
THE SPECIAL INTENSIVE REVISION OF ELECTORAL ROLLS: STATUTORY FRAMEWORK AND FIELD IMPLEMENTATION

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ABSTRACT

This intensive revision of electoral rolls, conducted by the Election Commission of India in Bihar in June 2025, and gradually rolled out throughout the country in phases, has since then become India's most comprehensive update in over twenty years. This article consists of a two-Register essay on the procedure of constitution, statute and subordinate legislation and on procedure in operation. It mentions the power vested in the Commission under Article 324 of the Constitution read with Section 21(3) of the Representation of the People Act, 1950, and the place of Rule 25 of the Registration of Electors Rules, 1960 within that scheme; Sets out the procedural steps taken, starting from the roll freezes and continuing with enumerations, published draft roll, claims & objections, and final roll publications; and captures the recorded results from the Bihar experience and subsequent phased national release. It then examines the Supreme Court's decision in *Association for Democratic Reforms v. Election Commission of India*, that upheld the Bihar revision and notes the impact of that decision on the legal status of the register of voters in general, particularly the fact that in that decision enrolment was treated as a rebuttable presumption. The account is descriptive and not normative, that is when opinions differ, the argument from the opposite point of view is explained rather than decided.

I. Introduction

The Election Commission of India on June 24, 2025 ordered a Special Intensive Revision of the electoral rolls of Bihar where it has asked that every enlisted elector will have to fill in an enumeration form and the entries of whom cannot be traced out to the 2003 intensive revision have to present document as a proof of their eligibility.¹ The exercise finished at 30 Sept 2025 and was then gradually extended to the whole country. It quickly became subject to proceedings at the Supreme Court, constant political controversy and generated voluminous comment.

This Article expresses no opinion whatever on that contention; it is addressed rather more modestly to sketching the contours of what the SIR is, and what the SIR has been as a matter of history and record. Part II identifies the constitutional foundation of the power. Part III sets out the statutory and regulatory framework. Part IV describes the procedure as prescribed. Part V records the Bihar implementation. Part VI describes the national rollout. Part VII examines the judicial treatment of the exercise. Part VIII considers the implications for the electoral roll as a legal instrument.

II. The Constitutional Foundation

Constitutional basis of revising electoral rolls lies in the provisions under article 324(1). Under this constitutional article, the Election Commission is empowered to superintendence, direction and control of the preparation of the electoral rolls for, and the conduct of, all elections to Parliament and to the State Legislatures.² The section grants powers that is both supervisory and in the absence of contrary legislation, operative.

Two further provisions constrain its exercise. Article 325 declares that no person can be omitted from an electoral roll on grounds only of his religion, race, or caste or sex; There shall be one general electoral roll for each territorial constituency.³ Article 326 states that the basis of elections to the House of the People and to the Legislative Assemblies shall be adult suffrage and every citizen of not less than eighteen years of age will be entitled to register and vote unless disqualified on grounds of non-residence, unsoundness of mind, crime or corrupt or

¹ Election Comm'n of India, Order No. 23/2025-ERS(Vol.II) (June 24, 2025) (directing a Special Intensive Revision of the electoral rolls in the State of Bihar); *see* Ass'n for Democratic Reforms v. Election Comm'n of India, 2026 INSC 564, ¶¶ 10.1–10.3 (India) (W.P. (C) No. 640 of 2025, decided May 27, 2026), https://api.sci.gov.in/supremecourt/2025/35785/35785_2025_1_1501_71617_Judgement_27-May-2026.pdf.

² INDIA CONST. art. 324, cl. 1.

³ INDIA CONST. art. 325.

illegal practice.⁴ The constitutional system, therefore, both dictates the eligibility and specifies in full measure the disqualifications and the procedure for the preparation of the roll works only within the limits prescribed by these provisions.

Article 324 vests real constitutional power in the Commission, but that power must be exercised in conformity with valid parliamentary law and cannot override an express statutory prohibition.⁵ The question the SIR presents is therefore not whether its source is statutory or constitutional, but whether it conflicts with the 1950 Act and the 1960 Rules and whether it serves the objective of free and fair elections.

