IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

WRIT PETITION (CIVIL) NO. 1246 OF 2026

IN THE MATTER OF:

Rakesh Kumar Singh alias Rakesh Singh ...Petitioner

Versus

Union of India & Ors. ...Respondents

COUNTER AFFIDAVIT ON BEHALF OF RESPONDENT NOS. 2 TO 5

(for Index, kindly see inside)

ADVOCATE ON BEHALF OF RESPONDENTS: PRATEEK KUMAR

INDEX

S.No.	Particulars	Pg.No.
1.	Counter Affidavit on behalf of Respondent Nos. 2 to 5.	1-27
2.	**ANNEXURE R1** A copy of the SIR Order dt. 24.06.2025.	28-46
3.	**ANNEXURE R2** A copy of the SIR Order dt. 27.10.2025.	47-75
4.	**ANNEXURE R3** A copy of the SIR Order dt. 14.05.2026.	76-105
5.	**ANNEXURE R4** A copy of the Election Commission (Conditions of Service of Election Commissioners and Transaction of Business) Act in 1991.	106-109
6.	**ANNEXURE R5** A copy of the Order dt. 12.01.1996 issued by the Election Commission of India for delegation of powers.	110-117
7.	**ANNEXURE R6** A copy of the Order dt. 09.12.1997 issued by the Election Commission of India for delegation of powers.	118-121
8.	**ANNEXURE R7** A copy of the Chief Election Commissioner and other Election Commissioners (Appointment, Conditions of Service and Term of Office) Act, 2023.	122-131
9.	**ANNEXURE R8** A copy of the Form 6 as provided under the Registration of Electors Rules, 1960.	132-133



10.	**ANNEXURE R9** A tabulated comparison between Annexure D to SIR Order dt. 24.06.2025 and Annexure IV to SIR Orders dt. 27.10.2025	134-137
11.	**ANNEXURE R10** A copy of the judgment dt. 27.05.2026 of this Hon'ble Court in WP(C) No. 640 of 2025 - *Association for Democratic Reforms v. Election Commission of India,* reported as (2026) 7 SCC 1.	138-216
12.	**ANNEXURE R11** A copy of the order dated 16.07.2026 passed by this Hon'ble Court in Writ Petition (Civil) No. 1109 / 2025 titled as *R. Siva vs Election Commission of India*.	217-219
13.	**ANNEXURE R12** A copy of the communication issued by Chief Electoral Officer, Goa dated 13.10.2026.	220-221
14.	**ANNEXURE R13** A copy of the Order dated 01.04.2026 passed by this Hon'ble Court in W.P. (C) No. 1089/2025 *Mostari Banu vs* Election *Commission of India*.	222-228
15.	**ANNEXURE R14** A copy of the Order dated 06.04.2026 passed by this Hon'ble Court in W.P. (C) No. 1089/2025 *Mostari Banu vs Election Commission of India*.	229-244
16.	PROOF OF SERVICE	245

Filed on: 26.10.2026

FILED BY :

Place: New Delhi

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
WRIT PETITION (CIVIL) NO. 1246 OF 2026

IN THE MATTER OF:

Rakesh Kumar Singh alias Rakesh Singh ...Petitioner

Versus

Union of India & Ors. ...Respondents

COUNTER AFFIDAVIT ON BEHALF OF RESPONDENT NOS. 2 TO 5

I, Bhanu Prakash Yeturu, aged about 50 years, Deputy Election Commissioner (DEC), Election Commission of India, Nirvachan Sadan, Ashoka Road, New Delhi - 110001, do hereby solemnly affirm and state as under:-

1. That I am presently posted as Deputy Election Commissioner (DEC), Election Commission of India and as such am well acquainted with the facts and circumstances of the present case and I am competent and authorized to affirm the present affidavit on behalf of the Respondent No. 2 to 5 herein.

2. That I have read the contents of the present Writ Petition and having understood the contents thereof and in reply I am filing the instant Counter Affidavit. I submit that the contents of affidavit are borne from the record and are true to the best of my knowledge.

3. That the contents of the Writ Petition, except for matters forming part of the record including the comments / views of the members of the Commission, are denied as incorrect / untrue and baseless and no part of the same, including any inference drawn by the Petitioner

NOTARY PUBLIC
Sangita Mishra
Advocate
Delhi
Regn. No. 16967
Date of Expiry
31-01-2030
GOVT. OF INDIA

based on the records, shall be deemed to be admitted on the ground of non-traverse except and in so far as expressly admitted herein. It is further submitted that on account of Dusshera vacations / paucity of time, the Answering Respondents are filing the present Counter Affidavit, and seek liberty from this Hon'ble Court to file a detailed comprehensive affidavit with para-wise response, if so required or directed by this Hon'ble Court.

4. At the very outset, I state that the present Affidavit has been approved for filing before this Hon'ble Court by a unanimous decision of the three members of the Election Commission, i.e. two Election Commissioners and the Chief Election Commissioner.

5. It is most humbly submitted that the three SIR Orders starting with the Order dated 24.06.2025 as well as later Orders to schedule SIR in other States and Union Territories issued on 27.10.2025 and 14.05.2026 were issued in accordance with decisions of the Election Commission of India arrived at unanimously and taken in due compliance of Article 324 of the Constitution of India read with Section 18 of the Chief Election Commissioner and other Election Commissioners (Appointment, Conditions of Service and Term of Office) Act, 2023 [hereinafter **"2023 Act"**]. A copy of the SIR Order dt. 24.06.2025 is annexed herewith and marked as **ANNEXURE R1** [pg. 28 to 46]. A copy of the SIR Order dt. 27.10.2025 is annexed herewith and marked as **ANNEXURE R2** [pg. 47 to 75]. A copy of the SIR Order dt. 14.05.2026 is annexed herewith and marked as **ANNEXURE R3** [pg. 76 to 105]. All contentions to the contrary are erroneous, and denied. The attempt to make aspersions against the Election Commission is unfortunate.

NOTARY PUBLIC
Sangita Mishra
Advocate
Delhi
Regn. No. 16967
Date of Expiry
31-01-2030
GOVT. OF INDIA

6. In view of the contentions raised in the Writ Petition based only on a news article, that the Commission has not been functioning in accordance with the procedure mandated in law, and allegations have also been made questioning the integrity of the Election Commission, it is necessary, in the first instance, to clarify certain factual matters.

7. This explanation on merits is being given without prejudice to the submission that the petitions are misconceived and are not maintainable in law.

8. It is respectfully submitted that in any decision-making process, suggestions, observations, varying views or queries by any official in the chain of command are taken into consideration for arriving at the decision by the competent authority. This remains a common process, both where there is a hierarchy in the command and / or in the case of any multi-member entity such as the Election Commission of India. The views by ECs / CEC of the Commission during the decision-making process on the subjects before them – are considered for arriving at the decision. It is upon consideration of all the views placed before the Commission that the decision is taken and the orders are issued in accordance with the process detailed hereinbelow.

9. With regard to the process of working of the Commission, it is respectfully submitted that on the issues which are put up before the Commission, deliberations and discussions take place before the Commission. The respective divisions put up the concerned file with relevant documents, and as per rules, regulations etc. for approval by

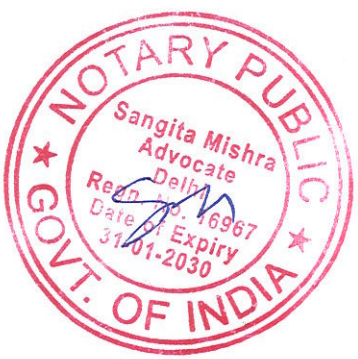
NOTARY PUBLIC
Sangita Mishra
Advocate
Delhi
Regn. No. 16967
Date of Expiry
31-01-2030
GOVT. OF INDIA

the Commission on such issues. The files put up by the respective divisions are sent first to one Election Commissioner and thereafter to the other Election Commissioner and then finally to the Chief Election Commissioner. Such approved decisions of the Commission are duly noted in the concerned files of the Election Commission and bear the signature of the ECs and CEC. Thereafter, the decision is notified and implemented by the ECI Secretariat.

10. In any such decision-making process, any suggestion, observation or query by the Chief Election Commissioner or the Election Commissioners either to other Election Commissioner / Chief Election Commissioner or to any officer of the Commission - does not constitute a decision of the Election Commission under Section 18 of the 2023 Act.

11. Section 19-A of the Representation of the People Act, 1951 provides that subject to general or special directions of the Commission, the functions of the Election Commission may be performed by a Deputy Election Commissioner or a Secretary to the Election Commission. Accordingly, some functions of the Commission have been delegated to Deputy Election Commissioners and some to Secretaries.

12. When the Election Commission became a multi-member body, Section 9 and 10 were introduced in the Election Commission (Conditions of Service of Election Commissioners and Transaction of Business) Act, 1991 [hereinafter referred to as the "1991 Act"] which provided that "*the Election Commission may, by unanimous decision, regulate the procedure for transaction of its business as also*



allocation of its business amongst the Chief Election Commissioner and other Election Commissioners".

13. The constitutional, quasi-judicial and other important functions are directly under the ambit of the Commission as a whole. At the same time, some powers are delegated to the Chief Election Commissioner (CEC) who also works as the Chairman of the Commission and some are delegated to officers of the Commission who work under the supervision of the Commission / CEC.

14. The procedures for transaction of business of the Election Commission already approved under the 1991 Act are saved and continue to operate by virtue of Section 21 of the 2023 Act.

15. Without prejudice to the submission that the Writ Petition based upon newspaper article(s) would not be maintainable, the respectful submissions on behalf of the Answering Respondents regarding the issues raised in the Writ Petition, are set out as under.

16. In the present Writ Petition, it has been contended that certain communications are issued in the name of the Commission without there being a decision of the Commission in that regard.

17. In order to explain the working of the Election Commission, it is necessary to first set out the legal architecture of the Commissions' decision making process.

18. The Parliament enacted the Election Commission (Conditions of Service of Election Commissioners and Transaction of Business) Act in 1991, a copy whereof is annexed herewith and marked as

NOTARY PUBLIC
Sangita Mishra
Advocate
Delhi
Regn No. 16967
Date of Expiry
31-01-2030
GOVT. OF INDIA

ANNEXURE R4 [pg. 106 to 109]. The Election Commission (Conditions of Service of Election Commissioners and Transaction of Business) Act in 1991 was amended by Act 4 of 1994 with effect from 01.10.1993 and by way of this amendment Chapter III was inserted in the 1991 Act which provided for the Transaction of Business of the Election Commission. Section 10 sets out the procedure for the business of the Election Commission. It reads thus:-

> ***"10. Disposal of business by Election Commission.***— *(1) The Election Commission may, by unanimous decision, regulate the procedure for transaction of its business as also allocation of its business amongst the Chief Election Commissioner and other Election Commissioners.*
>
> *(2) Save as provided in sub-section (1), all business of the Election Commission shall, as far as possible, be transacted unanimously.*
>
> *(3) Subject to the provisions of sub-section (2), if the Chief Election Commissioner and other Election Commissioners differ in opinion on any matter, such matter shall be decided according to the opinion of the majority".*

19. Section 19-A was inserted by the Act 47 of 1966 in the Representation of the People Act, 1951 to provide for the delegation of functions of the Election Commission to a Deputy Election Commissioner or to the Secretary. It reads thus:-

> ***"19A. Delegation of functions of Election Commission. -*** *The functions of the Election Commission under the Constitution, the Representation of the People Act, 1950 (43 of 1950) and this Act or under the rules made thereunder may, subject to such general or special directions, if any, as may be given by the Election Commission in this behalf, be performed also by a Deputy Election Commissioner or by the Secretary to the Election Commission".*

NOTARY PUBLIC
Sangita Mishra
Advocate
Delhi
Regn. No. 16967
Date of Expiry
31-01-2030
GOVT. OF INDIA

20. The Election Commission issued an Order relating to Delegation of Powers dated 12.01.1996, which was modified by Office Order dated 09.12.1997 copies whereof are annexed herewith and marked as **ANNEXURE R5** [pg. 110 to 117] and **ANNEXURE R6** [pg. 118 to 121] respectively.

21. The 1991 Act was repealed and replaced by the 2023 Act and the corresponding provisions of the 2023 Act are as below:

> "***17. Transaction of business.***
>
> *The business of the Election Commission shall be transacted in accordance with the provisions of this Act.*
>
> ***18. Disposal of business.***
>
> *(1) The Election Commission may, by unanimous decision, regulate the procedure for transaction of its business and also allocation of its business amongst the Chief Election Commissioner and other Election Commissioners.*
>
> *(2) All business of the Election Commission shall, as far as possible, be transacted unanimously, and if the Chief Election Commissioner and other Election Commissioners differ in opinion on any matter, such matter shall be decided according to the opinion of the majority.*
>
> ***21. Repeal and saving.***
>
> *(1) The Election Commission (Conditions of Service of Election Commissioner and Transaction of Business) Act, 1991 is hereby repealed.*
>
> *(2) Anything done or any action taken or purported to have been done or taken under the Act hereby repealed shall, insofar as it is not inconsistent with the provisions of this Act, be deemed to have been done or taken under the corresponding provisions of this Act.*
>
> *(3) The mention of particular matters in sub-section (2) shall not be held to prejudice or affect the general application of*

NOTARY PUBLIC
Sangita Mishra
Advocate
Delhi
Regn. No. 16967
Date of Expiry
31-01-2030
GOVT. OF INDIA

section 6 of the General Clauses Act, 1897 with regard to the effect of repeal."

A copy of the Chief Election Commissioner and other Election Commissioners (Appointment, Conditions of Service and Term of Office) Act, 2023 is annexed herewith and marked as **ANNEXURE R7** [pg. 122 to 131].

22. Section 21 of the 2023 Act continued as valid any action taken under the 1991 Act provided it is not inconsistent with the 2023 Act. It further states that the mention of particular matters in Section 21(2) shall not be held to prejudice or affect the general application of Section 6 of the General Clauses Act, 1897.

23. Thus, the Order on Delegation of Powers issued under the 1991 Act continue to be in force until amended or repealed.

24. Section 18(1) of the 2023 Act mandates that the procedure for transaction of ECI's business and also allocation of its business amongst the Chief Election Commissioner and other Election Commissioners shall be regulated only by a unanimous decision.

25. Section 18(2) of the 2023 Act reads thus:-

"(2) All business of the Election Commission shall, as far as possible, be transacted unanimously, and if the Chief Election Commissioner and other Election Commissioners differ in opinion on any matter, such matter shall be decided according to the opinion of the majority".

26. The statute recognizes that institutional decision-making should preferably be unanimous, but there may be occasions where the decision may have to be by majority. These provisions are also set

NOTARY PUBLIC
Sangita Mishra
Advocate
Delhi
Regn. No. 16967
Date of Expiry
31-01-2030
GOVT. OF INDIA

out to explain how some of the functions have been delegated to the Deputy Election Commissioners / Secretaries.

27. The Election Commission has a Secretariat which is responsible for ensuring the implementation of policy decision(s) across the country. As a matter of practice, the administrative and non-quasi-judicial decisions are issued by the officials / officers of the Election Commission as per the delegation of powers, and are communicated through its Secretariat. It is incumbent upon the concerned officer to satisfy himself / herself that the Communication either falls within his delegated authority or otherwise to obtain necessary approval of competent authority before issuing any communication.

28. The issues which are put up before the Election Commission for decision, are taken by the Election Commission and are decided in terms of Section 18 of the 2023 Act. Such decisions are taken in meetings of the Election Commissioners or are noted on files and bear the signatures of the Election Commissioners and the Chief Election Commissioner.

29. In situations involving exigencies and particularly where the immediate issuance of appropriate orders is necessary, where it is not feasible for the Chief Election Commissioner or any of the Election Commissioners to be available in person for the decision / action to be taken in this regard, an approval of the members of the Election Commission is obtained through electronic means, and the same is duly recorded later on the official file.

30. The officers to whom powers are delegated are expected to act within the scope of their powers and if any instance of issuance of any

NOTARY PUBLIC
Sangita Mishra
Advocate
Delhi
Regn. No. 16967
Date of Expiry
31-01-2030
GOVT. OF INDIA

communication or order without the approval of the Competent Authority as per the delegation order(s) comes to the notice of the Commission, appropriate action shall be initiated against erring officials to fix responsibility as per procedure prescribed.

31. The allegations based on the communications between the Election Commissioners and the Cabinet Secretary are misconceived.

32. The internal distribution / allocation of the work has been continuing as per the arrangement contained in the earlier Office Order dated 23.09.2025. An Office Order came to be issued on 28 July 2026 by an IAS officer of the rank of Additional Secretary who had been posted on deputation to the Election Commission pertaining to internal work allocation. On 29 July 2026 the two Election Commissioners wrote separate letters to the Cabinet Secretary in relation to this order and the conduct of the officer. In view of the joint direction dated 30 July 2026 by the two Election Commissioners, the order of 28 July 2026 was never implemented.

33. The Answering Respondent unequivocally rejects the misleading contention of the Petitioner that Form 6 – as has been provided in the Registration of Electors Rules, 1960, has been amended by the Election Commission by the SIR Orders dated 24.06.2025, 27.10.2025 and 14.05.2026.

34. In the working of the Commission in revising the rolls, especially having regard to mammoth exercise of revision of rolls in numerous States and UTs, and the need to make available all the facilities to the statutory authorities and the voters on an online platform, there were certain steps taken by the officers to whom responsibilities had been

NOTARY PUBLIC
Sangita Mishra
Advocate
Delhi
Regn. No. 16967
Date of Expiry
31-01-2030
GOVT. OF INDIA

assigned, which needed to be corrected to ensure that they are fully aligned with the steps approved by the Election Commission.

35. On a review of the manner in which Form 6 and the Declaration were displayed on the IT platform some concerns arose for the reason that the manner in which the Declaration was presented in the online system was such that it could be construed as though an amendment of Form 6 had been made. As stated earlier, Form 6 can only be amended by the Central Government. The amended Declaration was a measure that would enable the person seeking registration as a voter to dispense with the need for filing documents during the claims and objections period, as further explained below.

