – Universal Adult Suffrage (18 years and above).
 - **Article 327** – Parliament's power to make laws regarding elections.
- India has periodically conducted intensive electoral roll revisions to maintain electoral integrity. The **last nationwide intensive revision** was conducted during **2002–2004**, after which only **summary revisions** were generally undertaken.
 - The recent Bihar SIR and the proposed extension to 12 States/UTs represent the first major exercise after more than two decades.
- **Representation of the People Act, 1950**
 - **Section 16:** Disqualifies non-citizens from electoral rolls.

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- **Section 19:** Provides eligibility to citizen of India, 18 years or above, ordinarily resident in the constituency.
- **Section 21(3):** Empowers the ECI to order **Special Revision of Electoral Rolls** at any time after recording reasons.
- **Registration of Electors Rules, 1960:** Provide procedures regarding enrolment, revision, claims and objections and publication of electoral rolls.
- **Eligibility for Inclusion in Electoral Rolls:** A person must be Citizen of India, at least 18 years old, ordinarily resident in the constituency and not disqualified under any law.

KEY FEATURES OF SIR OF ELECTORAL ROLLS:

- **Hybrid Model of Electoral Revision:** Unlike routine revisions, the present SIR adopts a **hybrid approach**. Uses existing electoral rolls as the starting point (summary revision feature). Conducts fresh field verification through house-to-house surveys (intensive revision feature). This makes SIR more comprehensive than ordinary annual revisions.
- **House-to-House Enumeration:** A defining feature of SIR is **door-to-door verification by Booth Level Officers (BLOs)**
 - BLOs visit every household, distribute and collect Enumeration Forms, verify elector details, identify deceased, shifted, duplicate or ineligible voters. The ECI mandates multiple visits where necessary to ensure no eligible voter is left out.
- **Pre-Filled Enumeration Forms:** Each registered elector receives **Unique Enumeration Form (EF)**. The form contains name, EPIC number, address, constituency details, existing electoral information. This reduces clerical errors and facilitates faster verification.
- **Documentary Verification of Electors:** The SIR requires verification through supporting documents. Indicative documents include birth certificate, passport, educational certificates, permanent residence certificate, government-issued identity cards, family registers, Forest Rights Certificates, electoral roll extracts from previous SIRs and Aadhaar (subject to ECI guidelines).
 - The Supreme Court also observed that documents such as Aadhaar, voter ID cards and ration cards may be considered to avoid exclusion of genuine voters.
- **Verification of Citizenship and Eligibility:** Under **Section 16 of the RP Act, 1950, Article 326 of the Constitution**, only Citizens of India, 18 years and above, ordinarily resident in the constituency, are eligible for enrolment.
 - The Supreme Court clarified that ECI may examine citizenship-related questions for electoral purposes. However, ECI cannot finally determine citizenship status; that power remains with authorities under the Citizenship Act.
- **Removal of Duplicate, Deceased and Shifted Voters:** SIR specifically targets duplicate registrations, multiple enrolments in different constituencies, deceased voters, permanently shifted electors and other ineligible entries. The objective is to ensure **"One Person, One Vote"** and prevent electoral fraud.
- **Inclusion of Left-Out Eligible Voters:** SIR is not merely a deletion exercise. It aims to identify first-time voters (18+), migrants, women, tribal populations, persons with disabilities and other underrepresented groups. New voters can seek enrolment through **Form 6 + Declaration Form**.

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- **Multi-Tier Administrative Structure:** The SIR operates through a hierarchical mechanism Booth Level Officer (BLO) for field verification and **Electoral Registration Officer (ERO)** to draft roll preparation and decision on claims and objections. **Assistant Electoral Registration Officer (AERO)** assists ERO. **District Magistrate** forms the first appellate authority and **Chief Electoral Officer (CEO)** the second appellate authority.
- **Involvement of Political Parties:** Recognised political parties are formally involved through **Booth Level Agents (BLAs)**. BLAs may assist voters, collect enumeration forms, certify forms and participate in scrutiny and objections. This is intended to increase transparency and confidence in the process.
- **Technology-Enabled Verification:** SIR incorporates online submission of Enumeration Forms, access to all-India electoral databases, computer-assisted matching and linking and digital tracking and verification mechanisms.
- **Rationalisation of Polling Stations:** The exercise also reviews polling infrastructure. Key provisions:
 - Polling stations should generally not exceed **1,200 electors**.
 - New polling stations may be created in: High-rise residential areas, urban clusters, slum settlements, rapidly growing localities.
- **Special Protection for Vulnerable Voters:** The ECI provides volunteers for senior citizens, assistance for Persons with Disabilities (PwDs) and facilitation for poor and vulnerable groups. The objective is to prevent genuine electors from being excluded or harassed.