III. The Statutory and Regulatory Framework

Parliament has legislated in this field through The Representation of the People Act, 1950. Section 19 says that a person is entitled for registration in a constituency if the age is not less than 18 years on the qualifying date and is an ordinarily resident within the constituency; Section 16 disqualifies from registration a person who is not a citizen of India, of unsound mind, as may be declared by a competent court, or who is disqualified in respect of corrupt practices.⁶

Section 21 provides for revision. Sub-section (2) Permits revision preceding every general election and other times as prescribed. Sub-section (3) empowers the Election Commission, for reasons to be recorded, to undertake a special revision of the electoral roll of any constituency or part of a constituency in such manner as it may consider fit.⁷ Rule 25 of the Registration of Electors Rules, 1960 governs s.21(2) which says the rolls may be revised either intensively, or summarily or partly in one mode and partly in the other.⁸ the term 'special intensive revision' is some way the compound result of these two latter terms rather than a term of art appearing in either.

The correction, inclusion and deletion of entries is governed by Sections 22 and 23 of the 1950

⁴ INDIA CONST. art. 326.

⁵ Mohinder Singh Gill v. Chief Election Comm'r, (1978) 1 S.C.C. 405, ¶ 92 (India); *see also id.* ¶ 113 (Goswami, J., concurring); *Ass'n for Democratic Reforms*, 2026 INSC 564, ¶¶ 18, 22, 27.

⁶ The Representation of the People Act, 1950, No. 43, Acts of Parliament, 1950, §§ 16, 19 (India).

⁷ *Id.* §§ 21(2)–(3).

⁸ The Registration of Electors Rules, 1960, r. 25 (India) (framed under The Representation of the People Act, 1950, § 28); *see Ass'n for Democratic Reforms*, 2026 INSC 564, ¶ 36 (r. 25(1) provides that a roll may be revised intensively, summarily, or partly by each method).

Act and by Rule 21A of the 1960 Rules, which provided that, amongst other things, a name cannot be struck off from the roll without a notice and an opportunity to be heard.⁹ Section 24 provides a two-tier appeal against the order passed by electoral registration officer, firstly to the District Magistrate and thereafter to Chief electoral officer.¹⁰

IV. The Process as Prescribed

The SIR follows a fixed administrative sequence. The existing roll is frozen on a notified date. Enumeration Forms, pre-printed with elector's current particulars, are printed and Booth Level Officers are trained. In the enumeration period, booth level officers are responsible for the house-to-house distribution and collection of forms along with parallel facility of online application. A person who finds their name or name of a parent already included in the last intensive revision of the State needs to submit only the form; An elector who cannot establish the linkage may be asked after due notice by the Electoral Registration Officer to support the linkage by one or more of the documents that are prescribed by the Commission.¹¹

A draft roll is then published, comprising those from whom forms have been received. A period for claims and objections follows, during which inclusion may be sought under Form 6 and objections to any entry may be filed. A notice phase runs concurrently, in which Electoral Registration Officers issue notices, conduct enquiries and determine contested entries.¹² The final roll is then published, and Section 24 appeals lie thereafter. This design involves two important points: appearance in the draft roll depends on submission of the enumeration form rather than on proof of ineligibility; evidence is demanded only upon notification, not always.

V. Field Implementation: Bihar, 2025

The Bihar exercise was held from June 24 2025 to September 30 2025 across all its 243 assembly constituencies, conducted by 38 District Election Officers, 243 Electoral Registration Officers, 2,976 Assistant Electoral Registration Officers, and some 1lakh Booth Level Officers

⁹ The Representation of the People Act, 1950, §§ 22–23; The Registration of Electors Rules, 1960, r. 21A (India); see *Ass'n for Democratic Reforms*, 2026 INSC 564, ¶ 67 (r. 21A contemplates deletion on grounds of the death of an elector, cessation of ordinary residence, and disqualification from registration).