36. In the SIR Orders, issued by the ECI u/s 21(3) of the Representation of People's Act, 1950, for the voters whose names did not appear in the draft Electoral Roll, one of the documents stipulated for meeting the eligibility criteria is – the additional Declaration Form. In the SIR Order dt. 24.06.2025, this Declaration Form was Annexure D, while in the SIR Orders dt. 27.10.2025 and 14.05.2026 – the Declaration is Annexure IV. The Declaration Form is one of the documents which is required to be submitted by any Applicant / voter along with Form 6 for his / her inclusion in the Electoral Roll, during the SIR exercise. The Declaration is a document provided by the SIR Orders and is NOT a part of Form 6 which is the statutory Form for inclusion in the Electoral Roll.

37. The Declaration under the SIR Orders dt. 27.10.2025 and 14.05.2026 (Annexure IV thereof) was amended so as to introduce the concept of "mapping" i.e. to connect the details of the Applicants with the

NOTARY PUBLIC
Sangita Mishra
Advocate
Delhi
Regn. No. 19967
Date of Expiry
31-01-2030
GT. OF INDIA

earlier SIR of 2002/2003 data, by requesting the Applicants to provide the details of the electoral roll / entry in the earlier electoral roll of self / parents / grandparents. The Applicants upon being able to provide this data, it would obviate the need for submitting further documents for verification and thus, it was a measure for the assistance of voters. This exercise / methodology of submitting an additional Declaration is applicable only for the SIR processes under Section 21(3) of the Representation of People's Act, 1950.

38. In any other exercise of any preparation / updation of any Electoral Roll, it is only the Form 6 which is to be submitted for inclusion in the Electoral Roll, which is a statutory Form provided under the Registration of Electors Rules, 1960 A copy of the Form 6 as provided under the Registration of Electors Rules, 1960 is annexed herewith and marked as **ANNEXURE R8** [pg. 132 to 133].

39. In the Bihar SIR under Order dt. 24.06.2025, the said mapping was not available to the Applicants / electors, and documents were necessarily required to be submitted along with Form 6 during the claims and objections stage.

40. Learning from this operational experience in the Bihar SIR, and in order to further facilitate the Applicants / electors and expedite the process, the format of the earlier Declaration in Annexure D [in the SIR Order dt. 24.06.2025] had been substituted by Annexure-IV in the SIR Orders dt. 27.10.2025 and 14.05.2026. Through this substituted Declaration Form (Annexure IV) provided for under the SIR Order dated 27.10.2025 and 14.05.2026, the Applicants could submit the details regarding self / parents / grandparents in the earlier SIR of 2002/2003, and would then, on being successfully mapped,

NOTARY PUBLIC
Sangita Mishra
Advocate
Delhi
Regn. No. 16967
Date of Expiry
31-01-2030
GOVT. OF INDIA

not be required to submit further documents during the claims and objections period. This mechanism facilitates / expedites the further progress of the SIR towards its conclusion.

41. Thus, in the substituted Declaration Form (Annexure IV) provided under the SIR Orders dt. 27.10.2025 and 14.05.2026 as mentioned above, there are two methods:-

    a) to furnish, alongwith the Form 6, the Declaration containing details of enrolment of self / parents / grandparents in the earlier SIR, and to submit the said Form 6 without any other documents; or

    b) if the details in (a) above [for mapping] are not available or are not furnished, then submit the Form 6 with requisite documents prescribed and submit one of the 13 documents in support of the Declaration. In case, none of the documents are submitted by the Applicant, he / she may be called upon to do so by the Electoral Registration Officer (ERO).

42. Thus, there is no change in Form 6 vide the 3 SIR Orders, as sought to be alleged. The Declaration (which is a separate and independent document) that was incorporated as Annexure D to the SIR Order dt. 24.06.2025 has stood rationalized / substituted as Annexure IV in the SIR Orders dt. 27.10.2025 and 14.05.2026. Further, mapping is merely a facilitative alternative.

43. The text of the Declarations being Annexure D in the Bihar SIR Order dt. 24.06.2025 (ANNEXURE R1 herein), rationalized to Annexure IV in SIR Orders dt. 27.10.2025 (ANNEXURE R2 herein) and 14.05.2026 (ANNEXURE R3 herein), are set out in a comparison in a tabulated form hereunder:-

NOTARY PUBLIC
Adv. Snigita Mishra
Advocate
Delhi
Regn. No. 11967
Date of Expiry
31-01-2030
GOVT. OF INDIA

Declaration in Annexure D to SIR Order dated 24.06.2025

Annexure D

Declaration Form

(To be submitted alongwith Form 6/8 for enrolment as a new Elector/shifting from outside the state)

I HEREBY DECLARE that to the best of my knowledge and belief-

(i) I am above 18 years of age, ordinary resident on the above address, and citizen of India, and **(tick any one)**

- ☐ I was born in India before 01.07.1987
  - Provide any document, for Self, from the list given below establishing date of birth and/or place of birth.
- ☐ I was born in India between 01.07.1987 and 02.12.2004
  - Provide any document, for Self, from the list given below establishing date of birth and/or place of birth.
  - Provide any document, for Father or Mother, from the list given below establishing date of birth and/or place of birth.
- ☐ I was born in India after 02.12.2004
  - Provide any document, for Self, from the list given below establishing date of birth and/or place of birth.
  - Provide any document, for Father, from the list given below establishing date of birth and/or place of birth.
  - Provide any document, for Mother, from the list given below establishing date of birth and/or place of birth.
  - If any parent is not Indian, provide a copy of his/her valid passport & visa at the time of your birth.
- ☐ I was born outside of India (attach proof of Birth Registration issued by Indian Mission abroad),
- ☐ I have acquired Indian citizenship by Registration/Naturalisation (attach Certificate of Registration of Citizenship)

(ii) I have not acquired the citizenship of any other country.

(iii) I am applying for inclusion in the Electoral Roll and my name is not included in any other Assembly Constituency/ Parliamentary Constituency.

(iv) I am aware that making the above statement or declaration in relation to this application which is false and which I know or believe to be false or do not believe to be true, is punishable under Section 31 of Representation of the People Act,1950 (43 of 1950) with imprisonment for a term which may extend to one year or with fine or with both.

Date:_____ Place:_____ Signature/Left Thumb Impression

Indicative (not exhaustive) list of documents to be submitted in support of the declaration (separate self attested documents to be submitted for Self, Father and Mother, if mentioned above, except where extract of the Electoral Roll of Bihar with qualifying date 01.01.2003 is used, which will be considered as a sufficient document in itself):

1. Any Identity card/Pension Payment Order issued to regular employee/pensioner of any Central Govt./State Govt./PSU.
2. Any Identity Card/Certificate/Document issued in India by Government/local authorities/Banks/Post Office/LIC/PSUs prior to 01.07.1987.
3. Birth Certificate issued by the competent authority.
4. Passport
5. Matriculation/Educational certificate issued by recognised Boards/universities
6. Permanent Residence certificate issued by competent State authority
7. Forest Right Certificate
8. OBC/SC/ST or any caste certificate issued by the Competent authority
9. National Register of Citizens (wherever it exists)
10. Family Register, prepared by State/Local authorities.
11. Any land/house allotment certificate by Government

Declaration in Annexure IV to SIR Orders dated 27.10.2025

Annexure-IV

Declaration Form

(To be submitted along with Form 6/Form 8 for enrolment as a new Elector/shifting from outside the state)

Applicant's Name:
Mobile Number:
Address:

Father's/Guardian Name	
Father's/Guardian EPIC No. (if available)	
Mother's Name	
Mother's EPIC No. (if available)	
Spouse's Name (if applicable)	
Spouse's EPIC No. (if available)	

Details of the Elector in the Electoral Roll of the last SIR (if applicable)			**Details of the Relative, whose name is given in the previous column, in the last SIR**		
Elector Name:			Name:		
EPIC No. (if available)			EPIC No. (if available)		
Relative's Name:			Relative's Name:		
Relationship:			Relationship:		
District:			District:		
State:			State:		
AC Name:			AC Name:		
AC Number	**Part No.**	**Sr No.**	**AC Number**	**Part No.**	**Sr No.**

(i) I have not acquired the citizenship of any other country.
(ii) I am applying for inclusion in the Electoral Roll through Form 6, and my name is not included in any other Assembly Constituency/Parliamentary Constituency. ☐

Or

I am applying for inclusion in the Electoral Roll through Form 8 on shifting. ☐
(iii) I am aware that making the above statement or declaration in relation to this application which is false and which I know or believe to be false or do not believe to be true, is punishable under Section 31 of Representation of the People Act,1950 (43 of 1950) with imprisonment for a term which may extend to one year or with fine or with both.

Signature/Left Thumb Impression of Elector with date

BLO's undertaking: I have verified the above details from the electoral roll(s) of the last SIR.

BLO's Signature

BLO's Name and Phone Number

Information Sheet for Declaration Form

Applicants can check their name and the name of the concerned relative(s) in the previous SIR Electoral Rolls at https://voters.eci.gov.in/ to provide the details in the Declaration Form. For help, applicants can connect with the concerned BLOs. ERO will issue notices to those applicants whose previous SIR Electoral Roll(s) details provided in the Declaration Form are either unavailable or do not match the database. Upon receipt of notice, the applicant to provide the documents based upon the following categories:

- If born in India before 01.07.1987
  - Provide any document, for Self, from the list given below, establishing the date of birth and/or place of birth.
- If born in India between 01.07.1987 and 02.12.2004
  - Provide any document, for Self, from the list given below, establishing the date of birth and/or place of birth.
  - Provide any document, for Father or Mother, from the list given below, establishing the date of birth and/or place of birth.
- If born in India after 02.12.2004
  - Provide any document, for Self, from the list given below, establishing the date of birth and/or place of birth.
  - Provide any document, for Father, from the list given below, establishing the date of birth and/or place of birth.
  - Provide any document, for Mother, from the list given below, establishing the date of birth and/or place of birth.
  - If any parent is not Indian, provide a copy of his/her valid passport & visa at the time of your birth.
- If born outside of India (attach proof of Birth Registration issued by the Indian Mission abroad),
- If acquired Indian citizenship by Registration/Naturalisation (attach Certificate of Registration of Citizenship)

NOTARY PUBLIC
Sangita Mishra
Advocate
Delhi
Regn. No. 16967
Date of Expiry
31-01-2030
GOVT. OF INDIA

	Indicative (not exhaustive) list of documents (separate self-attested documents to be submitted for Self, Father and Mother, if mentioned above): 1. Any identity card/Pension Payment Order issued to a regular employee/pensioner of any Central Govt./State Govt./PSU. 2. Any Identity Card/Certificate/Document issued in India by the Government/ local authorities/Banks/Post Office/LIC/PSUs prior to 01.07.1987. 3. Birth Certificate issued by the competent authority. 4. Passport 5. Matriculation/Educational certificate issued by recognised Boards/universities 6. Permanent Residence certificate issued by the competent State authority 7. Forest Right Certificate 8. OBC/SC/ST or any caste certificate issued by the Competent Authority 9. National Register of Citizens (wherever it exists) 10. Family Register, prepared by State/Local authorities. 11. Any land/house allotment certificate by the Government 12. For Aadhaar, the Commission's directions issued vide letter No. 23/2025-ERS/Vol.II dated 09.09.2025 (Annexure II) shall apply. 13. Extract of the electoral roll of Bihar SIR with reference to 01.07.2025.

A copy of the aforesaid comparative table is also annexed herewith and marked as **ANNEXURE R9** [pg. 134 to pg. 137].

44. Thus, it can be seen that these two Declaration Forms in terms of the SIR Orders, are essentially the same and serve the same purpose i.e. to ascertain the eligibility and guide the elector on the requirement of supporting documents based on their date of birth etc. There is no significant change in the underlying requirements between Annexure D to the SIR Order dt. 24.06.2025 and Annexure IV to the SIR Orders dt. 27.10.2025 and 14.05.2026. The only modification is that, for the SIR Orders dt. 27.10.2025 and 14.05.2026, the details of the Applicant / elector or their relative, appearing in the previous SIR Electoral Roll, can be furnished directly in the Declaration.

45. Para 2 (e) of the SIR order dated 27.10.2025 clearly mentions as under:-

> *"ERO to issue notice, only after publication of draft Electoral Rolls, to those electors, who could not be linked with previous SIR Electoral Rolls, to ascertain their eligibility.".*

46. This was further improved in the SIR Order dated 14.05.2026 which stated in Para 2(f) as under:-

> *"After publication of draft electoral rolls, ERO to issue notice to those persons who could not be linked or there is discrepancy in their linking with the electoral roll of the last revision (Annexure V), ERO will publish lists of such*

NOTARY PUBLIC Sangita Mishra Advocate Delhi Regn. No. 16967 Date of Expiry 31-01-2030 GOVT. OF INDIA

persons, to who notices have been issued, at placed mentioned above in sub-para (a).”

47. Thus, if the Applicant / elector is unable to rely upon the previous SIR Electoral Roll, the subsequent procedure of issuance of notice and an opportunity of submitting the documents and if necessary, a hearing, would follow in accordance with the prescribed process, in case the Electoral Registration Officer (ERO) deems it necessary after perusal of the Form and supporting documents and field report from the BLO, if any.

48. The Commission has taken a unanimous decision on 26.09.2026 that in case of any person to whom notice has been issued during the ongoing SIR, for being unmapped and/or logical discrepancies, BLOs will visit the homes of such persons for collection of documents and thereafter upload them on the ECINet, for decision by the ERO. Such persons need not be called for hearing to the ERO / AERO office. Only in exceptional circumstances, as decided by the ERO / AERO, the hearing will be held preferably online. Any adult member of the family can be authorized by the elector to attend the hearing on their behalf, if required. Facilities for online hearing are also being strengthened. The Commission has further directed that the District Election Officers will create adequate number of help desks / hold special camps for the people living in night shelters, labour, poor people, homeless etc. as per requirement.

49. The Petitioner has misinterpreted the Commission’s constitutional mandate, the administrative utility of the documentation framework as well as this Hon’ble Court’s judgment in *Association for Democratic Reforms v. Election Commission of India [Writ Petition (Civil) No. 640 of 2025*]. It is pertinent to note that while upholding the

NOTARY PUBLIC
Sangita Mishra
Advocate
Delhi
Regn. No. 16967
Date of Expiry
31-01-2030
GOVT. OF INDIA

SIR Order dated 24.06.2025, this Hon'ble Court in its judgment dated 27.05.2026 in WP(C) No. 640 of 2025 - *Association for Democratic Reforms v. Election Commission of India*, reported as (2026) 7 SCC 1, recognized that the Election Commission retains a degree of residual authority to formulate an appropriate documentation framework suited in the exigencies of a particular SIR, subject to the requirement of a *rational nexus* with the *object sought to be achieved*. This Hon'ble Court also held that the documentation regime prescribed by the Commission was neither arbitrary nor violative of the statutory scheme. Some of the relevant paragraphs of the judgment are quoted below for convenience:

> *"..... **173.** The statutory scheme, particularly Sections 16 and 19 of the RP Act, sets out the conditions of eligibility and disqualification for registration as an elector. The Commission, in revising the electoral roll, is required to satisfy itself that the persons whose names are included in the roll continue to meet these statutory requirements. The process of such satisfaction cannot be rendered illusory; it must be informed by objective material capable of verification.*
>
> ***174.** In that context, the prescription of a set of documents operates as a tool to ensure administrative consistency and evidentiary reliability. It is neither practicable nor desirable for the verification process to be left entirely unguided or subjective. It is true that Form 6, as prescribed under the Registration of Electors Rules, 1960, sets out a framework of documentation; however, the same is tailored to the process of revision contemplated under Section 21(2) of the RP Act and may not, in all situations, be capable of literal application to an exercise of the present nature. The Commission, therefore, retains a degree of residual authority to formulate an appropriate documentation framework suited to the exigencies of a Special Intensive Revision. Such authority, however, is not unbounded. In devising such a framework, the Commission must remain cognisant of the existing statutory scheme, and any*

NOTARY PUBLIC
Sangita Mishra
Advocate
Delhi
Regn. No. 16967
Date of Expiry
31-01-2030
GOVT. OF INDIA

departure therefrom must be informed by a rational nexus to the object sought to be achieved. The formulation of the documentation regime must thus reflect a calibrated balance in drawing from the statutory framework, while adapting it, where necessary, to effectively serve the purpose of ensuring the accuracy and integrity of the electoral roll……

*…… **182.** It is also necessary to bear in mind that the documentation requirement does not operate in isolation, but as part of a broader procedural framework that includes opportunities for clarification, enquiry, and adjudication. The production of documents is one facet of the process through which the Commission arrives at its satisfaction; it is not the sole determinant. The overall scheme, therefore, cannot be characterised as rigid or mechanical.*

***183.** Accordingly, we hold that the documentation regime prescribed by the Commission represents a considered exercise of its administrative discretion in furtherance of its Constitutional mandate. The classification of documents, including the exclusion of certain categories, is based on intelligible criteria having a direct nexus with the objective of ensuring the integrity of the electoral roll. We are, therefore, unable to hold that the impugned documentation framework is arbitrary or violative of the statutory scheme……".*

A copy of the judgment dt. 27.05.2026 of this Hon'ble Court in WP(C) No. 640 of 2025 - *Association for Democratic Reforms v. Election Commission of India,* reported as (2026) 7 SCC 1 is annexed herewith and marked as **ANNEXURE R10** [pg. 138 to 216].

50. In this context, it may be noted that the SIR Order dated 27.10.2025 was also challenged before this Hon'ble Court in Writ Petition (Civil) No. 1109 / 2025 titled as *R. Siva vs Election Commission of India* and other connected matters which were dismissed by this Hon'ble Court vide its order dated 16.07.2026. A copy of the order dated 16.07.2026 passed by this Hon'ble Court in Writ Petition (Civil) No. 1109 / 2025

NOTARY PUBLIC
Sangita Mishra
Advocate
Delhi
Regn. No. 16967
Date of Expiry
31-01-2030
GOVT. OF INDIA

titled as *R. Siva vs Election Commission of India* is annexed herewith and marked as **ANNEXURE R11** [pg. 217 to 219].