NEED FOR SPECIAL INTENSIVE REVISION (SIR) OF ELECTORAL ROLLS IN INDIA:

- **Ensuring Free and Fair Elections:** The electoral roll is the foundation of democracy. The Supreme Court observed that free and fair elections depend fundamentally upon the integrity, accuracy and credibility of electoral rolls.
 - An inaccurate voter list can lead to electoral fraud, bogus voting, multiple voting and manipulation of electoral outcomes. Thus, SIR is viewed as a mechanism to preserve the constitutional principle of **"One Person, One Vote"**.
- **Removal of Duplicate and Bogus Voters:** India experiences extensive internal migration, urbanisation and interstate mobility. As a result, many voters remain enrolled in native constituencies, destination constituencies simultaneously.
 - A migrant worker from Bihar working in Delhi may continue to remain registered in Bihar while also enrolling in Delhi.
- **Deletion of Deceased and Shifted Electors:** Routine electoral rolls often contain names of deceased voters, persons who permanently relocated and non-traceable electors. Such entries inflate electoral rolls, increase the possibility of fraudulent voting and distort voter turnout calculations. House-to-house verification enables BLOs to physically verify voter status and update records.
- **Inclusion of Left-Out Eligible Citizens:** SIR is also designed as an **inclusion exercise**. It helps identify newly eligible 18+ voters, women previously left out, migrants, tribal communities, persons with disabilities and homeless citizens

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- **Addressing Rapid Demographic Changes:** India is witnessing large-scale urbanisation, internal migration, expansion of cities. According to Census and urbanisation trends hundreds of millions of Indians have changed residence over the last two decades.
- **Preventing Inclusion of Ineligible Persons: Identification of non-citizens or otherwise ineligible electors.** Under Section 16 of the Representation of the People Act, 1950, **non-citizens cannot be enrolled as voters.**
 - The Supreme Court recognised that ECI can examine citizenship-related questions for electoral purposes. Electoral inclusion is constitutionally linked to citizenship.
- **Addressing Political Parties' Concerns:** Political parties across ideological lines have repeatedly alleged fake voters, duplicate entries, electoral roll manipulation
 - Concerns regarding electoral roll accuracy have surfaced in Assam, West Bengal, Bihar, Telangana, Andhra Pradesh. SIR provides a systematic mechanism to address such complaints through verification and scrutiny.
- **Strengthening Public Confidence in Elections:** Democratic legitimacy depends not only on free voting but also on trust in the electoral process. If citizens believe electoral rolls contain bogus names, duplicate voters, non-existent electors confidence in election outcomes may erode.

CONCERNS AND CHALLENGES ASSOCIATED WITH SPECIAL INTENSIVE REVISION:

- **Risk of Mass Disenfranchisement:** The most serious concern is the possibility of **exclusion of genuine voters from electoral rolls**. Many citizens may not possess birth certificates, legacy documents, property records and parental records required during verification.
 - **Most Vulnerable Groups:** Scheduled Castes (SCs), Scheduled Tribes (STs), minorities, migrant workers, homeless persons, elderly citizens, women who migrated after marriage
- **Burden of Proof Shifted to Citizens:** Traditionally inclusion in an electoral roll creates a presumption of eligibility. Critics argue that SIR effectively reverses this principle by requiring voters to prove their eligibility through documentation.
 - In **Lal Babu Hussein v. Electoral Registration Officer (1995)**, the Supreme Court held that an enrolled voter enjoys a presumption of citizenship unless proven otherwise. Petitioners argued that SIR undermines this principle by placing the burden on voters.
- **Citizenship Verification Concerns:** A major controversy concerns **whether ECI is indirectly determining citizenship**. Critics contend that citizenship determination falls within the domain of the Ministry of Home Affairs under the Citizenship Act. ECI's role should be limited to electoral administration.
 - SIR may blur the distinction between electoral verification and citizenship determination. The Supreme Court clarified that ECI can examine citizenship questions only for electoral purposes and cannot finally determine citizenship status.
- **Fear of a "Backdoor NRC":** Several civil society groups and political parties alleged that SIR resembles a **de facto National Register of Citizens (NRC)**. Requirements relating to birth certificates, legacy records, parentage documentation have raised fears that citizenship scrutiny is being introduced through the electoral process.

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- **States where concerns were raised** Bihar, Assam, West Bengal especially among vulnerable and minority communities.
- **Timing Close to Elections:** Another criticism relates to **conducting intensive revision shortly before elections**.
 - The Bihar SIR was conducted close to Assembly elections. Critics argue that intensive revisions require substantial time. Large-scale verification immediately before elections may create confusion and exclusion.
 - Some legal scholars argue that traditionally only summary revisions are preferred close to elections. Intensive revisions are better suited during non-election periods.
- **Massive Administrative and Logistical Challenges:** India has nearly one billion electors, millions of households, diverse geographical conditions. Booth Level Officers (BLOs) are expected to conduct extensive house-to-house verification within a limited period, increasing the possibility of errors.
- **Documentation Barriers:** Many eligible citizens lack formal birth records, land ownership documents and school certificates. Civil registration systems historically had lower coverage in many rural areas. Documentation-heavy verification disproportionately affects poor households, rural populations, informal workers.
 - The Supreme Court's suggestion to permit documents such as Aadhaar, Voter ID, Ration Card was partly intended to address this concern.
- **Migrant Workers at Risk:** India experiences one of the world's largest internal migration flows. Migrants often change residences frequently, lack local documentation and remain absent during verification visits. Risk of deletion from original constituency and failure to enrol in destination constituency. This could significantly affect electoral participation.
- **Uneven Implementation Across Regions:** Implementation quality depends heavily on BLO efficiency, local administration and availability of resources. Procedures may vary across districts, constituencies and states leading to inconsistency, arbitrary decisions, differential treatment of voters.
- **Transparency and Due Process Concerns:** Critics argue that voters may not always receive adequate notice, deletions may occur without meaningful hearing, appeals mechanisms may be inaccessible for vulnerable citizens.
 - Raises concerns regarding natural justice, procedural fairness, Article 14 (equality before law) and Article 21 (due process and dignity).
- **Political Polarisation and Trust Deficit:** The SIR has become politically contentious. Opposition parties have alleged selective targeting, potential voter suppression and lack of consultation. Meanwhile, supporters view SIR as necessary for electoral integrity.
- **Contradiction Between Inclusion and Purification:** The ECI seeks to include all eligible voters and remove all ineligible voters. However, these objectives can sometimes conflict. A highly stringent verification process may improve accuracy but increase exclusion risks. This creates the challenge of balancing **Electoral Purity vs Universal Adult Suffrage**
- **Constitutional Concerns Raised Before the Supreme Court:** Petitioners in **ADR v. ECI (2025-26)** argued that SIR violated:
 - **Article 14** arbitrariness and unequal treatment.

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- **Article 19**, indirect impact on democratic participation.
- **Article 21**, procedural fairness concerns.
- **Articles 325 and 326**, threat to universal adult suffrage.
- The Supreme Court ultimately rejected these challenges and upheld the SIR.

KEY FINDINGS OF THE SUPREME COURT:

In **Association for Democratic Reforms (ADR) & Others v. Election Commission of India (2025-26)**, the Supreme Court upheld the legality and constitutionality of the **Special Intensive Revision (SIR)** of electoral rolls conducted by the Election Commission of India (ECI).