¹⁰ The Representation of the People Act, 1950, § 24(a)–(b), read with The Registration of Electors Rules, 1960, r. 27 (India).

¹¹ Chief Electoral Officer, Delhi, *Frequently Asked Questions on Special Intensive Revision (SIR) 2026*, https://ceodelhi.gov.in/PDFFolders/2026/FAQ_SIR2026.pdf (last visited Aug. 5, 2026).

¹² *Id.* (notice phase in the 2026 revision scheduled from Aug. 5, 2026 to Oct. 3, 2026).

and over 1.6lakh Booth Level Agents nominated by the 12 major political parties.¹³

The roll was of 7.89 crore electors when the process was initiated. Draft of the roll that was released on August 1, 2025 had around 7.24 crore name almost 65.62 lakh short.¹⁴ According to the Commission, the decrease was due to identification of voters under the below mentioned categories; 22 lakh voters are identified as 'dead', 36 lakh voters identified as permanently shifted and not traceable and 7 lakh voters are identified in more than one places.¹⁵ From 1 August to September 1, 2025, the claims and objections period allowed people to raise concerns. An approximate of 7.42 crore electors were present in the final published roll after that, out of which 21.53 lakh name were included with form 6 and 3.66 lakhs were excluded in scrutiny process, leaving the final roll roughly 47 lakhs below the pre-revision figure.¹⁶

Similarly, separate investigation of the same details revealed characteristics missing from the summary statistics. A report on Chief Electoral Officer data shows that from a deletion of 3,66,742 names from the draft roll, 62,441 names were deleted as dead, 2,12,999 for shifting residence and 81,334 as having already been listed and 9,968 were removed without death, shifted residence or duplication being recorded as the reason.¹⁷ Commentators have similarly highlighted the shift from the intensive revision in 2003, when the verification of citizenship was not applied extensively to all entries, and stated that the Commission's own manual uses the term “intensive revision” rather than “special intensive revision.”¹⁸

VI. The Nationwide Rollout

The EC issued an SIR at the country-wide level in October 2025. A Second Phase was launched on November 4, 2025, in the States and Union Territories of the Andaman and Nicobar Islands, Chhattisgarh, Goa, Gujarat, Kerala, Lakshadweep, Madhya Pradesh, Puducherry, Rajasthan,

¹³ Press Release, Election Comm'n of India, *Special Intensive Revision (SIR) of Electoral Rolls in Bihar Successfully Completed* (Sept. 30, 2025), <https://www.pib.gov.in/PressReleasePage.aspx?PRID=2173316>.

¹⁴ *Ass'n for Democratic Reforms*, 2026 INSC 564, ¶ 10.9 (draft roll containing approximately 7.24 crore electors published on Aug. 1, 2025, against approximately 7.89 crore electors on the roll as on June 24, 2025).

¹⁵ *Id.* (approximately 7 lakh electors found enrolled at multiple places, 22 lakh recorded as deceased, and 36 lakh permanently shifted or not found).

¹⁶ *Id.* ¶ 10.14 (3.66 lakh names deleted from the draft roll and 21.53 lakh electors added, yielding a final roll of approximately 7.42 crore); Press Release, Election Comm'n of India, No. ECI/PN/313/2025 (Sept. 30, 2025).

¹⁷ *Bihar CEO Records Reveal Unexplained Deletions*, ASS'N FOR DEMOCRATIC REFORMS, <https://adrindia.org/content/bihar-ceo-records-reveal-unexplained-deletions> (last visited Aug. 5, 2026) (reproducing analysis first reported in the Hindustan Times).

¹⁸ *Beyond “Special”: How the 2025 Bihar SIR Marks a Break from the Past*, SUP. CT. OBSERVER (Mar. 10, 2026), <https://www.scobserver.in/journal/beyond-special-how-the-2025-bihar-sir-marks-a-break-from-the-past/>.