51. The SIR pursuant to the SIR Order dt. 14.05.2026 is currently going on in 16 States and 3 Union Territories. As per the Schedule for the said SIR Order dt. 14.05.2026, the Enumeration Phase is already over in all these States/UTs (except Tripura), and the final Electoral Roll has already been published in 8 States and 1 Union Territory. Keeping in mind the convenience of the Applicant electors, the Commission has been issuing orders for extension of the SIR Process in different States, from time to time, based on necessity.

52. It has been clarified in the Press Note dated 26.09.2026 issued by the Election Commission of India that after the completion of the SIR, the Forms applicable as per Registration of Electors Rules, 1960 and without any additional Declaration, shall be used. Any person who is eligible to be enrolled as a voter, can submit the relevant form / application, even after the completion of the SIR exercise, as per the applicable rules, for enrolment as a voter in the Electoral Roll. In fact, by its Order dt. 15.10.2026, the ECI has directed for the Special Summary Revision (SSR) to be carried out in 17 State / UTs, as part of its continuous exercise to update the electoral rolls, and primarily for inclusion of young voters i.e. the persons attaining the age of 18 years in the year 2027.

53. In view of the above, it is respectfully reiterated that there is no substance in the contention that Form 6 has been amended by the Commission vide the SIR Orders.

54. As stated earlier that during the SIR process, in relation to submission of Applications *online* – it was observed that since online Applications

NOTARY PUBLIC Sangita Mishra Advocate Delhi Regn. No. 6967 Date of Expiry 31-01-2030 GOVT. OF INDIA

would require submission through OTP, instead of generation of two OTPs and two e-signs [for the Form 6 and for the Declaration separately], it would be convenient for the Applicants that their Application generates a single OTP and single e-sign. In this process, the Declaration was entered into the online page of Form 6 for that very purpose i.e. to generate one single OTP and e-sign. This bonafide objective became a subject matter of deliberation and suggestions. Thus, it has been decided vide decision dt. 21.10.2026 of the ER Division that as in the case of submitting the Application in Form 6 in a physical format, the online Application shall also be in two parts i.e. Form 6 as prescribed in the Rules and the SIR Declaration, as mentioned hereinabove.

55. In relation to the contentions of the Petitioner concerning the ECINet, it is submitted that the Electoral Registration Officer remains the statutory authority for inclusion, correction and deletion under Sections 13B, 22 and 23 of the 1950 Act, with appeals under Section 24 thereof. ECINet is the tool through which those authorities act, and no entry is added or deleted or modified except by order of the Electoral Registration Officer. ECINET team remains obligated to ensure that EROs are able to perform all their statutory functions, including exercise of discretion, smoothly and without any hitch on the portal, as per law.

56. That in relation to strengthening the safety and security of ECINet - the Commission in its meetings held on 26.09.2026 and 30.09.2026 decided unanimously to constitute a Committee to double-check the compliance of ECINet with applicable Acts and Rules:-

a) headed by Senior Deputy Election Commissioner (DEC); and comprising of

NOTARY PUBLIC
Sangita Mishra
Advocate
Delhi
Regn. No. 16967
Date of Expiry
31-01-2030
GOVT. OF INDIA

b) Senior DEC (II);

c) DEC;

d) Director;

e) 4 CEOs; and

f) Two independent experts, from IIT Mumbai and IISc Bengaluru respectively.

57. As per the above-mentioned decision of the Commission, the Committee has been constituted vide Circular dt. 14.10.2026.

58. It is submitted that based on operational experience of the ECINet, various views, observations and suggestions have been received from time to time for its improvement and various upgradations / alterations to the Portal have already been carried out by the operating authority based on inputs from the State CEOs on a continuous basis. Feedback has also been received from field officers and in case any further functional flexibility is required by the field officers, that will also be made operational. It has also been decided that henceforth, all new initiatives about IT modules and portals will be discussed in the Committee of Officers (COO), followed by approval of the Commission. Pending recommendations by the above-mentioned Committee for strengthening and securing the ECINet, steps are also being taken from time to time, based on views and observations, to continue to further improve the system while ensuring complete operational freedom to EROs and other field functionaries at the ECINet. It is also reiterated that there should not be any impediment of any kind whatsoever in the functioning of the field officials including BLOs, AEROs, EROs etc. in accordance with and in conformity with the statutory regime applicable in this regard.

NOTARY PUBLIC
Sangita Mishra
Advocate
Delhi
Regn. No. 16967
Date of Expiry
31-01-2030
GOVT. OF INDIA

59. In the case of 97 voters in Goa, as per the ECI's instructions that no eligible elector should be left out, the Chief Electoral Officer, Goa had directed the concerned BLO to conduct House to House visit for the left out voters and to collect their forms. Thereupon, it was found that 88 out of 97 voters had already filled Form 6 for inclusion and their applications had been accepted; 6 were out of country and 3 were Portuguese Passport holders / foreigners. A copy of the communication issued by Chief Electoral Officer, Goa dated 13.10.2026 is annexed herewith and marked as **ANNEXURE R12** [pg. 220 to 221].

60. It is submitted that another contention that has been raised in the Writ Petition is that Appeals have been filed against the orders of inclusion of the applicants / electors in the Electoral Rolls in West Bengal. It has been contended that it is not clear that which authority had permitted filing of all those Appeals. It is submitted that the names of those Electors are already in the Electoral Rolls and accordingly they have been entitled to exercise their voting right in the recent assembly elections. Their documents are available on the portal and there is a favourable order passed by the Ld. Judicial Officer in their favour.

61. Insofar as filing of appeals and their authorization is concerned, this Hon'ble Court, inter-alia, had directed through its Order dated 01.04.2026 passed in W.P. (C) No. 1089/2025 *Mostari Banu vs Election Commission of India,* as under:-

> *"..... 9. The issue of alleged non-availability of 'reasons' for rejection of the objections by the adjudicating authority, namely, the Judicial Officers, is also highlighted by the learned Chief Justice in the communication dated 31.03.2026. In this regard, Mr. Naidu has informed us that it will be ensured that the Appellate Tribunals have access*

NOTARY PUBLIC
Sangita Mishra
Advocate
Delhi
Regn. No. 16967
Date of Expiry
31-01-2030
GOVT. OF INDIA

to the records submitted by the parties before the Judicial Officers, for deciding the appeals that may be filed (i) by persons whose names have been excluded from the Voters List; or ***(ii) by the authorities of the Election Commission of India, who may be aggrieved by the inclusion of names by the adjudicatory authorities****....."*

A copy of the Order dated 01.04.2026 passed by this Hon'ble Court in W.P. (C) No. 1089/2025 *Mostari Banu vs* Election *Commission of India* is annexed herewith and marked as **ANNEXURE R13** [pg. 222 to 228].

62. That thereafter, this Hon'ble Court further noted in its Order dated 06.04.2026 passed in W.P. (C) No. 1089/2025 *Mostari Banu vs Election Commission of India,* as under:

"1. The Election Commission of India (ECI) notified 19 Appellate Tribunals on 20.03.2026, before whom the decision taken by the judicial officers while disposing the objections in the SIR process, could be challenged. These Appellate Tribunals are headed by former Chief Justices/senior Judges of the High Court. The premises shortlisted for the functioning of these appellate tribunals are duly mentioned in paragraph 6 of our order dated 01.04.2026. We also clarified through paragraph 9 of that order that the alleged non-availability of reasons for rejection of the objections by the adjudicating officers could be raised before the Appellate Tribunals by persons whose names have been excluded from the voters' list ***or by such objectors/authorities of the ECI, who might be aggrieved by the inclusion of certain names in the voter list****."*

A copy of the Order dated 06.04.2026 passed by this Hon'ble Court in W.P. (C) No. 1089/2025 *Mostari Banu vs Election Commission of India* is annexed herewith and marked as **ANNEXURE R14** [pg. 229 to 244].

NOTARY PUBLIC
Sangita Mishra
Advocate
Delhi
Reg. No. 16967
Date of Expiry
31-01-2030
GOVT. OF INDIA

63. As per provisions of the RP Act, the CEO / DEO / ERO / AERO are the authorities in respect of electoral rolls. It is submitted that a communication dt. 22.10.2026 has been received by the office of the ECI from the office of the CEO, West Bengal, stating that the said Appeals have been filed by the officers of the Office of the CEO, West Bengal, in their capacity as authorities under the RP Act. The officers had the authority to file the Appeals as per the orders of this Hon'ble Court and these matters were not brought to the Commission.

64. One of the contentions raised is also in relation to the use of Electronic Voting Machines (EVMs) in the election process, as per the applicable law. In this behalf, it is respectfully reiterated that similar misconceived and misleading contentions, raised time and again in the past, have been rejected on numerous occasions by this Hon'ble Court, after considering all relevant material. This Hon'ble Court had rejected similar prayers / contentions / allegations against the use of EVMs including in the following judgments / orders:-

a) Order dated 30.10.2017 in Prakash Joshi v. Election Commission of India, 2017 SCC OnLine SC 1734;

b) Order dated 22.11.2018 in Nyaya Bhoomi and Another v. Election Commission of India, Writ Petition (Civil) No. 1332/2018;

c) Judgment in Kamal Nath v. Election Commission of India and Others, (2019) 2 SCC 260;

d) Order dated 30.09.2022 in Madhya Pradesh Jan Vikash Party v. Election Commission of India, Special Leave Petition (Civil) No. 16870/2022; and

NOTARY PUBLIC
Sangita Mishra
Advocate
Regn. No. 16967
Date of Expiry
31-01-2030
GOVT. OF INDIA

e) Order dated 22.09.2023 in Sunil Ahya v. Election Commission of India, Writ Petition (Civil) No. 826/2023.

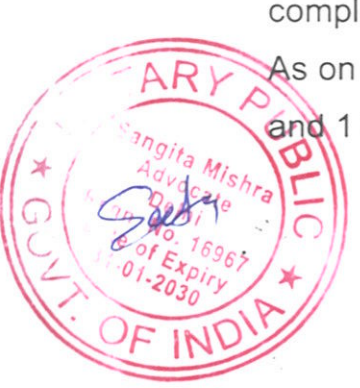
65. The challenge to the use of EVMs was once again conclusively rejected by this Hon'ble Court in its judgment in *Association for Democratic Reforms Vs. Election Commission of India, (2025) 2 SCC 732* wherein this Hon'ble Court also observed that the real intention behind raising such contentions was:-

> *"..... to discredit the system of voting through the EVMs and thereby derail the electoral process that is underway, by creating unnecessary doubts in the minds of the electorate....."* (para 81).

66. It is humbly submitted that all such contentions being raised by the Petitioners are entirely misconceived and misleading, deserving outright rejection by this Hon'ble Court.

67. It is respectfully reiterated that the SIR is being conducted under Section 21(3) of the Representation of the People Act, 1950. The SIR Order dated 24.06.2025 as well as the scheme for notice, hearing, filing of claims and objections and disposal of same have been examined and upheld by this Hon'ble Court in its judgment dated 27.05.2026 in WP(C) No. 640 of 2025 titled *Association for Democratic Reforms v. Election Commission of India.*

68. The SIR process has been completed under the SIR Orders dt. 24.06.2025 and 27.10.2025 in which SIR was held in 13 States and Union Territories and the SIR under the SIR Order dt. 14.05.2026 is completed or near to completion in 16 States and 3 Union Territories. As on date the SIR final electoral roll has been published in 8 States and 1 Union Territory.



MAINTAINABILITY OF THESE PETITIONS:

69. The Petitions do not put in issue the admitted position that the constitution of the Election Commission of India was and is in accordance with law as the Petitioner accepts in the Writ Petition that Respondent No. 3 was duly appointed. In the circumstances the prayer for a relief by way of for issuance of a writ of Quo Warranto is misconceived.

70. The averments in the Writ Petition, are admittedly based solely on a single newspaper report which is annexed as Annexure – P/2 (Page 72 – 79) in the Writ Petition. The present Writ Petition is preferred by the Petitioner, seeking extra-ordinary reliefs, merely based on the extrapolation of a news report. The contents of the Writ Petition do not demonstrate that the Petitioner had ever made any attempt to ascertain the factual position with respect to this news report from the Answering Respondents. Nor has the Petitioner made any representation before the Answering Respondents.

71. The Petitioner states **(at paras 52 and 53 at Page 33 and Para 56 at page 34 of the Writ Petition)** that his material is an "investigative reportage" which "requires verification".

72. In the eyes of law, a newspaper report is not treated as evidence of the facts it narrates. The Commission has neither released nor authorized the release of any internal note / file to any news agency. A public interest petition built on such material calls for its conclusions to be examined with circumspection.

73. It is further respectfully submitted that Article 324(5) of the Constitution provides that the Chief Election Commissioner shall not be removed from office except in like manner and on like grounds as

NOTARY PUBLIC
Sangita Mishra
Advocate
Delhi
Regn. No. 16967
Date of Expiry
31-01-2030
GOVT. OF INDIA

a Judge of this Hon'ble Court. The prayers in the Writ Petition for passing of an order restraining the CEC would not be maintainable. Three Members are appointed to the Commission so that, in case of a difference of opinion, a majority can be arrived at and decisions taken under Section 18 of the 2023 Act. Any prayer for restraint against the functioning of the CEC - is not maintainable and even otherwise, having regard to the principle of unanimity / majority envisaged under Section 18 of the 2023 Act, would deserve to be rejected by the Orders of this Hon'ble Court. Any such prayer shall also not be maintainable being in the teeth of / contrary to the provisions of Section 18 of the 2023 Act and shall also have the effect of frustrating the functioning / decision making by the ECI in accordance with and in conformity with the scheme of the 2023 Act.

74. It is submitted that, even as a matter of law, these petitions are not maintainable and should be dismissed summarily.

भानु प्रकाश एटुरु/BHANU PRAKASH YETURU
उप निर्वाचन आयुक्त/Dy. Election Commissioner
भारत निर्वाचन आयोग
Election Commission of India
निर्वाचन सदन/Nirvachan Sadan
अशोक रोड/Ashoka Road
नई दिल्ली-110001/New Delhi-110001

DEPONENT

VERIFICATION

I, the above-named deponent, do hereby solemnly affirm and state that the contents of the aforesaid affidavit are true and correct to the best of my knowledge and belief derived from the official records of the ECI and also the information received and believed to be correct; nothing material has been concealed therefrom.

26 OCT 2026

Verified at New Delhi on this the 26th day of October, 2026.

ATTESTED
Mrs. Sangita Mishra
Advocate Delhi
Regn. No.16967
Govt. of India
Mob. No.9990312780

DEPONENT

Signed/T.I. in my presence
Mr./Ms. Self Adv./Self
ID No.:

NOTARY PUBLIC ★ GOVT. OF INDIA ★
Sangita Mishra
Advocate
Delhi
Regn. No. 16967
Date of Expiry
31-01-2030

NOTARIAL REGISTER
Sr. No. 115 PAGE 76
Dated 26-10-26 Reg. No. 12

भानु प्रकाश एटुरु/BHANU PRAKASH YETURU
उप निर्वाचन आयुक्त/Dy. Election Commissioner
भारत निर्वाचन आयोग
Election Commission of India
निर्वाचन सदन/Nirvachan Sadan
अशोक रोड/Ashoka Road
नई दिल्ली-110001/New Delhi-110001

ANNEXURE R-1

Election Commission of India
Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.23/2025-ERS (Vol.II) Dated: 24th June, 2025

To,

The Chief Electoral Officer
Bihar, Patna

Sub: Special Intensive Revision w.r.t. 01.07.2025 as the qualifying date.

Sir,

1. I am directed to convey that the Commission has directed a Special Intensive Revision (**SIR**) in exercise of its powers under Article 324, Section 21 of the Representation of the People Act, 1950 (the "RPA 1950"), along with other applicable provisions of the RPA 1950, with reference to 01.07.2025 as the qualifying date, in the State of Bihar, where general election to state Legislative Assembly is due in 2025 **(Annexure A)**.

2. **While carrying out the SIR of the electoral rolls, ERO of each Assembly Constituency shall be responsible for ensuring that no eligible citizen is left out while no ineligible person is included in the Electoral Roll.** During the SIR, CEO/DEO will aid ERO to fulfil the constitutional mandate that every eligible person, as per Article 326 of the Constitution of India read with Section 16 and 19 of the RPA 1950, is enrolled as Elector. For this, EROs shall satisfy themselves regarding the eligibility of every person before entering their name in the electoral roll. The detailed guidelines are attached **(Annexure B).**

3. During SIR, EROs through the BLOs shall conduct House to House enumeration. **Every existing elector, as on the date of this order, will be made available an Enumeration Form (Annexure C)**, either through BLO or the elector can download the Enumeration Form from <https://voters.eci.gov.in>. BLO shall collect one copy of the Enumeration Form and sign the acknowledgment of receipt on the second copy to be retained by the existing elector. Based on the Enumeration Forms received back along with documents, ERO will prepare the draft roll.

4. Further, in case of application for registration as a new elector or for shifting from outside the state, it is also directed that henceforth,

alongwith Form 6/Form 8, an additional Declaration Form (**Annexure D**) shall also be required to be filled by the applicant to support the declaration made therein.

5. The last intensive revision in Bihar was done in 2003, with 01.01.2003 as qualifying date. As the eligibility of Electors enrolled in the Electoral Rolls after the last intensive revision was established then, the Commission has decided that such Electors need not attach any additional document alongwith the Enumeration Form, except the extract of the Roll. Thus, CEO/DEO/ERO shall make the Electoral Rolls with qualifying date of 01.01.2003 freely available to all BLOs in hard copy, as well as, online on their website for anyone to download and use as documentary evidence while submitting their Enumeration Form (**Annexure C**). CEO/DEO/ERO/BLO should also take care that genuine electors, particularly old, sick, PwD, poor and other vulnerable groups are not harassed and are facilitated to the extent possible, including through deployment of volunteers.

6. Also, ERO shall assess the need of new Polling Stations considering that no **Polling station has more than 1,200 electors, except with the prior approval of the Commission.** ERO to also ensure that the polling station area is so defined and demarcated that no overlap exists with any other Polling station.