- **ECI Has the Constitutional Power to Conduct SIR:** The Court held that **Article 324** of the Constitution grants broad powers to the ECI over preparation and revision of electoral rolls.
 - **Section 21(3) of the Representation of the People Act, 1950** empowers the ECI to order a special revision of electoral rolls. Therefore, the ECI was competent to undertake the SIR exercise.
- **SIR Serves a Legitimate Constitutional Purpose:** The Court held that the objective of SIR is maintaining the accuracy and purity of electoral rolls, ensuring free and fair elections, protecting the integrity of the democratic process. According to the Court, an accurate electoral roll is the foundation of electoral democracy.
- **SIR Satisfies the Test of Proportionality:** The Court applied the constitutional doctrine of proportionality and held that SIR meets all three requirements:
- **ECI Can Examine Citizenship Questions for Electoral Purposes:** One of the most important findings was that ECI may examine issues relating to citizenship when deciding whether a person is eligible to be included in the electoral roll. However, the ECI cannot finally determine citizenship status.
 - The Court clarified the ECI's determination is limited to electoral enrolment and does not amount to a final adjudication of citizenship under the Citizenship Act. Final authority regarding citizenship remains with the Ministry of Home Affairs and competent authorities under citizenship laws.
- **Right to Vote is Subject to Statutory Conditions:** The Court reiterated that the right to vote is a **statutory right**, not a fundamental right. Inclusion in electoral rolls depends on satisfying statutory requirements such as citizenship, age (18+), ordinary residence and absence of legal disqualifications.
- **Statewide SIR is Permissible:** Petitioners argued that special revision under Section 21(3) should be limited to a constituency or part of a constituency. The Court rejected this argument and accepted the ECI's view that the power of special revision can extend to all constituencies within a State if circumstances justify it.
- **Adequate Procedural Safeguards Exist:** The Court noted that SIR contains several safeguards house-to-house verification, publication of draft rolls, claims and objections, appeals before competent authorities and judicial review where necessary. Therefore, the Court found no violation of due process.

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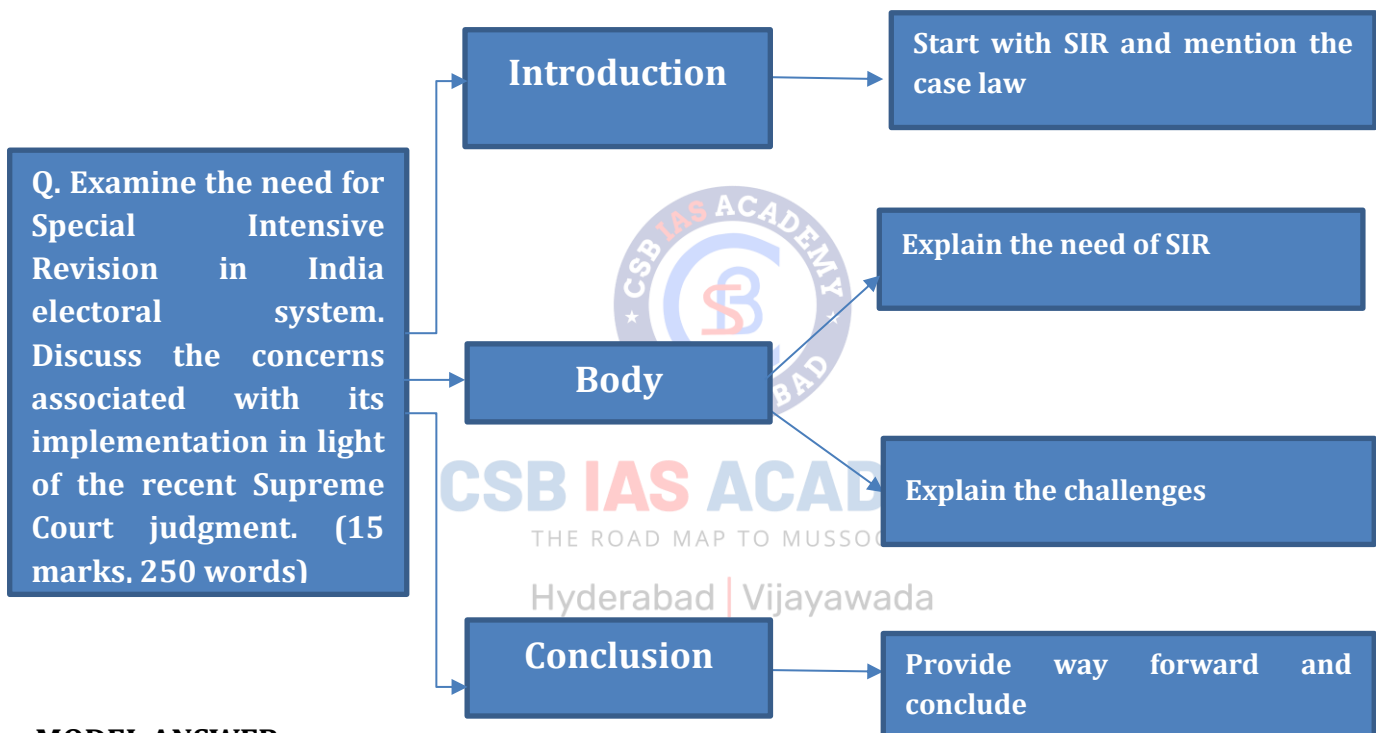
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- **Rejected Challenges Based on Articles 14, 21, 325 and 326:** The Court rejected arguments that SIR was arbitrary (Article 14), violated due process (Article 21) and undermined universal adult suffrage (Articles 325 and 326).
- **Electoral Integrity Must Be Protected:** The Court emphasised that electoral rolls must contain only eligible voters, duplicate, shifted, deceased and ineligible voters must be removed and maintaining clean electoral rolls is an essential component of free and fair elections.