Tamil Nadu, Uttar Pradesh and West Bengal covering an electorate of approximately 51 crores, with draft rolls published on 9 December 2025 and final rolls on 7 February 2026.¹⁹

In February 2026, to expedite readiness for an additional third phase, the commission instructed the Chief Electoral Officers of a further twenty-two other States and Union Territories to have the arrangements made.²⁰ The phase is currently underway. Under the schedule as originally notified, enumeration in Karnataka ran from June 30 to July 29, 2026, with the final roll on October 7, 2026, and house-to-house verification in Telangana was to continue until August 3, 2026. Draft roll on August 10, 2026 and the final roll on October 12, 2026. Schedules for Himachal Pradesh, Jammu and Kashmir, and Ladakh had not been notified as of August 2026.²¹ Timelines in several States have been extended to allow Booth Level Officers additional time to complete verification.

VII. Judicial Consideration

The Bihar exercise was challenged in a batch of writ petitions led by *Association for Democratic Reforms v. Election Commission of India*. On 27 May 2026 a Bench of Chief Justice Surya Kant and Justice Joymalya Bagchi unanimously upheld the exercise.²²

The petitioners had argued that the revision went against Articles 14, 19, 21, 325, 326, that Section 21(3), being constituency-specific, does not authorise a statewide revision, that the reasons of deletion did not come under the grounds laid down in Section 16, and that the combination of documentation standards and condensed time schedule risked arbitrary disenfranchisement. The Commission described the procedure as cleanse of rolls for deceased, relocated and duplicated entries which took place transparently with required documents only

¹⁹ *Election Commission to Conduct Special Intensive Revision in 12 States, UTs*, NEWS ON AIR (Oct. 27, 2025), <https://www.newsonair.gov.in/election-commission-to-conduct-special-intensive-revision-sir-in-12-states-uts/>; *EC Distributes Over 50.43 Crore Enumeration Forms in SIR Phase 2*, NEWS ON AIR (Nov. 21, 2025), <https://www.newsonair.gov.in/ec-distributes-over-50-43-crore-enumeration-forms-in-sir-phase-2> (recording commencement of Phase II on Nov. 4, 2025).

²⁰ *EC Directs CEOs of 22 States and UTs to Complete Preparatory Work Related to SIR of Electoral Rolls*, NEWS ON AIR (Feb. 19, 2026), <https://www.newsonair.gov.in> (last visited Aug. 5, 2026); *see also Preliminary Preparations for SIR of Electoral Roll in Progress: Telangana CEO*, NEWS ON AIR (Feb. 6, 2026), <https://www.newsonair.gov.in/preliminary-preparations-for-sir-of-electoral-roll-in-progress-telangana-ceo/>.

²¹ *ECI Announces Third Phase of SIR Covering 16 States and 3 UTs*, NEWS MINUTE (May 14, 2026), <https://www.thenewsminute.com/news/eci-announces-third-phase-of-sir-covering-16-states-and-3-uts> (reporting the Election Commission's announcement of 14 May 2026 and the State-wise schedules then notified); *ECI Extends Schedule for SIR in Punjab, Karnataka, Telangana and Delhi*, NEWS ON AIR (July 15, 2026), <https://newsonair.gov.in/eci-extends-schedule-for-sir-in-punjab-by-11-days/> (recording revised timelines for Karnataka, Telangana, Punjab and Delhi).

²² *Ass'n for Democratic Reforms*, 2026 INSC 564, ¶¶ 51, 55 (India).

in a small minority.²³

The Court held that the exercise is traceable to section 21(3) read with Article 324 and do not violate the Act of 1950 or the Rules of 1960, and the steps were not manifestly excessive or disproportionate having regard to the objective of free and fair elections. It ruled that following a different revision procedure from the normal does not automatically in itself render a revision unconstitutional; that the fact that a name is enrolled on the electoral list gives rise to a rebuttable presumption of validity which is not a prohibition of a special intensive revision; that the documentation regime established includes sufficient guarantees and, that the Commission retains a limited power to enquire into the citizenship for the purpose of electoral eligibility.²⁴ The judgment was delivered after the Bihar election of November 2025 had been held.²⁵ Challenges to subsequent phases, including a petition concerning West Bengal in which notice was issued in February 2026, remain pending.²⁶

VIII. Implications for the Electoral Roll

Three implications follow from the exercise and its judicial endorsement.