7. SIR to be undertaken strictly within the timeline as per the following schedule:

1	(i) ERO to print pre-filled Enumeration Form (in duplicate) for all existing electors and give it to the respective BLOs. (ii) ERO to give training to BLOs about the Revision Exercise. (iii) BLO to distribute Enumeration Form to all existing electors (in duplicate) through House to House visit. (iv) BLO to guide the public on filling up Enumeration Form. (v) BLO to collect Enumeration Forms from the public, along with required documents, or the public can also upload Enumeration Forms and documents online. (vi) Uploading collected Forms in BLO App/ECINet, on a day-to-day basis. (vii) BLO to give recommendations on each Enumeration Form so received.	25.06.2025 (Wednesday) to 26.07.2025 (Saturday)

	(viii) BLO Supervisor to check the BLO's output in quantitative as well as qualitative terms. (viii) AERO to verify all Enumeration Forms not-recommended by BLOs.	
2	Rationalization/Re-arrangement of Polling Stations and finalization of proposed restructuring of section/part boundaries, location of polling stations and obtaining approval of list of polling stations. A polling Station shall preferably contain not more than 1,200 electors	25.06.2025 (Wednesday) to 26.07.2025 (Saturday)
3	Updation of Control Table and Preparation of draft roll having names of all the existing electors who submitted the duly filled Enumeration Forms.	27.07.2025 (Sunday) to 31.07.2025 (Thursday)
4	**Publication of draft electoral roll on 01.08.2025 (Friday)**	
5	Period for filing claims & objections	01.08.2025 (Friday) to 01.09.2025 (Monday)
6	Decision on Enumeration Forms received during H2H enumeration period and disposal of claims and objections to be done concurrently and to be completed by the EROs by	By 25.09.2025 (Thursday)
7	(i) Checking of health parameters of the finalised electoral rolls and obtaining Commission's permission for final publication. (ii) Updating database and printing of supplements	By 27.09.2025 (Saturday)
8	**Final Publication of Electoral Roll on 30.09.2025 (Tuesday)**	

8. Also, to enable fulfilment of the above constitutional mandate, the Commission also directs, under Article 324 of the Constitution, that the Chief Secretary shall ensure that CEO/DEO/ERO/AERO/BLO Supervisor/BLO and all other officers involved in preparation of Electoral Rolls are adequately supported with manpower and resources. During the SIR period, the Chief Secretary shall ensure that no post notified as DEO/ERO/AERO is vacant and no such officer is transferred without prior approval of the Commission.

(Pawan Diwan)
Secretary

Copy to Chief Secretary of Bihar for necessary action.

Annexure A

Election Commission of India
Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 23/ERS/2025 Dated: 24th June, 2025

ORDER

Special Intensive Revision of Electoral Rolls

1. Whereas, Article 324 of the Constitution of India and the Representation of People Act, 1950 (the "RPA 1950") vests the superintendence, direction and control of the preparation of the electoral rolls for, and the conduct of the elections to the Parliament and the State Legislatures, with the Election Commission;

2. Whereas, maintaining the integrity of the electoral roll is fundamental for the conduct of free and fair elections;

3. Whereas, the electoral machinery, eligibility conditions, manner and procedure for preparation of electoral rolls are provided under the RPA 1950 and the Registration of Electors Rules, 1960 ("RER, 1960"), framed under the RPA 1950;

4. Whereas, in line with this objective, the Commission has previously exercised its powers under enabling statutes in the years such as 1952-56, 1957, 1961, 1965, 1966, 1983-84, 1987-89, 1992, 1993, 1995, 2002, 2003 and 2004 to undertake Intensive Revision of electoral rolls for all or some parts of the country for afresh preparation of electoral rolls through enumeration. The last intensive revision in Bihar, was conducted by the Commission in the year 2003 with reference to 01.01.2003 as the qualifying date;

5. Whereas, the preparation of electoral roll must ensure that all eligible citizens are included and no such eligible citizen is excluded from the electoral roll;

6. Whereas, the Article 326 of the Constitution stipulates that every person who is a citizen of India and who is not less than eighteen years of age on the qualifying date and is not otherwise disqualified under any law shall be entitled to be registered in the electoral roll;

7. Whereas, the Commission has noted that during the last 20 years significant change in electoral roll has taken place due to additions and deletions on a large scale over this long period. Rapid urbanization and frequent migration of population from one place to another on account of

education, livelihood and other reasons, have become a regular trend. Some electors obtain registration in one place and then shift their residence and register themselves at another place without getting their names deleted from the electoral roll of the initial place of residence. This has led to increased possibility of repeated entries in the electoral roll. Thus, the situation warrants an intensive verification drive to verify each person before enrolment as an Elector;

8. Whereas, one of the fundamental pre-conditions set out in Article 326 of the Constitution is that a person is required to be an Indian citizen, for his/her name to be registered in the electoral roll. Consequently, the Commission has a constitutional obligation to ensure that only persons who are citizens;

9. Whereas, under Section 21 of the RPA 1950 along with other applicable provisions of the RPA 1950, the Commission is empowered to direct special intensive revision of the electoral rolls including preparation of electoral rolls afresh;

10. Therefore, the Commission has now decided to begin the Special Intensive Revision in the entire country for the discharge of its constitutional mandate to protect the integrity of the electoral rolls; However, since the General Elections to the Legislative Assembly in the State of Bihar is expected in later part of this year, hence the Commission has decided to conduct Special Intensive Revision in the State of Bihar as per the Guidelines and schedule attached herewith. The schedule for the Special Intensive Revision in the rest of the country shall be issued separately in due course.

11. Since the last intensive revision in Bihar was undertaken in 2003, the EROs shall treat the electoral roll of 2003 with qualifying date of 01.01.2003 as probative evidence of eligibility, including presumption of citizenship unless they receive any other input otherwise.

12. Any person whose name is not recorded in the 2003 Electoral Roll shall for the purpose of registration in the electoral roll is required to submit from amongst a wide range of eligible government documents as prescribed for establishing their eligibility to be an elector.

13. Since the existing Electoral rolls were published on 06.01.2025 under Special Summary Revision, and continuously updated since then, the Commission further directs that a pre-filled enumeration form shall be made available to every existing elector as on the date of issue of this order and the draft roll shall include the names of all the electors who have submitted a duly filled Enumeration Form before July 25, 2025. This being an intensive revision, in case enumeration form is not submitted

before July 25, 2025, the name of the elector can not be included in the draft rolls. However, CEO/DEO/ERO/BLO should also take care that genuine electors, particularly old, sick, PwD, poor and other vulnerable groups are not harassed and are facilitated to the extent possible, including through deployment of volunteers.

14. The ERO/AERO shall not delete any entry from the draft roll without conducting an inquiry and giving a fair and reasonable opportunity to the persons concerned whose name has appeared in the draft roll. In case any person is aggrieved by the decision of the ERO, he may prefer an appeal to the District Magistrate under Section 24(a) of the RP Act, 1950, read with rule 27 of the RER, 1960 within the stipulated time. If the appellant remains unsatisfied, a second appeal may be preferred before the Chief Electoral Officer within 30 days of the DM's order, as per Section 24(b) of the RP Act, 1950 read with Rule 27 of the RER, 1960.

15. Further, in case of application for registration as a new elector or for shifting from outside the state of Bihar, it is also directed that henceforth, alongwith Form 6/Form 8, an additional Declaration Form (**Annexure D**) shall also be required to be filled by the applicant to support the declaration made therein.

By Order

Election Commission of India

24/06/25

(Sanjay Kumar)

Deputy Election Commissioner

Annexure B

Detailed Guidelines For Special Intensive Revision

1. **Training**
   a. DG(IT), ECI shall organise a training of the CEO and State IT Nodal Officers at the CEO office to familiarize them about new IT features/modules/applications/online submission of forms.
   b. CEO/DEO/ERO/AERO shall get themselves acquainted with the new ECINet application, and especially about the BLO, Elector and their respective modules.
   c. CEO shall also ensure that all the posts of EROs/AEROs/BLOs/Supervisors are filled and requisite training and orientation including training on the latest IT process and systems is completed well in time.
   d. At the earliest, ERO will conduct an orientation workshop for the Booth Level Agents (BLA) of recognized political parties to explain the process and to sensitize them about SIR.
2. **Rationalization, Reserialization and Formation of sections**
   a. Based on the H2H enumeration, ERO shall assess the need of new Polling Stations considering that no **Polling station has more than 1,200 electors, except with the prior approval of the Commission.** ERO to also ensure that the polling station area is so defined and demarcated that no overlap exists with any other Polling station.
   b. The electors of so merged/attached polling stations are not required to travel for more than two kilometer distance and to cross any natural barriers.
   c. Extensive survey must be carried out during the exercise of rationalization of polling stations for setting up new polling stations in the High Rise/Group Housing societies/RWA colonies that have common facilitation area/community halls at ground floor within the premises and in slum dwelling clusters of urban areas.
   d. Immediately after assessing the requirement of new polling stations, ERO shall communicate the requirement of additional polling stations to DEO.
   e. DEO, being responsible for provisioning of polling stations u/s 25 of the RP Act 1951, shall ensure 100% physical verification of the existing and newly proposed polling station locations through a senior officer to assess as to whether the building is in proper condition and it meets the other parameters set by the Commission for smooth conduct of poll.
   f. DEO shall consult the representatives of the political parties before finalizing the proposal of new polling stations. Thereafter,

DEO shall obtain the approval of the Commission for the consolidated proposal of polling stations.

g. Proposal for change of location shall be sent to the Commission only after 100% verification/inspection of the polling station and along with longitude and latitude. Latitude and Longitude of all Polling Stations, newly identified and proposed for creation/change of location of polling station shall be captured and details of the same shall be updated in the ECINet Dashboard.

h. After Commission's approval, ERO shall update the Control Table in ECINet and create Parts, as per IT applications to prepare draft Electoral Roll.

i. Once a new polling station is created in the Electoral Roll, ERO shall also, through BLO, ensure uploading of photos and location information of the polling station, along with data like latitude and longitude of the Polling Station, from BLO's module in ECINet App.

j. **Standardization of addresses:** The electors will be arranged in the roll in a sequence, according to the House no. (and Floor no. of the building). To standardize the address of electors the following fields of addresses shall be maintained while preparing the roll:[1]

   i. House No./ Flat No./Door No. (Name of house, if available)
   ii. Floor No. (in case of multi-story building)
   iii. Building No./Block No./Tower No. (name of building, if available)
   iv. Apartment No.
   v. Wing
   vi. Ward No*
   vii. Street/ Road/Lane*
   viii. Sector
   ix. Area/Locality*
   x. Landmark, if any
   xi. Village/Town/City*
   xii. Sub-district/Tehsil
   xiii. District*
   xiv. State*
   xv. Pincode*

k. **Family Grouping:**

[1] The fields marked with (*) should be mandatorily mentioned in the electors' details, while the remaining fields may be taken as optional fields and be included wherever necessary (like in urban areas). The CEO/DEO may include the other fields in the mandatory category as prevalent in the State/District. Where no House no. as given by the Panchayat/Municipal Authorities is available, the notional number will be given in the roll. In such cases, it will be invariably indicated that the House no. is notional. The mandatory address fields will be mentioned in the electoral roll and the same will be reflected as it is in the EPIC of the elector.

i. Based on the H2H enumeration, while creating a new polling station or re-organizing/rationalisation of the existing polling stations by creating/merging/ attaching sections to the adjacent polling stations, ERO to ensure the following:
   1. No family residing at same Door/Flat No. is broken and all the family members are kept in the same section and in the same part,
   2. Electors residing in a building are enrolled in the same part, and
   3. As far as possible electors residing in a Street are enrolled in the same part.

ii. To group all the family members and neighbors in a section, ERO shall keep all Electors of one house/building/tower, in one Section, as far as feasible, in any case within a part.

3. House to House (H2H) Enumeration

a. At the start of the H2H process, Booth Level Officers (BLOs) shall be provided with:
   i. an Identity Card, if not already given, and
   ii. a kit bag labeled **Special Intensive Revision,** that shall include registers, stationery, caps/T-shirts, and any other necessary stationery items required during the enumeration process.
   iii. Enumeration Forms (**Annexure C**) with pre printed details of existing electors, for each existing elector as on the date of issue of this order, in duplicate. Alongwith certain number of blank Enumeration Forms for any eventuality.

b. BLOs shall visit each household and distribute Enumeration Form, with pre printed details of existing electors, to each existing elector in duplicate and will guide them in filling up the Form.

c. If BLO finds that any house is locked or closed at the time of enumeration, she/he shall slip the Enumeration Forms in the house and make at least three visits to collect filled up Forms.

d. The existing electors will also be provided a facility to download pre-filled Enumeration Form and upload filled-in Forms and documents through online mode.

e. Each elector must submit this form along with requisite information and self-attested documents to the BLO.

f. BLO will again visit every household to collect the filled copy of the Enumeration Form from the electors. BLO shall keep one copy of Enumeration Form along with the requisite documents with him/her and give an acknowledgement of receipt of Form and document on the other copy of Enumeration Form to be retained by the applicant.

g. In case an elector has uploaded a form filled in with documents online, BLO will verify the documents during his visit to the house of the elector.
h. BLO shall upload these Forms and attached documents through BLO/ECINet mobile application. Thereafter, BLO will submit all the collected Enumeration Forms along with its documents to the concerned ERO/AERO for record purposes.

4. Publication of draft roll :

a. ERO shall prepare the draft Electoral Roll by including all the Electors whose Enumeration Forms have been received from the electors. Decision on the Enumeration Forms so received shall be taken after draft publication during the claims & objection period. However, ERO/AERO shall start scrutinising Enumeration Forms, as and when they are received to identify the cases with suspected eligibility.
b. Draft electoral roll shall consist of names of all the existing electors who have submitted their duly filled Enumeration Form to the BLO during the H2H enumeration period or which have been received online and verified by BLO. Names of other electors, from whom Enumeration Forms are not received will not be included in the draft roll.
c. In case any elector is unable to submit their filled in enumeration forms within the specified time, they may file Form 6 alongwith the prescribed Declaration Form (Annexure D) for inclusion during the claims and objections period.
d. All names of member of judiciary, public representatives, holders of declared offices and personalities from fields of arts, culture, journalism, sports, and public services etc. earlier flagged in the electoral database, are to be included in the draft Electoral Rolls, so that necessary documents can also be collected during the period of Claims and Objections.
e. ERO shall also invite advance application for subsequent qualifying date i.e. 01st October, 2025 while publishing notice for draft publication in Form-5.

5. Period of Claims and Objections

a. After publication of the draft Electoral Rolls, ERO/AERO shall scrutinise the eligibility of proposed Electors in accordance with the qualification of Electors prescribed under Article 326 and Section 16 & 19 of RPA 1950. To do so, ERO/AERO shall come to his/her satisfaction based on the documents submitted and field reports.
b. In case ERO/AERO doubts the eligibility of the proposed Elector (due to non-submission of requisite documents or otherwise), he/she will start a suo moto inquiry and issue notice to such proposed Elector, as to why his/her should not be deleted. Based

on field inquiry, documentation or otherwise, ERO/AERO shall decide on inclusion of such proposed Electors in the Final Rolls. In each such case, ERO/AERO shall pass a speaking order. Also, EROs will refer cases of suspected foreign nationals to the competent authority under the Citizenship Act, 1955. For these purposes, AERO shall exercise ERO's powers independently u/s 13C(2) of the RPA, 1950.

c. Whereas, the eligibility conditions to enroll as an elector were already being verified by the ERO to his satisfaction, it is necessary that the documents on the basis of which such satisfaction of ERO is arrived at, are also uploaded in ECINET as the current level of technology enables so.

d. Every claim for inclusion of name in the roll as new elector shall be in Form-6 along with new Declaration Form. Henceforth, all EROs shall also ensure to collect the prescribed Declaration Form in respect of all pending Form 6 and advance claims received in Form 6 w.r.t. 01.10.2025 as the qualifying date.

e. Application for shifting of residence within the constituency or outside the constituency, correction or updation of entries, replacement of EPIC and marking of PwD, shall be in Form-8 and shall be preferred by the person to whom that entry relates. New Declaration Form shall be submitted alongwith Form-8 for shifting of residence from outside the state of Bihar.

6. **Display of list of claims and objections**

   a. ERO shall prepare lists of claims and objections in Form 9, 10, 11 and 11A and 11B and exhibit one copy of such lists on a notice board in his office on every working day.

   b. The list of all claims and objections received should also be put up on the website of the CEO so that citizens are able to see the list and lodge objections, if any, with the concerned ERO.

   c. CEO to give adequate publicity to the fact that a list of claims and objections is available on CEO's website, and if any one wants to raise objections regarding any claim in the list, he/she can file the same before the EROs. This information should also be shared with the political parties by holding meetings with them and sending written communication to them.

   d. ERO to share the list of claims and objections with the political parties on a weekly basis. The list should be incremental instead of cumulative. For this purpose, the ERO should call a meeting of all political parties on a regular interval and personally handover a list of claims and objections to them and obtain acknowledgement.

7. **Appeals** under Section 24 of the Representation of the People Act, 1950: An appeal shall lie from any decision of the ERO to the District Magistrate u/s 24(a) of the RP Act, 1950, and a second appeal under

Section 24(b) against the decision of the first Appellate authority shall lie to the CEO, in the manner prescribed under Rule 27 of the Registration of Electors Rules, 1960.