PRACTICE QUESTION:

Q. Examine the need for Special Intensive Revision in India electoral system. Discuss the concerns associated with its implementation in light of the recent Supreme Court judgment. (15 marks, 250 words)

APPROACH:



MODEL ANSWER:

The **Special Intensive Revision (SIR)** is a comprehensive voter-verification exercise conducted by the Election Commission of India (ECI) to update and authenticate electoral rolls through house-to-house verification. In **ADR v. ECI (2025-26)**, the Supreme Court upheld the constitutional validity of SIR, holding that the ECI has the authority under **Article 324** and **Section 21(3) of the Representation of the People Act, 1950** to undertake such an exercise.

Need for SIR

- Ensures **free and fair elections** through accurate and credible electoral rolls.
- Removes **duplicate, bogus, deceased and shifted voters**, thereby strengthening the principle of *"One Person, One Vote"*.

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- Facilitates inclusion of **first-time voters, women, migrants, tribals and persons with disabilities**.
- Addresses demographic changes caused by **urbanisation and large-scale migration**.
- Prevents enrolment of **non-citizens**, as prohibited under **Section 16 of the RP Act, 1950**.
- Enhances public confidence in electoral democracy by improving roll integrity.

Concerns Associated with SIR

- Risk of **disenfranchisement** of genuine voters lacking documentary proof.
- Greater burden on vulnerable groups such as **SCs, STs, migrants, minorities and the elderly**.
- Concerns that citizenship verification may indirectly resemble a **"backdoor NRC"**.
- Extensive documentation requirements may exclude poor and informal-sector workers.
- Conducting SIR close to elections may create administrative confusion and voter exclusion.
- Uneven implementation by Booth Level Officers may result in arbitrary deletions.
- Raises concerns relating to **Articles 14, 21, 325 and 326** regarding equality, due process and universal adult suffrage.

Supreme Court's Stand

The Court held that:

- SIR serves a **legitimate constitutional purpose** of maintaining electoral purity.
- It satisfies the **test of proportionality**.
- ECI may examine citizenship questions for electoral purposes but cannot finally determine citizenship.
- Adequate safeguards exist through claims, objections, appeals and judicial review.

While clean electoral rolls are essential for democratic legitimacy, electoral reforms must not come at the cost of voter exclusion. The challenge lies in balancing **electoral integrity with universal adult suffrage**, ensuring that no eligible citizen is denied the right to participate in the democratic process.

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