First, the legal status of an existing entry has been clarified in a particular direction: inclusion in the electoral roll gives rise to a presumption of validity that is rebuttable rather than conclusive, and continued presence on the roll does not by itself insulate an elector from a fresh requirement of verification.²⁷

²³ *Id.* ¶¶ 11–12 (contentions of the petitioners), 13–14 (contentions of the Election Commission).

²⁴ *Id.* ¶¶ 53, 55 (exercise traceable to § 21(3) read with art. 324; adoption of a procedure different from ordinary revision not by itself unconstitutional), 85–86 (measure not disproportionate or manifestly excessive), 92–93 (documentation framework and procedural safeguards); *see also Supreme Court Backs Bihar SIR Exercise, Upholds ECI's Powers to Purify Electoral Rolls*, SUP. CT. OBSERVER (May 27, 2026), <https://www.scobserver.in/reports/supreme-court-backs-bihar-sir-exercise-upholds-ecis-powers-to-purify-electoral-rolls/>.

²⁵ *Ass'n for Democratic Reforms*, 2026 INSC 564, ¶ 10.15 (recording that the Bihar Legislative Assembly elections were conducted on the final roll published Sept. 30, 2025, and that results were declared Nov. 14, 2025).

²⁶ *Challenge to the ECI's Revision of Electoral Rolls in Bihar (SIR)*, SUP. CT. OBSERVER, <https://www.scobserver.in/cases/challenge-to-the-ecis-revision-of-electoral-rolls-in-bihar-sir-association-for-democratic-reforms-v-election-commission-of-india/> (last visited Aug. 5, 2026).

²⁷ *Ass'n for Democratic Reforms*, 2026 INSC 564, Part E.3 (India) (holding that inclusion in an electoral roll gives rise to a presumption of validity which is rebuttable and does not operate as a blanket embargo on the Commission's power to undertake a Special Intensive Revision); *see also Supreme Court Backs Bihar SIR Exercise, Upholds ECI's Powers to Purify Electoral Rolls*, SUP. CT. OBSERVER (May 27, 2026), <https://www.scobserver.in/reports/supreme-court-backs-bihar-sir-exercise-upholds-ecis-powers-to-purify-electoral-rolls/>.

Second, the exercise has established a workable but resource-intensive administrative template whose operation depends on the density and capacity of the booth-level machinery.²⁸ The extension of timelines in the third phase indicates that the schedule, rather than the design, has been the principal operational constraint.

Third, the onus of this corrective action falls largely on the voter. A remedy is provided: Form 6 inclusion, filing an objection, a hearing by the Electoral Registration Officer and appeals to the District Magistrate and the Chief Electoral Officer.²⁹ But each of these requires the voter to have the knowledge of the discrepancy and take action before time. Whereas in the case of Bihar, the figures highlight that all such interventions have been taken on a massive scale. The 21.53 lakh were added. The figures also reveal the residual category of deletions for which no typical reason was identified, which is perhaps where the test of the compensatory systems becomes most evident.

IX. Conclusion

The Special Intensive Revision has a single sub-section in the 1950 Act read with article 324 in operation on a scale never intended when drafted. The Supreme Court has held that scale does not alter the legal character of the power. What the exercise resulted in is a roll generated by re-enumeration, not by carry forward, and aggregate figures showing substantial deletion followed by substantial restoration. It remains uncertain whether that will be the way rolls come to be maintained or whether it will always only be an operation performed once every 20 years or so.

²⁸ Press Release, Election Comm'n of India, *supra* note 13.

²⁹ The Representation of the People Act, 1950, § 24; *see supra* note 10.