8. **Supervision and Checks:** Following supervisory checks and verification are prescribed.
    a. BLO Supervisor, who normally has 10 BLOs under his charge shall verify 10% of each of the Booth Level Officer's verification work under him.
    b. ERO shall hold regular monitoring meetings with AEROs, BLO Supervisors and BLOs and ensure that the work done is not superficial. Delinquent officials should be taken to task and corrective measures taken swiftly.
    c. **Super-checking during SIR by Roll Observers:** Verification of 250 Forms (100 additions + 100 deletions + 50 modifications) in the assigned districts or at least 50 Forms (20 additions + 20 deletions + 10 modifications) in each of the assigned districts, by tabletop exercise. Out of these verified Forms, field verification must be done in a minimum of 50 Forms.
9. **Engagement with Political Parties and sharing of electoral rolls:**
    a. By CEO:
        i. As soon as the SIR schedule is announced, the CEO shall hold a meeting with all recognized political parties, and inform them of the important points of the law and procedures of the SIR and seek their cooperation.
        ii. For all such meetings, records like minutes of meetings attendance of participants with their signature should be maintained.
        iii. The CEO shall ask the recognized political parties to appoint a Booth Level Agent (BLA) for each polling station who would be associated with BLO during the revision period. Political Parties shall also be asked to give a list of BLAs to respective EROs.
        iv. The CEO shall extract a report on the status of disposal of claims and objections received during the revision from ECINet and put the same on his website on a weekly basis, for information of general public/citizens.
        v. Computerization and posting of all application forms received in Forms 6, 6A, 7, 8 on the website of the CEO on a day to day basis.
        vi. CEO shall put draft electoral roll, final electoral roll, list of claims and objections on CEOs' website and share the same with recognized political parties.
        vii. CEO shall get the revision schedule properly disseminated to media, political parties and social organizations/RWAs

and reach out to electors/eligible population extensively well before the date of draft publication of electoral rolls.

b. By DEO:
   i. DEO shall get the revision schedule properly disseminated to media, political parties and social organizations/RWAs and reach out to electors/eligible population extensively well before the date of draft publication of electoral rolls.
   ii. The DEO shall hold periodic meetings with all recognized national and state level political parties and inform them of the important points of the law and procedures of the SIR and seek their cooperation before the date of draft publication.

c. By ERO:
   i. ERO shall share a list of claims and objections with all political parties on a weekly basis. He will be able to download this list through ECINet.
   ii. ERO, immediately after draft and final publication, shall supply free of cost two copies (one hard copy & one soft copy) of each separate part of the roll to every registered political party. For this purpose, soft copy of electoral roll shall not have the electors' photographs.

d. By BLO:
   i. Before H2H enumeration, BLO will hold a meeting with BLAs and brief them about the schedule and process of SIR.
   ii. The BLOs will go through the draft electoral roll with BLAs of recognized political parties of the State and identify the corrections to be carried out, etc. It is pertinent to mention that BLAs once appointed from a recognized political party will continue as BLA, unless their appointment is rescinded /revoked by the political party concerned.
   iii. With a view to ensure more involvement of political parties, the Commission has allowed BLAs of recognized political parties to file applications in bulk, subject to the condition that a BLA shall not submit more than 50 Forms/day to BLO before the Draft Publication, and 10 Forms/day thereafter.
   iv. BLA will submit a list of application forms with an undertaking that he has personally verified the particulars of the application forms and is satisfied that they are correct.

10. Schedule of Press Note/Advertisement during SIR

a. Announcement of schedule of SIR:
   i. **Press Note:** CEO to issue a Press Note explaining pre-revision activities like, H2H, rationalization and

schedule in detail along with expected meetings with political parties. DEO to circulate CEO's press notes on its social media.

ii. **Advertisement:** CEO to publish SIR schedule in the prominent newspapers, along with a public appeal to file claims and objections.

iii. **Letter:** CEO/DEO/ERO to write to recognized political parties sharing the schedule and guidelines of SIR.

b. Rationalisation of PS:

i. **Press Note:** DEOs to issue a press note with photos of meetings with political parties discussing the draft list of Polling Station. CEO to issue a consolidated press note after Commission's approval of final list of PS.

c. Publication of draft roll

i. **Press Note:** CEO/DEOs to issue separate press notes on the day of draft publication with details of the electors, period of claims & objections, sharing of lists of claims & objections on weekly basis, information about the provision of appeal and details of appellate officers. Press Note shall have photos with the authorised representatives of the political parties while handing over the copies of draft roll to them.

ii. **Advertisement:** CEO to make an appeal for people to file claims and objections on the draft Electoral Roll.

d. Period of Claims and Objections

i. **Press Note:** Each DEO will issue a press note, during the period, while sharing the photos of ERO handing over the weekly list of claims and objections to political parties.

e. Final Roll Publication

i. **Press Note:** CEO/ DEOs will issue a Press Note on the day of final publication with electors details, and photos of ERO handing over the final roll to the political parties. The note shall also inform public and political parties about the process of appeal

ii. **Advertisement:** CEO to inform the public about the final publication and summary of electors details and informing the public about the process of appeal.

11. Preparation of Electoral roll at the time of Final Publication

a. ERO will ensure that the Final roll is a single updated roll (draft roll plus supplements prepared during SIR), in which all the additions made during SIR period will come with Sl. No. in continuation after the last entry of the draft roll and all the modifications and deletions carried out during SIR shall be

reflected in the updated roll against Sl. No. of such modified and deleted entries.[2]

b. This final roll shall be shared with recognized political parties and uploaded on the website.

c. No separate addition, deletion and modification lists will be printed and given to the political parties, though the EROs will generate these lists from ECINet and keep them only for future reference.

d. In cases where ERO/AERO, on having scrutinised the eligibility based on suo moto inquiry and after giving due opportunity of being heard, has found the proposed Elector in draft Electoral Roll as ineligible to be enrolled as an Elector, ERO/AERO shall ensure that such cases are not included in the Final Electoral Rolls. Such Electors shall have a right to file Appeal to the District Magistrate.

12. Preparation of electoral roll during elections

a. During elections, at the time of preparation of electoral roll on the last date of filing of nominations, to be given to the candidates of recognized political parties and for preparation of marked copy/working copy:

   i. ERO will ensure that the electoral roll is a single updated one and without re-serialization of entries. The deleted entries will not be removed.

   ii. All the additions made during continuous updation from the last final publication date till the last date of making nominations (during election), will be put in chronological order giving continuous Sl. No. starting with next Sl. No. of last entry in final roll. All deletions & modifications will be marked in the last final roll as per Commission's existing instructions.

b. There is a complete restriction on deletion of names & corrections in particulars of electors after 10th day of the announcement of election programme, therefore all Form-7 and Form-8 (other than shifting) received after the announcement of election shall be disposed of after the election is over. For applications received in Form-8 for shifting of residence, addition shall continue till the last date of making nominations while simultaneous deletion of such entry at old place shall be done by the ERO after the election is over. Such names shall be kept in the ASD list at the previous place of enrolment.

***

[2] Commission's Instruction No. 23/INST/2023-ERS dated 16.03.2023

Annexure C

Enumeration Form

Elector's Name, EPIC, Address (Pre-printed).

Serial No, Part No. & name, AC/PC Name, State (Pre-printed).

Old Photo (Pre-printed)	Paste Current Photo

Date of Birth	AADHAAR No. (Optional)	Mobile No.

Father's/Legal Guardian Name	EPIC No. (if available)

Mother's Name	EPIC No. (if available)

Spouse's Name (if applicable)	EPIC No. (if available)

DECLARATION

I HEREBY DECLARE that to the best of my knowledge and belief-

(i) I am above 18 years of age, ordinary resident on the above address and a citizen of India, and **(tick any one)**

- ☐ I was born in India before 01.07.1987
  - Provide any document, for Self, from the list given below establishing date of birth and/or place of birth.
- ☐ I was born in India between 01.07.1987 and 02.12.2004
  - Provide any document, for Self, from the list given below establishing date of birth and/or place of birth.
  - Provide any document, for Father or Mother, from the list given below establishing date of birth and/or place of birth.
- ☐ I was born in India after 02.12.2004

- Provide any document, for Self, from the list given below establishing date of birth and/or place of birth.
- Provide any document, for Father, from the list given below establishing date of birth and/or place of birth.
- Provide any document, for Mother, from the list given below establishing date of birth and/or place of birth.
- If any parent is not Indian, provide a copy of his/her valid passport & visa at the time of your birth.

☐ I was born outside of India (attach proof of Birth Registration issued by Indian Mission abroad),

☐ I have acquired Indian citizenship by Registration/Naturalisation (attach Certificate of Registration of Citizenship)

(ii) I have not acquired the citizenship of any other country.

(iii) I am applying for inclusion in the Electoral Roll and my name is not included in any other Assembly Constituency/ Parliamentary Constituency.

(iv) I am aware that making the above statement or declaration in relation to this application which is false and which I know or believe to be false or do not believe to be true, is punishable under Section 31 of Representation of the People Act,1950 (43 of 1950) with imprisonment for a term which may extend to one year or with fine or with both.

Date:_____ Place:_____ Signature/Left Thumb Impression

Indicative (not exhaustive) list of documents to be submitted in support of the declaration (separate self attested documents to be submitted for Self, Father and Mother, if mentioned above, except where extract of the Electoral Roll of Bihar with qualifying date 01.01.2003 is used, which will be considered as a sufficient document in itself):

1. Any Identity card/Pension Payment Order issued to regular employee/pensioner of any Central Govt./State Govt./PSU.
2. Any Identity Card/Certificate/Document issued in India by Government/ local authorities/Banks/Post Office/LIC/PSUs prior to 01.07.1987.
3. Birth Certificate issued by the competent authority.
4. Passport
5. Matriculation/Educational certificate issued by recognised Boards/universities
6. Permanent Residence certificate issued by competent State authority
7. Forest Right Certificate
8. OBC/SC/ST or any caste certificate issued by the Competent authority
9. National Register of Citizens (wherever it exists)
10. Family Register, prepared by State/Local authorities.
11. Any land/house allotment certificate by Government

Annexure D

Declaration Form

(To be submitted alongwith Form 6/8 for enrolment as a new Elector/shifting from outside the state)

I HEREBY DECLARE that to the best of my knowledge and belief-

(i) I am above 18 years of age, ordinary resident on the above address, and citizen of India, and **(tick any one)**

- ☐ I was born in India before 01.07.1987
  - Provide any document, for Self, from the list given below establishing date of birth and/or place of birth.
- ☐ I was born in India between 01.07.1987 and 02.12.2004
  - Provide any document, for Self, from the list given below establishing date of birth and/or place of birth.
  - Provide any document, for Father or Mother, from the list given below establishing date of birth and/or place of birth.
- ☐ I was born in India after 02.12.2004
  - Provide any document, for Self, from the list given below establishing date of birth and/or place of birth.
  - Provide any document, for Father, from the list given below establishing date of birth and/or place of birth.
  - Provide any document, for Mother, from the list given below establishing date of birth and/or place of birth.
  - If any parent is not Indian, provide a copy of his/her valid passport & visa at the time of your birth.
- ☐ I was born outside of India (attach proof of Birth Registration issued by Indian Mission abroad),
- ☐ I have acquired Indian citizenship by Registration/Naturalisation (attach Certificate of Registration of Citizenship)

(ii) I have not acquired the citizenship of any other country.

(iii) I am applying for inclusion in the Electoral Roll and my name is not included in any other Assembly Constituency/ Parliamentary Constituency.

(iv) I am aware that making the above statement or declaration in relation to this application which is false and which I know or believe to be false or do not believe to be true, is punishable under Section 31 of Representation of the People Act,1950 (43 of 1950) with imprisonment for a term which may extend to one year or with fine or with both.

Date:_____ Place:_____ Signature/Left Thumb Impression

Indicative (not exhaustive) list of documents to be submitted in support of the declaration (separate self attested documents to be submitted for Self, Father and Mother, if mentioned above, except where extract of the Electoral Roll of Bihar with qualifying date 01.01.2003 is used, which will be considered as a sufficient document in itself):

1. Any Identity card/Pension Payment Order issued to regular employee/pensioner of any Central Govt./State Govt./PSU.
2. Any Identity Card/Certificate/Document issued in India by Government/local authorities/Banks/Post Office/LIC/PSUs prior to 01.07.1987.
3. Birth Certificate issued by the competent authority.
4. Passport
5. Matriculation/Educational certificate issued by recognised Boards/universities
6. Permanent Residence certificate issued by competent State authority
7. Forest Right Certificate
8. OBC/SC/ST or any caste certificate issued by the Competent authority
9. National Register of Citizens (wherever it exists)
10. Family Register, prepared by State/Local authorities.
11. Any land/house allotment certificate by Government

***

ANNEXURE R-2

Election Commission of India
Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.23/2025-ERS (Vol.II) Dated: 27th October, 2025

To,

The Chief Electoral Officers,
(A&NI, Chhattisgarh, Goa, Gujarat, Kerala, Lakshadweep, Madhya Pradesh, Puducherry, Rajasthan, Tamil Nadu, Uttar Pradesh, West Bengal)

Sub: SIR of Electoral Roll w.r.t. 01.01.2026 as the qualifying date.

Sir/Madam,

1. I am directed to refer to the Commission's Order No. 23/2025-ERS (Vol.II) dated 24.06.2025 wherein the Commission, in exercise of its powers under Article 324 of the Constitution of India,1950; Section 21 along with other applicable provisions of the Representation of the People Act, 1950 (the "RPA 1950"), and the relevant provisions of the Registration of Electors Rules, 1960 has ordered Special Intensive Revision (SIR) in all the States/UTs (**Annexure I**). In pursuance of the same, the Commission has directed to conduct the SIR in the above-mentioned States/UTs w.r.t. 01.01.2026, as the qualifying date.

2. The Commission has decided to conduct the SIR based on the order and guidelines issued on 24.06.2025, subject to the following additions/modifications:

    a. For electors whose Enumeration Forms have not returned, BLO may identify a probable cause, such as Absent/Shifted/Death/Duplicate, based on an inquiry from the nearby electors and note the same. Booth-wise lists of above electors whose names are not included in the Draft Roll, shall also be displayed on the Notice Board of respective Panchayat Bhavan/Urban local body office and Offices of the Block Development Officer/Panchayat Officers/Urban Local body officers to enable the general public to have access to the aforesaid voters lists along with the probable reasons for non-inclusion of their names. CEOs to consolidate and put these lists on CEO's website in an accessible format.

    b. For Aadhaar, the Commission's directions issued vide letter No. 23/2025-ERS/Vol.II dated 09.09.2025 (**Annexure II**) shall apply.

c. Modified Enumeration Form (**Annexure III**) and Declaration Form **(Annexure IV)** shall be applicable for SIR in these States/UTs.

d. No document is to be collected from electors during the Enumeration Phase.

e. ERO to issue notice, only after publication of draft Electoral Rolls, to those electors, who could not be linked with previous SIR Electoral Rolls, to ascertain their eligibility.

f. The relevant last intensive revisions of the respective States/UTs is as mentioned in **Annexure V**.

g. During House to House Enumeration, BLO to carry at least 30 blank Form 6 along with blank Declaration Forms (**Annexure IV**), to supply to anyone who seeks to enrol as a new elector.

h. ERO shall also invite advance applications for subsequent qualifying dates i.e. 1st April, 1st July & 1st October, 2026 while publishing notice for draft publication in Form-5.

3. SIR to be undertaken strictly within the timeline as per the following schedule:

Sr No	Activities	Schedule
1	Preparation/Training/Printing	28.10.2025 (Tuesday) to 03.11.2025 (Monday)
2	Enumeration Period	04.11.2025 (Tuesday) to 04.12.2025 (Thursday)
3	Rationalization/Re-arrangement of Polling Stations	By 04.12.2025 (Thursday)
4	Updation of Control Table and Preparation of draft roll	05.12.2025 (Friday) to 08.12.2025 (Monday)
5	**Publication of draft electoral roll**	**On 09.12.2025 (Tuesday)**
6	Period for filing claims & objections	09.12.2025 (Tuesday) to 08.01.2026 (Thursday)
7	Notice Phase (Issuance, hearing & verification); decision on Enumeration Forms and disposal of claims and objections to be done concurrently by the EROs	09.12.2025 (Tuesday) to 31.01.2026 (Saturday)

8	Checking of health parameters of electoral rolls and obtaining Commission's permission for final publication.	By 03.02.2026 (Tuesday)
9	**Final Publication of Electoral Roll**	**On 07.02.2026 (Saturday)**

4. Also, to enable fulfilment of the above constitutional mandate, the Commission further directs, under Article 324 of the Constitution of India, that the Chief Secretaries of the above-mentioned States/UTs shall ensure that the CEO/DEO/ERO/AERO/BLO Supervisor/BLO and all other officers involved in the preparation of Electoral Rolls are adequately supported with manpower and resources. During the SIR period, the Chief Secretaries shall ensure that no post notified as DEO/ERO/AERO is vacant and no official connected with the exercise of SIR is transferred without prior approval of the Commission.

(Pawan Diwan)
Secretary

Copy to:

1. Chief Secretaries to the Governments of Chhattisgarh, Goa, Gujarat, Kerala, Madhya Pradesh, Puducherry, Rajasthan, Tamil Nadu, Uttar Pradesh, West Bengal,
2. Chief Secretary to the Administration of A&NI,
3. Advisor to the Administrator of Lakshadweep,
4. CEOs of all States/UTs
5. Internal circulation (as per the standard list of circulation)

Annexure-I

Election Commission of India
Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.23/2025-ERS (Vol.II) Dated: 24th June, 2025

To,

The Chief Electoral Officer
Bihar, Patna

Sub: Special Intensive Revision w.r.t. 01.07.2025 as the qualifying date.

Sir,

1. I am directed to convey that the Commission has directed a Special Intensive Revision (**SIR**) in exercise of its powers under Article 324, Section 21 of the Representation of the People Act, 1950 (the "RPA 1950"), along with other applicable provisions of the RPA 1950, with reference to 01.07.2025 as the qualifying date, in the State of Bihar, where general election to state Legislative Assembly is due in 2025 **(Annexure A)**.

2. **While carrying out the SIR of the electoral rolls, ERO of each Assembly Constituency shall be responsible for ensuring that no eligible citizen is left out while no ineligible person is included in the Electoral Roll.** During the SIR, CEO/DEO will aid ERO to fulfil the constitutional mandate that every eligible person, as per Article 326 of the Constitution of India read with Section 16 and 19 of the RPA 1950, is enrolled as Elector. For this, EROs shall satisfy themselves regarding the eligibility of every person before entering their name in the electoral roll. The detailed guidelines are attached **(Annexure B).**

3. During SIR, EROs through the BLOs shall conduct House to House enumeration. **Every existing elector, as on the date of this order, will be made available an Enumeration Form (Annexure C)**, either through BLO or the elector can download the Enumeration Form from <https://voters.eci.gov.in>. BLO shall collect one copy of the Enumeration Form and sign the acknowledgment of receipt on the second copy to be retained by the existing elector. Based on the Enumeration Forms received back along with documents, ERO will prepare the draft roll.

4. Further, in case of application for registration as a new elector or for shifting from outside the state, it is also directed that henceforth,

alongwith Form 6/Form 8, an additional Declaration Form (**Annexure D**) shall also be required to be filled by the applicant to support the declaration made therein.

