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Supreme Court Upholds ECI's Special Intensive Revision of Electoral Rolls

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POLITY

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WHY IN NEWS:

On **May 27, 2026**, a Supreme Court bench led by **Chief Justice of India Surya Kant** (with Justices **Joymalya Bagchi** and **Vipul M. Pancholi**) upheld the **Election Commission of India's (ECI) Special Intensive Revision (SIR)** of electoral rolls in Bihar and other states. The Court held that maintaining the **“purity, integrity, and accuracy”** of electoral rolls is a constitutional duty under **Article 324**, while emphasising that the exercise must remain **fair, inclusive, and non-arbitrary** with safeguards for voters whose names are proposed for deletion.

WHAT IS SPECIAL INTENSIVE REVISION (SIR)?

The ECI conducts two kinds of electoral roll revisions:

TYPE	TRIGGER	SCALE
Summary Revision	Annual exercise — updates only on the basis of received claims/objections	Light-touch
Special Intensive Revision (SIR)	Once-in-a-cycle, conducted afresh — Booth Level Officers (BLOs) verify every household	Comprehensive

SIR is invoked when the rolls accumulate significant errors — duplicates, deceased voters, migration-driven shifts, or doubtful citizenship entries. The current SIR cycle began in **Bihar** ahead of the **2025 Assembly elections** and was extended to other states in 2026.

CONSTITUTIONAL AND STATUTORY BASIS

PROVISION	CONTENT
Article 324	Vests superintendence, direction, and control of elections and electoral roll preparation in the ECI
Article 325	One general electoral roll for every constituency; no discrimination on religion, race, caste or sex
Article 326	Adult suffrage — every citizen ≥ 18 years entitled to be registered
Representation of the People Act, 1950	Sections 21–25: roll preparation, revision, inclusion/exclusion procedures
Registration of Electors Rules, 1960	Forms 6, 7, 8 — inclusion, objection, transposition

PETITIONERS' CONCERNS

- **Risk of mass disenfranchisement** of poor, migrant, and minority voters who fail to produce documents.
- **Citizenship as a back-door inquiry** — petitioners argued that the ECI was indirectly examining citizenship without **statutory** mandate, conflating SIR with **NRC-style** scrutiny.
- **Tight timelines** — booth-level verification given only weeks, insufficient for marginalised voters in remote areas.
- **Documentary burden** — Aadhaar, PAN, ration card not accepted as standalone citizenship proof; required documents (birth certificate, passport, parents' rolls) hard to procure.

WHAT THE COURT HELD

ISSUE	COURT'S RULING
ECI's authority to undertake SIR	Upheld — flows from Article 324
ECI's power to examine citizenship in context of voter registration	Yes — voter eligibility is intrinsically linked to citizenship under Article 326
Disenfranchisement safeguards	Voters proposed for deletion must get reasoned notice + opportunity of hearing ; appellate remedies under RP Act 1950 to be made functional
Documents acceptable as proof of identity/residence	ECI must adopt a broad, inclusive list , not narrow it
Judicial review	Available — High Courts can examine specific deletions on grounds of mala fide or procedural unfairness

The bench emphasised that the **right to vote is a constitutional right** (though not a fundamental right per *PUC v. Union of India*, 2003) and any deletion must satisfy **proportionality and natural justice**.

THE BIHAR SIR — TRIGGER CONTEXT

The Bihar SIR exercise (2025) saw allegations that lakhs of voters were dropped or marked doubtful, especially in **Seemanchal districts** with significant minority populations and cross-border migration histories. The ECI defended the exercise as routine sanitisation; petitioners alleged it was discriminatory in effect.

The Court did **not strike down any specific deletion**, leaving aggrieved voters to use appellate channels — but issued **procedural safeguards** that will now govern future SIR cycles.

WIDER SIGNIFICANCE

- **Electoral integrity vs. inclusion** — the perennial trade-off in India's electoral architecture; the Court attempted to balance both.
- **ECI's institutional autonomy** strengthened — the verdict reaffirms Article 324 as a robust source of power.
- **Linkage with citizenship debates** — by acknowledging that the ECI can examine citizenship questions for roll purposes, the verdict has implications for any future NRC roll-out (Assam already has a State NRC; the Centre has not extended it nationally).
- **Comparative angle** — the US “voter ID” debate, the UK's recent photo ID requirement (2023), and India's SIR all reflect the same global tension between roll-purity and franchise breadth.

WAY FORWARD

- **Standardised, broad document list** for SIR-style exercises — Aadhaar, voter ID, ration card, ID with photograph + residence proof should suffice for routine verification.
- **Dedicated grievance redress portal** for voters facing deletion notices.
- **Independent SIR audit** — periodic third-party review of district-level SIR outcomes to detect bias.
- **Voter awareness campaigns** in vernacular languages before every SIR cycle.
- **Migrant voter protections** — the long-pending **Remote Voting Machine (RVM)** prototype, demonstrated by the ECI in **2023**, deserves accelerated rollout.

UPSC RELEVANCE

GS Paper 2 — Polity & Governance:

- Structure, organisation, and functioning of the Election Commission of India.
- Salient features of the Representation of People's Act.
- Statutory, regulatory and various quasi-judicial bodies.

Analytical hooks for Mains:

- Tension between electoral roll purity and franchise inclusion.
- Article 324 as a source of plenary ECI power — limits and scope.
- ECI vis-à-vis citizenship determination — institutional overlap with MHA.

FACTS CORNER

Verdict date: May 27, 2026.

Bench: CJI Surya Kant, Justices Joymalya Bagchi and Vipul M. Pancholi.

Constitutional anchor: Article 324 — superintendence of elections and roll preparation by ECI.

Statutory anchor: Representation of the People Act, 1950 (roll preparation).

Voter eligibility: Citizen \geq 18 years (61st Amendment, 1988 lowered from 21 to 18).

Bihar SIR cycle began 2025 ahead of the Bihar Assembly elections.

Right to vote: Constitutional/statutory right (*PUCL v. Union of India*, 2003) — not a fundamental right, but covered by procedural due process under Article 21.

First-ever Indian electoral roll: 1950–51, for the first general election (1951–52) — ~17.32 crore voters.

Remote Voting Machine (RVM): Prototype demonstrated by ECI in January 2023.

Sources: *The Hindu*, *Bar and Bench*, *ECI*

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