5. The last intensive revision in Bihar was done in 2003, with 01.01.2003 as qualifying date. As the eligibility of Electors enrolled in the Electoral Rolls after the last intensive revision was established then, the Commission has decided that such Electors need not attach any additional document alongwith the Enumeration Form, except the extract of the Roll. Thus, CEO/DEO/ERO shall make the Electoral Rolls with qualifying date of 01.01.2003 freely available to all BLOs in hard copy, as well as, online on their website for anyone to download and use as documentary evidence while submitting their Enumeration Form (**Annexure C**). CEO/DEO/ERO/BLO should also take care that genuine electors, particularly old, sick, PwD, poor and other vulnerable groups are not harassed and are facilitated to the extent possible, including through deployment of volunteers.

6. Also, ERO shall assess the need of new Polling Stations considering that no **Polling station has more than 1,200 electors, except with the prior approval of the Commission.** ERO to also ensure that the polling station area is so defined and demarcated that no overlap exists with any other Polling station.

7. SIR to be undertaken strictly within the timeline as per the following schedule:

1	(i) ERO to print pre-filled Enumeration Form (in duplicate) for all existing electors and give it to the respective BLOs. (ii) ERO to give training to BLOs about the Revision Exercise. (iii) BLO to distribute Enumeration Form to all existing electors (in duplicate) through House to House visit. (iv) BLO to guide the public on filling up Enumeration Form. (v) BLO to collect Enumeration Forms from the public, along with required documents, or the public can also upload Enumeration Forms and documents online. (vi) Uploading collected Forms in BLO App/ECINet, on a day-to-day basis. (vii) BLO to give recommendations on each Enumeration Form so received.	25.06.2025 (Wednesday) to 26.07.2025 (Saturday)

	(viii) BLO Supervisor to check the BLO's output in quantitative as well as qualitative terms. (viii) AERO to verify all Enumeration Forms not-recommended by BLOs.	
2	Rationalization/Re-arrangement of Polling Stations and finalization of proposed restructuring of section/part boundaries, location of polling stations and obtaining approval of list of polling stations. A polling Station shall preferably contain not more than 1,200 electors	25.06.2025 (Wednesday) to 26.07.2025 (Saturday)
3	Updation of Control Table and Preparation of draft roll having names of all the existing electors who submitted the duly filled Enumeration Forms.	27.07.2025 (Sunday) to 31.07.2025 (Thursday)
4	**Publication of draft electoral roll on 01.08.2025 (Friday)**	
5	Period for filing claims & objections	01.08.2025 (Friday) to 01.09.2025 (Monday)
6	Decision on Enumeration Forms received during H2H enumeration period and disposal of claims and objections to be done concurrently and to be completed by the EROs by	By 25.09.2025 (Thursday)
7	(i) Checking of health parameters of the finalised electoral rolls and obtaining Commission's permission for final publication. (ii) Updating database and printing of supplements	By 27.09.2025 (Saturday)
8	**Final Publication of Electoral Roll on 30.09.2025 (Tuesday)**	

8. Also, to enable fulfilment of the above constitutional mandate, the Commission also directs, under Article 324 of the Constitution, that the Chief Secretary shall ensure that CEO/DEO/ERO/AERO/BLO Supervisor/BLO and all other officers involved in preparation of Electoral Rolls are adequately supported with manpower and resources. During the SIR period, the Chief Secretary shall ensure that no post notified as DEO/ERO/AERO is vacant and no such officer is transferred without prior approval of the Commission.

(Pawan Diwan)
Secretary

Copy to Chief Secretary of Bihar for necessary action.

Annexure A

Election Commission of India
Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 23/ERS/2025 Dated: 24th June, 2025

ORDER

Special Intensive Revision of Electoral Rolls

1. Whereas, Article 324 of the Constitution of India and the Representation of People Act, 1950 (the "RPA 1950") vests the superintendence, direction and control of the preparation of the electoral rolls for, and the conduct of the elections to the Parliament and the State Legislatures, with the Election Commission;

2. Whereas, maintaining the integrity of the electoral roll is fundamental for the conduct of free and fair elections;

3. Whereas, the electoral machinery, eligibility conditions, manner and procedure for preparation of electoral rolls are provided under the RPA 1950 and the Registration of Electors Rules, 1960 ("RER, 1960"), framed under the RPA 1950;

4. Whereas, in line with this objective, the Commission has previously exercised its powers under enabling statutes in the years such as 1952-56, 1957, 1961, 1965, 1966, 1983-84, 1987-89, 1992, 1993, 1995, 2002, 2003 and 2004 to undertake Intensive Revision of electoral rolls for all or some parts of the country for afresh preparation of electoral rolls through enumeration. The last intensive revision in Bihar, was conducted by the Commission in the year 2003 with reference to 01.01.2003 as the qualifying date;

5. Whereas, the preparation of electoral roll must ensure that all eligible citizens are included and no such eligible citizen is excluded from the electoral roll;

6. Whereas, the Article 326 of the Constitution stipulates that every person who is a citizen of India and who is not less than eighteen years of age on the qualifying date and is not otherwise disqualified under any law shall be entitled to be registered in the electoral roll;

7. Whereas, the Commission has noted that during the last 20 years significant change in electoral roll has taken place due to additions and deletions on a large scale over this long period. Rapid urbanization and frequent migration of population from one place to another on account of

education, livelihood and other reasons, have become a regular trend. Some electors obtain registration in one place and then shift their residence and register themselves at another place without getting their names deleted from the electoral roll of the initial place of residence. This has led to increased possibility of repeated entries in the electoral roll. Thus, the situation warrants an intensive verification drive to verify each person before enrolment as an Elector;

8. Whereas, one of the fundamental pre-conditions set out in Article 326 of the Constitution is that a person is required to be an Indian citizen, for his/her name to be registered in the electoral roll. Consequently, the Commission has a constitutional obligation to ensure that only persons who are citizens;

9. Whereas, under Section 21 of the RPA 1950 along with other applicable provisions of the RPA 1950, the Commission is empowered to direct special intensive revision of the electoral rolls including preparation of electoral rolls afresh;

10. Therefore, the Commission has now decided to begin the Special Intensive Revision in the entire country for the discharge of its constitutional mandate to protect the integrity of the electoral rolls; However, since the General Elections to the Legislative Assembly in the State of Bihar is expected in later part of this year, hence the Commission has decided to conduct Special Intensive Revision in the State of Bihar as per the Guidelines and schedule attached herewith. The schedule for the Special Intensive Revision in the rest of the country shall be issued separately in due course.

11. Since the last intensive revision in Bihar was undertaken in 2003, the EROs shall treat the electoral roll of 2003 with qualifying date of 01.01.2003 as probative evidence of eligibility, including presumption of citizenship unless they receive any other input otherwise.

12. Any person whose name is not recorded in the 2003 Electoral Roll shall for the purpose of registration in the electoral roll is required to submit from amongst a wide range of eligible government documents as prescribed for establishing their eligibility to be an elector.

13. Since the existing Electoral rolls were published on 06.01.2025 under Special Summary Revision, and continuously updated since then, the Commission further directs that a pre-filled enumeration form shall be made available to every existing elector as on the date of issue of this order and the draft roll shall include the names of all the electors who have submitted a duly filled Enumeration Form before July 25, 2025. This being an intensive revision, in case enumeration form is not submitted

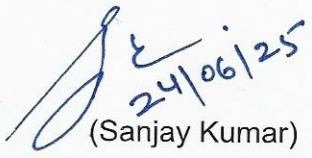
before July 25, 2025, the name of the elector can not be included in the draft rolls. However, CEO/DEO/ERO/BLO should also take care that genuine electors, particularly old, sick, PwD, poor and other vulnerable groups are not harassed and are facilitated to the extent possible, including through deployment of volunteers.

14. The ERO/AERO shall not delete any entry from the draft roll without conducting an inquiry and giving a fair and reasonable opportunity to the persons concerned whose name has appeared in the draft roll. In case any person is aggrieved by the decision of the ERO, he may prefer an appeal to the District Magistrate under Section 24(a) of the RP Act, 1950, read with rule 27 of the RER, 1960 within the stipulated time. If the appellant remains unsatisfied, a second appeal may be preferred before the Chief Electoral Officer within 30 days of the DM's order, as per Section 24(b) of the RP Act, 1950 read with Rule 27 of the RER, 1960.

15. Further, in case of application for registration as a new elector or for shifting from outside the state of Bihar, it is also directed that henceforth, alongwith Form 6/Form 8, an additional Declaration Form (**Annexure D**) shall also be required to be filled by the applicant to support the declaration made therein.

By Order

Election Commission of India



(Sanjay Kumar)

Deputy Election Commissioner

Annexure B

Detailed Guidelines For Special Intensive Revision

1. **Training**
   a. DG(IT), ECI shall organise a training of the CEO and State IT Nodal Officers at the CEO office to familiarize them about new IT features/modules/applications/online submission of forms.
   b. CEO/DEO/ERO/AERO shall get themselves acquainted with the new ECINet application, and especially about the BLO, Elector and their respective modules.
   c. CEO shall also ensure that all the posts of EROs/AEROs/BLOs/Supervisors are filled and requisite training and orientation including training on the latest IT process and systems is completed well in time.
   d. At the earliest, ERO will conduct an orientation workshop for the Booth Level Agents (BLA) of recognized political parties to explain the process and to sensitize them about SIR.
2. **Rationalization, Reserialization and Formation of sections**
   a. Based on the H2H enumeration, ERO shall assess the need of new Polling Stations considering that no **Polling station has more than 1,200 electors, except with the prior approval of the Commission.** ERO to also ensure that the polling station area is so defined and demarcated that no overlap exists with any other Polling station.
   b. The electors of so merged/attached polling stations are not required to travel for more than two kilometer distance and to cross any natural barriers.
   c. Extensive survey must be carried out during the exercise of rationalization of polling stations for setting up new polling stations in the High Rise/Group Housing societies/RWA colonies that have common facilitation area/community halls at ground floor within the premises and in slum dwelling clusters of urban areas.
   d. Immediately after assessing the requirement of new polling stations, ERO shall communicate the requirement of additional polling stations to DEO.
   e. DEO, being responsible for provisioning of polling stations u/s 25 of the RP Act 1951, shall ensure 100% physical verification of the existing and newly proposed polling station locations through a senior officer to assess as to whether the building is in proper condition and it meets the other parameters set by the Commission for smooth conduct of poll.
   f. DEO shall consult the representatives of the political parties before finalizing the proposal of new polling stations. Thereafter,

DEO shall obtain the approval of the Commission for the consolidated proposal of polling stations.

g. Proposal for change of location shall be sent to the Commission only after 100% verification/inspection of the polling station and along with longitude and latitude. Latitude and Longitude of all Polling Stations, newly identified and proposed for creation/change of location of polling station shall be captured and details of the same shall be updated in the ECINet Dashboard.

h. After Commission's approval, ERO shall update the Control Table in ECINet and create Parts, as per IT applications to prepare draft Electoral Roll.

i. Once a new polling station is created in the Electoral Roll, ERO shall also, through BLO, ensure uploading of photos and location information of the polling station, along with data like latitude and longitude of the Polling Station, from BLO's module in ECINet App.

j. **Standardization of addresses:** The electors will be arranged in the roll in a sequence, according to the House no. (and Floor no. of the building). To standardize the address of electors the following fields of addresses shall be maintained while preparing the roll:[1]

   i. House No./ Flat No./Door No. (Name of house, if available)
   ii. Floor No. (in case of multi-story building)
   iii. Building No./Block No./Tower No. (name of building, if available)
   iv. Apartment No.
   v. Wing
   vi. Ward No*
   vii. Street/ Road/Lane*
   viii. Sector
   ix. Area/Locality*
   x. Landmark, if any
   xi. Village/Town/City*
   xii. Sub-district/Tehsil
   xiii. District*
   xiv. State*
   xv. Pincode*

k. **Family Grouping:**

[1] The fields marked with (*) should be mandatorily mentioned in the electors' details, while the remaining fields may be taken as optional fields and be included wherever necessary (like in urban areas). The CEO/DEO may include the other fields in the mandatory category as prevalent in the State/District. Where no House no. as given by the Panchayat/Municipal Authorities is available, the notional number will be given in the roll. In such cases, it will be invariably indicated that the House no. is notional. The mandatory address fields will be mentioned in the electoral roll and the same will be reflected as it is in the EPIC of the elector.

i. Based on the H2H enumeration, while creating a new polling station or re-organizing/rationalisation of the existing polling stations by creating/merging/ attaching sections to the adjacent polling stations, ERO to ensure the following:
   1. No family residing at same Door/Flat No. is broken and all the family members are kept in the same section and in the same part,
   2. Electors residing in a building are enrolled in the same part, and
   3. As far as possible electors residing in a Street are enrolled in the same part.

ii. To group all the family members and neighbors in a section, ERO shall keep all Electors of one house/building/tower, in one Section, as far as feasible, in any case within a part.

3. House to House (H2H) Enumeration

a. At the start of the H2H process, Booth Level Officers (BLOs) shall be provided with:
   i. an Identity Card, if not already given, and
   ii. a kit bag labeled **Special Intensive Revision,** that shall include registers, stationery, caps/T-shirts, and any other necessary stationery items required during the enumeration process.
   iii. Enumeration Forms (**Annexure C**) with pre printed details of existing electors, for each existing elector as on the date of issue of this order, in duplicate. Alongwith certain number of blank Enumeration Forms for any eventuality.

b. BLOs shall visit each household and distribute Enumeration Form, with pre printed details of existing electors, to each existing elector in duplicate and will guide them in filling up the Form.

c. If BLO finds that any house is locked or closed at the time of enumeration, she/he shall slip the Enumeration Forms in the house and make at least three visits to collect filled up Forms.

d. The existing electors will also be provided a facility to download pre-filled Enumeration Form and upload filled-in Forms and documents through online mode.

e. Each elector must submit this form along with requisite information and self-attested documents to the BLO.

f. BLO will again visit every household to collect the filled copy of the Enumeration Form from the electors. BLO shall keep one copy of Enumeration Form along with the requisite documents with him/her and give an acknowledgement of receipt of Form and document on the other copy of Enumeration Form to be retained by the applicant.

g. In case an elector has uploaded a form filled in with documents online, BLO will verify the documents during his visit to the house of the elector.
h. BLO shall upload these Forms and attached documents through BLO/ECINet mobile application. Thereafter, BLO will submit all the collected Enumeration Forms along with its documents to the concerned ERO/AERO for record purposes.

4. Publication of draft roll :

a. ERO shall prepare the draft Electoral Roll by including all the Electors whose Enumeration Forms have been received from the electors. Decision on the Enumeration Forms so received shall be taken after draft publication during the claims & objection period. However, ERO/AERO shall start scrutinising Enumeration Forms, as and when they are received to identify the cases with suspected eligibility.
b. Draft electoral roll shall consist of names of all the existing electors who have submitted their duly filled Enumeration Form to the BLO during the H2H enumeration period or which have been received online and verified by BLO. Names of other electors, from whom Enumeration Forms are not received will not be included in the draft roll.
c. In case any elector is unable to submit their filled in enumeration forms within the specified time, they may file Form 6 alongwith the prescribed Declaration Form (Annexure D) for inclusion during the claims and objections period.
d. All names of member of judiciary, public representatives, holders of declared offices and personalities from fields of arts, culture, journalism, sports, and public services etc. earlier flagged in the electoral database, are to be included in the draft Electoral Rolls, so that necessary documents can also be collected during the period of Claims and Objections.
e. ERO shall also invite advance application for subsequent qualifying date i.e. 01st October, 2025 while publishing notice for draft publication in Form-5.

5. Period of Claims and Objections

a. After publication of the draft Electoral Rolls, ERO/AERO shall scrutinise the eligibility of proposed Electors in accordance with the qualification of Electors prescribed under Article 326 and Section 16 & 19 of RPA 1950. To do so, ERO/AERO shall come to his/her satisfaction based on the documents submitted and field reports.
b. In case ERO/AERO doubts the eligibility of the proposed Elector (due to non-submission of requisite documents or otherwise), he/she will start a suo moto inquiry and issue notice to such proposed Elector, as to why his/her should not be deleted. Based

on field inquiry, documentation or otherwise, ERO/AERO shall decide on inclusion of such proposed Electors in the Final Rolls. In each such case, ERO/AERO shall pass a speaking order. Also, EROs will refer cases of suspected foreign nationals to the competent authority under the Citizenship Act, 1955. For these purposes, AERO shall exercise ERO's powers independently u/s 13C(2) of the RPA, 1950.

c. Whereas, the eligibility conditions to enroll as an elector were already being verified by the ERO to his satisfaction, it is necessary that the documents on the basis of which such satisfaction of ERO is arrived at, are also uploaded in ECINET as the current level of technology enables so.

d. Every claim for inclusion of name in the roll as new elector shall be in Form-6 along with new Declaration Form. Henceforth, all EROs shall also ensure to collect the prescribed Declaration Form in respect of all pending Form 6 and advance claims received in Form 6 w.r.t. 01.10.2025 as the qualifying date.

e. Application for shifting of residence within the constituency or outside the constituency, correction or updation of entries, replacement of EPIC and marking of PwD, shall be in Form-8 and shall be preferred by the person to whom that entry relates. New Declaration Form shall be submitted alongwith Form-8 for shifting of residence from outside the state of Bihar.

6. **Display of list of claims and objections**

   a. ERO shall prepare lists of claims and objections in Form 9, 10, 11 and 11A and 11B and exhibit one copy of such lists on a notice board in his office on every working day.

   b. The list of all claims and objections received should also be put up on the website of the CEO so that citizens are able to see the list and lodge objections, if any, with the concerned ERO.

   c. CEO to give adequate publicity to the fact that a list of claims and objections is available on CEO's website, and if any one wants to raise objections regarding any claim in the list, he/she can file the same before the EROs. This information should also be shared with the political parties by holding meetings with them and sending written communication to them.

   d. ERO to share the list of claims and objections with the political parties on a weekly basis. The list should be incremental instead of cumulative. For this purpose, the ERO should call a meeting of all political parties on a regular interval and personally handover a list of claims and objections to them and obtain acknowledgement.

7. **Appeals** under Section 24 of the Representation of the People Act, 1950: An appeal shall lie from any decision of the ERO to the District Magistrate u/s 24(a) of the RP Act, 1950, and a second appeal under

Section 24(b) against the decision of the first Appellate authority shall lie to the CEO, in the manner prescribed under Rule 27 of the Registration of Electors Rules, 1960.

8. **Supervision and Checks:** Following supervisory checks and verification are prescribed.
    a. BLO Supervisor, who normally has 10 BLOs under his charge shall verify 10% of each of the Booth Level Officer's verification work under him.
    b. ERO shall hold regular monitoring meetings with AEROs, BLO Supervisors and BLOs and ensure that the work done is not superficial. Delinquent officials should be taken to task and corrective measures taken swiftly.
    c. **Super-checking during SIR by Roll Observers:** Verification of 250 Forms (100 additions + 100 deletions + 50 modifications) in the assigned districts or at least 50 Forms (20 additions + 20 deletions + 10 modifications) in each of the assigned districts, by tabletop exercise. Out of these verified Forms, field verification must be done in a minimum of 50 Forms.
9. **Engagement with Political Parties and sharing of electoral rolls:**
    a. By CEO:
        i. As soon as the SIR schedule is announced, the CEO shall hold a meeting with all recognized political parties, and inform them of the important points of the law and procedures of the SIR and seek their cooperation.
        ii. For all such meetings, records like minutes of meetings attendance of participants with their signature should be maintained.
        iii. The CEO shall ask the recognized political parties to appoint a Booth Level Agent (BLA) for each polling station who would be associated with BLO during the revision period. Political Parties shall also be asked to give a list of BLAs to respective EROs.
        iv. The CEO shall extract a report on the status of disposal of claims and objections received during the revision from ECINet and put the same on his website on a weekly basis, for information of general public/citizens.
        v. Computerization and posting of all application forms received in Forms 6, 6A, 7, 8 on the website of the CEO on a day to day basis.
        vi. CEO shall put draft electoral roll, final electoral roll, list of claims and objections on CEOs' website and share the same with recognized political parties.
        vii. CEO shall get the revision schedule properly disseminated to media, political parties and social organizations/RWAs

and reach out to electors/eligible population extensively well before the date of draft publication of electoral rolls.

b. By DEO:
   i. DEO shall get the revision schedule properly disseminated to media, political parties and social organizations/RWAs and reach out to electors/eligible population extensively well before the date of draft publication of electoral rolls.
   ii. The DEO shall hold periodic meetings with all recognized national and state level political parties and inform them of the important points of the law and procedures of the SIR and seek their cooperation before the date of draft publication.

c. By ERO:
   i. ERO shall share a list of claims and objections with all political parties on a weekly basis. He will be able to download this list through ECINet.
   ii. ERO, immediately after draft and final publication, shall supply free of cost two copies (one hard copy & one soft copy) of each separate part of the roll to every registered political party. For this purpose, soft copy of electoral roll shall not have the electors' photographs.

d. By BLO:
   i. Before H2H enumeration, BLO will hold a meeting with BLAs and brief them about the schedule and process of SIR.
   ii. The BLOs will go through the draft electoral roll with BLAs of recognized political parties of the State and identify the corrections to be carried out, etc. It is pertinent to mention that BLAs once appointed from a recognized political party will continue as BLA, unless their appointment is rescinded /revoked by the political party concerned.
   iii. With a view to ensure more involvement of political parties, the Commission has allowed BLAs of recognized political parties to file applications in bulk, subject to the condition that a BLA shall not submit more than 50 Forms/day to BLO before the Draft Publication, and 10 Forms/day thereafter.
   iv. BLA will submit a list of application forms with an undertaking that he has personally verified the particulars of the application forms and is satisfied that they are correct.

10. Schedule of Press Note/Advertisement during SIR

a. Announcement of schedule of SIR:
   i. **Press Note:** CEO to issue a Press Note explaining pre-revision activities like, H2H, rationalization and

schedule in detail along with expected meetings with political parties. DEO to circulate CEO's press notes on its social media.

ii. **Advertisement:** CEO to publish SIR schedule in the prominent newspapers, along with a public appeal to file claims and objections.

iii. **Letter:** CEO/DEO/ERO to write to recognized political parties sharing the schedule and guidelines of SIR.

b. Rationalisation of PS:

i. **Press Note:** DEOs to issue a press note with photos of meetings with political parties discussing the draft list of Polling Station. CEO to issue a consolidated press note after Commission's approval of final list of PS.

c. Publication of draft roll

i. **Press Note:** CEO/DEOs to issue separate press notes on the day of draft publication with details of the electors, period of claims & objections, sharing of lists of claims & objections on weekly basis, information about the provision of appeal and details of appellate officers. Press Note shall have photos with the authorised representatives of the political parties while handing over the copies of draft roll to them.

ii. **Advertisement:** CEO to make an appeal for people to file claims and objections on the draft Electoral Roll.

d. Period of Claims and Objections

i. **Press Note:** Each DEO will issue a press note, during the period, while sharing the photos of ERO handing over the weekly list of claims and objections to political parties.

e. Final Roll Publication

i. **Press Note:** CEO/ DEOs will issue a Press Note on the day of final publication with electors details, and photos of ERO handing over the final roll to the political parties. The note shall also inform public and political parties about the process of appeal

ii. **Advertisement:** CEO to inform the public about the final publication and summary of electors details and informing the public about the process of appeal.

11. Preparation of Electoral roll at the time of Final Publication

a. ERO will ensure that the Final roll is a single updated roll (draft roll plus supplements prepared during SIR), in which all the additions made during SIR period will come with Sl. No. in continuation after the last entry of the draft roll and all the modifications and deletions carried out during SIR shall be

reflected in the updated roll against Sl. No. of such modified and deleted entries.[2]

b. This final roll shall be shared with recognized political parties and uploaded on the website.

c. No separate addition, deletion and modification lists will be printed and given to the political parties, though the EROs will generate these lists from ECINet and keep them only for future reference.

d. In cases where ERO/AERO, on having scrutinised the eligibility based on suo moto inquiry and after giving due opportunity of being heard, has found the proposed Elector in draft Electoral Roll as ineligible to be enrolled as an Elector, ERO/AERO shall ensure that such cases are not included in the Final Electoral Rolls. Such Electors shall have a right to file Appeal to the District Magistrate.

12. Preparation of electoral roll during elections

a. During elections, at the time of preparation of electoral roll on the last date of filing of nominations, to be given to the candidates of recognized political parties and for preparation of marked copy/working copy:

   i. ERO will ensure that the electoral roll is a single updated one and without re-serialization of entries. The deleted entries will not be removed.

   ii. All the additions made during continuous updation from the last final publication date till the last date of making nominations (during election), will be put in chronological order giving continuous Sl. No. starting with next Sl. No. of last entry in final roll. All deletions & modifications will be marked in the last final roll as per Commission's existing instructions.

b. There is a complete restriction on deletion of names & corrections in particulars of electors after 10th day of the announcement of election programme, therefore all Form-7 and Form-8 (other than shifting) received after the announcement of election shall be disposed of after the election is over. For applications received in Form-8 for shifting of residence, addition shall continue till the last date of making nominations while simultaneous deletion of such entry at old place shall be done by the ERO after the election is over. Such names shall be kept in the ASD list at the previous place of enrolment.

***

[2] Commission's Instruction No. 23/INST/2023-ERS dated 16.03.2023

Annexure C

Enumeration Form

Elector's Name, EPIC, Address (Pre-printed).

Serial No, Part No. & name, AC/PC Name, State (Pre-printed).

Old Photo (Pre-printed)	Paste Current Photo

Date of Birth	AADHAAR No. (Optional)	Mobile No.

Father's/Legal Guardian Name	EPIC No. (if available)

Mother's Name	EPIC No. (if available)

Spouse's Name (if applicable)	EPIC No. (if available)

DECLARATION

I HEREBY DECLARE that to the best of my knowledge and belief-

(i) I am above 18 years of age, ordinary resident on the above address and a citizen of India, and **(tick any one)**

- ☐ I was born in India before 01.07.1987
  - Provide any document, for Self, from the list given below establishing date of birth and/or place of birth.
- ☐ I was born in India between 01.07.1987 and 02.12.2004
  - Provide any document, for Self, from the list given below establishing date of birth and/or place of birth.
  - Provide any document, for Father or Mother, from the list given below establishing date of birth and/or place of birth.
- ☐ I was born in India after 02.12.2004

- Provide any document, for Self, from the list given below establishing date of birth and/or place of birth.
- Provide any document, for Father, from the list given below establishing date of birth and/or place of birth.
- Provide any document, for Mother, from the list given below establishing date of birth and/or place of birth.
- If any parent is not Indian, provide a copy of his/her valid passport & visa at the time of your birth.

☐ I was born outside of India (attach proof of Birth Registration issued by Indian Mission abroad),

☐ I have acquired Indian citizenship by Registration/Naturalisation (attach Certificate of Registration of Citizenship)

(ii) I have not acquired the citizenship of any other country.

(iii) I am applying for inclusion in the Electoral Roll and my name is not included in any other Assembly Constituency/ Parliamentary Constituency.

(iv) I am aware that making the above statement or declaration in relation to this application which is false and which I know or believe to be false or do not believe to be true, is punishable under Section 31 of Representation of the People Act,1950 (43 of 1950) with imprisonment for a term which may extend to one year or with fine or with both.

Date:_____ Place:_____ Signature/Left Thumb Impression

Indicative (not exhaustive) list of documents to be submitted in support of the declaration (separate self attested documents to be submitted for Self, Father and Mother, if mentioned above, except where extract of the Electoral Roll of Bihar with qualifying date 01.01.2003 is used, which will be considered as a sufficient document in itself):

1. Any Identity card/Pension Payment Order issued to regular employee/pensioner of any Central Govt./State Govt./PSU.
2. Any Identity Card/Certificate/Document issued in India by Government/ local authorities/Banks/Post Office/LIC/PSUs prior to 01.07.1987.
3. Birth Certificate issued by the competent authority.
4. Passport
5. Matriculation/Educational certificate issued by recognised Boards/universities
6. Permanent Residence certificate issued by competent State authority
7. Forest Right Certificate
8. OBC/SC/ST or any caste certificate issued by the Competent authority
9. National Register of Citizens (wherever it exists)
10. Family Register, prepared by State/Local authorities.
11. Any land/house allotment certificate by Government

Annexure D

Declaration Form

(To be submitted alongwith Form 6/8 for enrolment as a new Elector/shifting from outside the state)

I HEREBY DECLARE that to the best of my knowledge and belief-

(i) I am above 18 years of age, ordinary resident on the above address, and citizen of India, and **(tick any one)**

- ☐ I was born in India before 01.07.1987
  - Provide any document, for Self, from the list given below establishing date of birth and/or place of birth.
- ☐ I was born in India between 01.07.1987 and 02.12.2004
  - Provide any document, for Self, from the list given below establishing date of birth and/or place of birth.
  - Provide any document, for Father or Mother, from the list given below establishing date of birth and/or place of birth.
- ☐ I was born in India after 02.12.2004
  - Provide any document, for Self, from the list given below establishing date of birth and/or place of birth.
  - Provide any document, for Father, from the list given below establishing date of birth and/or place of birth.
  - Provide any document, for Mother, from the list given below establishing date of birth and/or place of birth.
  - If any parent is not Indian, provide a copy of his/her valid passport & visa at the time of your birth.
- ☐ I was born outside of India (attach proof of Birth Registration issued by Indian Mission abroad),
- ☐ I have acquired Indian citizenship by Registration/Naturalisation (attach Certificate of Registration of Citizenship)

(ii) I have not acquired the citizenship of any other country.

(iii) I am applying for inclusion in the Electoral Roll and my name is not included in any other Assembly Constituency/ Parliamentary Constituency.

(iv) I am aware that making the above statement or declaration in relation to this application which is false and which I know or believe to be false or do not believe to be true, is punishable under Section 31 of Representation of the People Act,1950 (43 of 1950) with imprisonment for a term which may extend to one year or with fine or with both.

Date:_____ Place:_____ Signature/Left Thumb Impression

Indicative (not exhaustive) list of documents to be submitted in support of the declaration (separate self attested documents to be submitted for Self, Father and Mother, if mentioned above, except where extract of the Electoral Roll of Bihar with qualifying date 01.01.2003 is used, which will be considered as a sufficient document in itself):

1. Any Identity card/Pension Payment Order issued to regular employee/pensioner of any Central Govt./State Govt./PSU.
2. Any Identity Card/Certificate/Document issued in India by Government/local authorities/Banks/Post Office/LIC/PSUs prior to 01.07.1987.
3. Birth Certificate issued by the competent authority.
4. Passport
5. Matriculation/Educational certificate issued by recognised Boards/universities
6. Permanent Residence certificate issued by competent State authority
7. Forest Right Certificate
8. OBC/SC/ST or any caste certificate issued by the Competent authority
9. National Register of Citizens (wherever it exists)
10. Family Register, prepared by State/Local authorities.
11. Any land/house allotment certificate by Government

***

Annexure-II

ELECTION COMMISSION OF INDIA
Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 23/2025-ERS/Vol. II **Dated 09.09.2025**

To,
Chief Electoral Officer,
Bihar.

Subject: Acceptance of Aadhaar as proof of identity during SIR, Bihar - reg.
Reference: Supreme Court Order dated 08.09.2025 in WP(Civil) 640/2025.

Sir,

1. I am directed to convey that the petition titled Association for Democratic Reforms v. Election Commission of India [Civil (W) No. 640/2025] was taken up for hearing on 08.09.2025, wherein the Hon'ble Supreme Court passed the following order:

   "The short issue that needs to be further clarified pertains to the acceptability and status of the Aadhaar Card insofar as supporting documents are concerned. There is no quarrel that as per the statutory status assigned to Aadhaar Card under the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016, it is not a proof of citizenship and therefore shall not be accepted as proof of citizenship. However, keeping in view Section 23(4) of the Representation of People Act, 1950, the Aadhaar Card is one of the documents enumerated for the purpose of establishing the identity of a person. Accordingly, we direct the Election Commission of India and its authorities to accept Aadhar Card as a proof of identity for the purpose of inclusion or exclusion in the revised voter list of the State of Bihar. Aadhaar Card, for this purpose, shall be treated as the 12th document by the Authorities. It is, however, made clear that the authorities shall be entitled to verify the authenticity and genuinity of the Aadhaar Card, like any of the other enumerated documents, by seeking further proof/documents. The Election Commission shall issue instructions in this regard by tomorrow i.e., 09.09.2025."

2. In this regard, vide letter of even No. dated 14.08.2025 and 23.08.2025, the Commission has already conveyed the previous directions of the Hon'ble Supreme Court dated 14.08.2025 and 22.09.2025 for acceptance of the claims with a copy of the Aadhaar card for strict compliance.

3. Additionally, in pursuance of the order of the Hon'ble Supreme Court dated 08.09.2025, the following instructions are issued for immediate compliance:
    a. The Aadhaar Card shall be treated as the 12th document, in addition to the 11 documents listed in Annexure C and Annexure D of the SIR order dated 24.06.2025.
    b. The Aadhaar Card is to be accepted and utilized as a proof of identity and not as a proof of citizenship, in terms of Section 9 of the Aadhaar (Delivery of Financial And Other Subsidies, Benefits and Services) Act, 2026.
    c. Under Section 23(4) of the Representation of People Act, 1950, the Aadhaar Card is already one of the documents enumerated for the purpose of establishing the identity of a person.

4. In view of the above, you are directed to bring this in the knowledge of all DEOs/EROs/AEROs and all other concerned authorities for its strict implementation. Any instance of non-compliance or refusal to accept Aadhaar in accordance with this directive shall be treated with utmost seriousness.

Yours faithfully,

Pawan Diwan
Secretary
Election Commission of India

Annexure-III

Enumeration Form

Name and contact No of BLO (pre-printed)

Elector's Name, EPIC, Address (Pre-printed).	Serial No., Part No. & name, AC/PC Name, State (Pre-printed).	QR Code	Old Photo (Pre-printed)	Paste Current Photo

Date of Birth (DD/MM/YYYY)	d	d	m	m	y	y	y	y
Aadhaar No. (Optional)								
Mobile No.								
Father's/Guardian's Name								
Father's/Guardian's EPIC No. (if available)								
Mother's Name								
Mother's EPIC No. (if available)								
Spouse's Name (if applicable)								
Spouse's EPIC No. (if available)								

Details of the Elector in the Electoral Roll of the last SIR			**Details of the Relative, whose name is given in the previous column, in the last SIR**		
Elector Name:			Name:		
EPIC No. (if available)			EPIC No. (if available)		
Relative's Name:			Relative's Name:		
Relationship:			Relationship:		
District:			District:		
State:			State:		
AC Name:			AC Name:		
AC Number	**Part No.**	**Sr No.**	**AC Number**	**Part No.**	**Sr No.**

(i) The elector mentioned above, being myself/my family member, has not acquired the citizenship of any other country.
(ii) I am applying for inclusion in the Electoral Roll, and the name mentioned above, being myself/ my family member, is not included in any other Assembly Constituency/ Parliamentary Constituency.
(iii) I am aware that making the above statement or declaration in relation to this application which is false and which I know or believe to be false or do not believe to be true, is punishable under Section 31 of Representation of the People Act,1950 (43 of 1950) with imprisonment for a term which may extend to one year or with fine or with both.

Signature/Left Thumb Impression of Elector or
Any Adult Family Member (mention relationship) with date

BLO's undertaking: I have verified the above details from the electoral roll(s) of the last SIR.

BLO's Signature

Information Sheet for Enumeration Form

Electors can check their name and the name of the concerned relative(s) in the previous SIR Electoral Rolls at https://voters.eci.gov.in/ to provide the details in the Enumeration Form. For help, electors can connect with the concerned BLOs. ERO will issue notice to those electors whose previous SIR Electoral Roll(s) details provided in the Enumeration Form are either not available or do not match the database. Upon receipt of notice, the elector to provide the documents based upon the following categories:

- If born in India before 01.07.1987
  - Provide any document, for Self, from the list given below, establishing the date of birth and/or place of birth.
- If born in India between 01.07.1987 and 02.12.2004
  - Provide any document, for Self, from the list given below, establishing the date of birth and/or place of birth.
  - Provide any document, for Father or Mother, from the list given below, establishing the date of birth and/or place of birth.
- If born in India after 02.12.2004
  - Provide any document, for Self, from the list given below, establishing the date of birth and/or place of birth.
  - Provide any document, for Father, from the list given below, establishing the date of birth and/or place of birth.
  - Provide any document, for Mother, from the list given below, establishing the date of birth and/or place of birth.
  - If any parent is not Indian, provide a copy of his/her valid passport & visa at the time of your birth.
- If born outside of India (attach proof of Birth Registration issued by the Indian Mission abroad),
- If acquired Indian citizenship by Registration/Naturalisation (attach Certificate of Registration of Citizenship)

Indicative (not exhaustive) list of documents (separate self-attested documents to be submitted for Self, Father and Mother, if mentioned above):

1. Any Identity card/Pension Payment Order issued to a regular employee/pensioner of any Central Govt./State Govt./PSU.
2. Any Identity Card/Certificate/Document issued in India by the Government/ local authorities/Banks/Post Office/LIC/PSUs prior to 01.07.1987.
3. Birth Certificate issued by the competent authority.
4. Passport
5. Matriculation/Educational certificate issued by recognised Boards/universities
6. Permanent Residence certificate issued by the competent State authority
7. Forest Right Certificate
8. OBC/SC/ST or any caste certificate issued by the Competent Authority
9. National Register of Citizens (wherever it exists)
10. Family Register, prepared by State/Local authorities.
11. Any land/house allotment certificate by the Government
12. For Aadhaar, the Commission's directions issued vide letter No. 23/2025-ERS/Vol.II dated 09.09.2025 (**Annexure II**) shall apply.
13. Extract of the electoral roll of Bihar SIR with reference to 01.07.2025.

***

Annexure-IV

Declaration Form

(To be submitted along with Form 6/Form 8 for enrolment as a new Elector/shifting from outside the state)

Applicant's Name:
Mobile Number:
Address:

Father's/Guardian Name	
Father's/Guardian EPIC No. (if available)	
Mother's Name	
Mother's EPIC No. (if available)	
Spouse's Name (if applicable)	
Spouse's EPIC No. (if available)	

Details of the Elector in the Electoral Roll of the last SIR (if applicable)			**Details of the Relative, whose name is given in the previous column, in the last SIR**		
Elector Name:			Name:		
EPIC No. (if available)			EPIC No. (if available)		
Relative's Name:			Relative's Name:		
Relationship:			Relationship:		
District:			District:		
State:			State:		
AC Name:			AC Name:		
AC Number	**Part No.**	**Sr No.**	**AC Number**	**Part No.**	**Sr No.**

(i) I have not acquired the citizenship of any other country.
(ii) I am applying for inclusion in the Electoral Roll through Form 6, and my name is not included in any other Assembly Constituency/Parliamentary Constituency. ☐

Or

I am applying for inclusion in the Electoral Roll through Form 8 on shifting. ☐
(iii) I am aware that making the above statement or declaration in relation to this application which is false and which I know or believe to be false or do not believe to be true, is punishable under Section 31 of Representation of the People Act,1950 (43 of 1950) with imprisonment for a term which may extend to one year or with fine or with both.

Signature/Left Thumb Impression of Elector with date

BLO's undertaking: I have verified the above details from the electoral roll(s) of the last SIR.

BLO's Signature

BLO's Name and Phone Number

Information Sheet for Declaration Form

Applicants can check their name and the name of the concerned relative(s) in the previous SIR Electoral Rolls at https://voters.eci.gov.in/ to provide the details in the Declaration Form. For help, applicants can connect with the concerned BLOs. ERO will issue notices to those applicants whose previous SIR Electoral Roll(s) details provided in the Declaration Form are either unavailable or do not match the database. Upon receipt of notice, the applicant to provide the documents based upon the following categories:

- If born in India before 01.07.1987
  - Provide any document, for Self, from the list given below, establishing the date of birth and/or place of birth.
- If born in India between 01.07.1987 and 02.12.2004
  - Provide any document, for Self, from the list given below, establishing the date of birth and/or place of birth.
  - Provide any document, for Father or Mother, from the list given below, establishing the date of birth and/or place of birth.
- If born in India after 02.12.2004
  - Provide any document, for Self, from the list given below, establishing the date of birth and/or place of birth.
  - Provide any document, for Father, from the list given below, establishing the date of birth and/or place of birth.
  - Provide any document, for Mother, from the list given below, establishing the date of birth and/or place of birth.
  - If any parent is not Indian, provide a copy of his/her valid passport & visa at the time of your birth.
- If born outside of India (attach proof of Birth Registration issued by the Indian Mission abroad),
- If acquired Indian citizenship by Registration/Naturalisation (attach Certificate of Registration of Citizenship)

Indicative (not exhaustive) list of documents (separate self-attested documents to be submitted for Self, Father and Mother, if mentioned above):

1. Any Identity card/Pension Payment Order issued to a regular employee/pensioner of any Central Govt./State Govt./PSU.
2. Any Identity Card/Certificate/Document issued in India by the Government/ local authorities/Banks/Post Office/LIC/PSUs prior to 01.07.1987.
3. Birth Certificate issued by the competent authority.
4. Passport
5. Matriculation/Educational certificate issued by recognised Boards/universities
6. Permanent Residence certificate issued by the competent State authority
7. Forest Right Certificate
8. OBC/SC/ST or any caste certificate issued by the Competent Authority
9. National Register of Citizens (wherever it exists)
10. Family Register, prepared by State/Local authorities.
11. Any land/house allotment certificate by the Government
12. For Aadhaar, the Commission's directions issued vide letter No. 23/2025-ERS/Vol.II dated 09.09.2025 (**Annexure II**) shall apply.
13. Extract of the electoral roll of Bihar SIR with reference to 01.07.2025.

***

Annexure-V

Last SIR qualifying dates held in 2005 or earlier in States/UTs

A-States/UTs covered under this phase of SIR

Sl no.	State/UT	Qualifying date of last Intensive Revision
1.	Andman & Nicobar	01.01.2002
2.	Chhattisgarh	01.01.2003
3.	Goa	01.01.2002
4.	Gujarat	01.01.2002
5.	Kerala	01.01.2002
6.	Lakshdweep	01.01.2002
7.	Madhya Pradesh	01.01.2003
8.	Puducherry	01.01.2002
9.	Rajasthan	01.01.2002
10.	Tamil Nadu	01.01.2002 (197 ACs) & 01.01.2005 (37 ACs)
11.	Uttar Pradesh	01.01.2003
12.	West Bengal	01.01.2002

B-Other States/UTs last SIR qualifying date

Sl No.	State/UT	Qualifying date of last Intensive Revision
1.	Andhra Pradesh	01.01.2002
2.	Arunachal Pradesh	01.01.2006
3.	Assam	01.01.2005
4.	Bihar	01.01.2003
5.	Chandigarh	01.01.2002
6.	Dadra & Nagar Haveli and Daman & Diu	01.01.2002
7.	Delhi	01.01.2002
8.	Himachal Pradesh	01.01.2002
9.	Haryana	01.01.2002
10.	Jammu & Kashmir	01.01.2005
11.	Jharkhand	01.01.2003
12.	Karnataka	01.01.2002
13.	Laddakh	01.01.2005
14.	Maharashtra	01.01.2002
15.	Manipur	01.01.2005
16.	Meghalaya	01.01.2005
17.	Mizoram	01.01.2005
18.	Nagaland	01.01.2005
19.	Odisha	01.01.2002
20.	Punjab	01.01.2003
21.	Sikkim	01.01.2002
22.	Telangana	01.01.2002
23.	Tripura	01.01.2005
24.	Uttarakhand	01.01.2003

ANNEXURE R-3

Election Commission of India
Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.23/2025-ERS (Vol.II) Dated: 14th May, 2026

To,

The Chief Electoral Officers,
Andhra Pradesh, Arunachal Pradesh, Chandigarh, Dadra and Nagar Haveli and Daman and Diu, Haryana, Jharkhand, Karnataka, Maharashtra, Manipur, Meghalaya, Mizoram, Nagaland, NCT of Delhi, Odisha, Punjab, Sikkim, Telangana, Tripura and Uttarakhand

Sub: SIR of Electoral Roll.

Sir/Madam,

1. I am directed to refer to the Commission's Order No. 23/2025-ERS (Vol.II) dated 24.06.2025 wherein the Commission, in exercise of its powers under Article 324 of the Constitution of India; Section 21 along with other applicable provisions of the Representation of the People Act, 1950 (the "RPA 1950"), and the relevant provisions of the Registration of Electors Rules, 1960, has ordered Special Intensive Revision (SIR) in all the States/UTs (**Annexure I**). In pursuance of the same, the Commission has directed to conduct SIR in the above-mentioned States/UTs w.r.t. the qualifying dates as mentioned against each State/UT in **Annexure VI**.

2. The Commission has decided to conduct the SIR based on the order and guidelines issued on 24.06.2025, subject to the following additions/modifications:

    a. For electors whose Enumeration Forms have not returned, BLO may identify a probable cause, such as Absent/Shifted/Death/Duplicate, based on an inquiry from the nearby electors and note the same. Booth-wise lists of above electors whose names are not included in the Draft Roll, shall also be displayed on the Notice Board of respective Panchayat Bhavan/Urban local body office and Offices of the Block Development Officer/Panchayat Officers/Urban Local body

officers to enable the general public to have access to the aforesaid voters lists along with the probable reasons for non-inclusion of their names. CEOs to consolidate and put these lists on CEO's website in an accessible format, alongwith the respective DEO's website concerning his jurisdiction.

b. For Aadhaar, the Commission's directions issued vide letter No. 23/2025-ERS/Vol.II dated 09.09.2025 **(Annexure II)** shall apply.

c. Modified Enumeration Form **(Annexure III)** and Declaration Form **(Annexure IV)** shall be applicable for SIR in these States/UTs.

d. No document is to be collected from electors during the Enumeration Phase.

e. Any person can link himself/herself with his/her or relative's entries in electoral rolls of the relevant last intensive revisions of the respective States/UTs, as mentioned in **Annexure V**.

f. After publication of draft electoral rolls, ERO to issue notice to those persons who could not be linked or there is discrepancy in their linking with the electoral roll of the last revision (**Annexure V).** ERO will publish lists of such persons, to whom notices have been issued, at places mentioned above in sub-para (a).

g. During House to House Enumeration, BLO to carry at least 30 blank Form 6 along with blank Declaration Forms (**Annexure IV**), to supply to anyone who seeks to enrol as a new elector.

h. ERO shall also invite advance applications for subsequent qualifying dates of the year while publishing notice for draft publication in Form-5.

3. SIR to be undertaken strictly within the timeline as per the schedule placed at **Annexure VI**.

4. Also, to enable fulfilment of the above constitutional mandate, the Commission further directs, under Article 324 of the Constitution of India, that the Chief Secretaries of the above-mentioned States/UTs shall ensure

that the CEO/DEO/ERO/AERO/BLO Supervisor/BLO and all other officers involved in the preparation of Electoral Rolls are adequately supported with manpower and resources. During the SIR period, the Chief Secretaries shall ensure that no post notified as DEO/ERO/AERO is vacant and no official connected with the exercise of SIR is transferred without prior approval of the Commission.



(Pawan Diwan)
Secretary

Copy to:

1. Chief Secretaries to the Governments of Andhra Pradesh, Arunachal Pradesh, Chandigarh, Dadra and Nagar Haveli and Daman and Diu, Haryana, Jharkhand, Karnataka, Maharashtra, Manipur, Meghalaya, Mizoram, Nagaland, NCT of Delhi, Odisha, Punjab, Sikkim, Telangana, Tripura and Uttarakhand,
2. CEOs of all States/UTs,
3. Internal circulation (as per the standard list of circulation).

Annexure-I

Election Commission of India
Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.23/2025-ERS (Vol.II) Dated: 24th June, 2025

To,

The Chief Electoral Officer
Bihar, Patna

Sub: Special Intensive Revision w.r.t. 01.07.2025 as the qualifying date.

Sir,

1. I am directed to convey that the Commission has directed a Special Intensive Revision (**SIR**) in exercise of its powers under Article 324, Section 21 of the Representation of the People Act, 1950 (the "RPA 1950"), along with other applicable provisions of the RPA 1950, with reference to 01.07.2025 as the qualifying date, in the State of Bihar, where general election to state Legislative Assembly is due in 2025 **(Annexure A)**.

2. **While carrying out the SIR of the electoral rolls, ERO of each Assembly Constituency shall be responsible for ensuring that no eligible citizen is left out while no ineligible person is included in the Electoral Roll.** During the SIR, CEO/DEO will aid ERO to fulfil the constitutional mandate that every eligible person, as per Article 326 of the Constitution of India read with Section 16 and 19 of the RPA 1950, is enrolled as Elector. For this, EROs shall satisfy themselves regarding the eligibility of every person before entering their name in the electoral roll. The detailed guidelines are attached **(Annexure B).**

3. During SIR, EROs through the BLOs shall conduct House to House enumeration. **Every existing elector, as on the date of this order, will be made available an Enumeration Form (Annexure C)**, either through BLO or the elector can download the Enumeration Form from <https://voters.eci.gov.in>. BLO shall collect one copy of the Enumeration Form and sign the acknowledgment of receipt on the second copy to be retained by the existing elector. Based on the Enumeration Forms received back along with documents, ERO will prepare the draft roll.

4. Further, in case of application for registration as a new elector or for shifting from outside the state, it is also directed that henceforth,

alongwith Form 6/Form 8, an additional Declaration Form (**Annexure D**) shall also be required to be filled by the applicant to support the declaration made therein.

5. The last intensive revision in Bihar was done in 2003, with 01.01.2003 as qualifying date. As the eligibility of Electors enrolled in the Electoral Rolls after the last intensive revision was established then, the Commission has decided that such Electors need not attach any additional document alongwith the Enumeration Form, except the extract of the Roll. Thus, CEO/DEO/ERO shall make the Electoral Rolls with qualifying date of 01.01.2003 freely available to all BLOs in hard copy, as well as, online on their website for anyone to download and use as documentary evidence while submitting their Enumeration Form (**Annexure C**). CEO/DEO/ERO/BLO should also take care that genuine electors, particularly old, sick, PwD, poor and other vulnerable groups are not harassed and are facilitated to the extent possible, including through deployment of volunteers.

6. Also, ERO shall assess the need of new Polling Stations considering that no **Polling station has more than 1,200 electors, except with the prior approval of the Commission.** ERO to also ensure that the polling station area is so defined and demarcated that no overlap exists with any other Polling station.

7. SIR to be undertaken strictly within the timeline as per the following schedule:

1	(i) ERO to print pre-filled Enumeration Form (in duplicate) for all existing electors and give it to the respective BLOs. (ii) ERO to give training to BLOs about the Revision Exercise. (iii) BLO to distribute Enumeration Form to all existing electors (in duplicate) through House to House visit. (iv) BLO to guide the public on filling up Enumeration Form. (v) BLO to collect Enumeration Forms from the public, along with required documents, or the public can also upload Enumeration Forms and documents online. (vi) Uploading collected Forms in BLO App/ECINet, on a day-to-day basis. (vii) BLO to give recommendations on each Enumeration Form so received.	25.06.2025 (Wednesday) to 26.07.2025 (Saturday)

	(viii) BLO Supervisor to check the BLO's output in quantitative as well as qualitative terms. (viii) AERO to verify all Enumeration Forms not-recommended by BLOs.	
2	Rationalization/Re-arrangement of Polling Stations and finalization of proposed restructuring of section/part boundaries, location of polling stations and obtaining approval of list of polling stations. A polling Station shall preferably contain not more than 1,200 electors	25.06.2025 (Wednesday) to 26.07.2025 (Saturday)
3	Updation of Control Table and Preparation of draft roll having names of all the existing electors who submitted the duly filled Enumeration Forms.	27.07.2025 (Sunday) to 31.07.2025 (Thursday)
4	**Publication of draft electoral roll on 01.08.2025 (Friday)**	
5	Period for filing claims & objections	01.08.2025 (Friday) to 01.09.2025 (Monday)
6	Decision on Enumeration Forms received during H2H enumeration period and disposal of claims and objections to be done concurrently and to be completed by the EROs by	By 25.09.2025 (Thursday)
7	(i) Checking of health parameters of the finalised electoral rolls and obtaining Commission's permission for final publication. (ii) Updating database and printing of supplements	By 27.09.2025 (Saturday)
8	**Final Publication of Electoral Roll on 30.09.2025 (Tuesday)**	

8. Also, to enable fulfilment of the above constitutional mandate, the Commission also directs, under Article 324 of the Constitution, that the Chief Secretary shall ensure that CEO/DEO/ERO/AERO/BLO Supervisor/BLO and all other officers involved in preparation of Electoral Rolls are adequately supported with manpower and resources. During the SIR period, the Chief Secretary shall ensure that no post notified as DEO/ERO/AERO is vacant and no such officer is transferred without prior approval of the Commission.

(Pawan Diwan)
Secretary

Copy to Chief Secretary of Bihar for necessary action.

Annexure A

Election Commission of India
Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 23/ERS/2025 Dated: 24th June, 2025

ORDER

Special Intensive Revision of Electoral Rolls

1. Whereas, Article 324 of the Constitution of India and the Representation of People Act, 1950 (the "RPA 1950") vests the superintendence, direction and control of the preparation of the electoral rolls for, and the conduct of the elections to the Parliament and the State Legislatures, with the Election Commission;

2. Whereas, maintaining the integrity of the electoral roll is fundamental for the conduct of free and fair elections;

3. Whereas, the electoral machinery, eligibility conditions, manner and procedure for preparation of electoral rolls are provided under the RPA 1950 and the Registration of Electors Rules, 1960 ("RER, 1960"), framed under the RPA 1950;

4. Whereas, in line with this objective, the Commission has previously exercised its powers under enabling statutes in the years such as 1952-56, 1957, 1961, 1965, 1966, 1983-84, 1987-89, 1992, 1993, 1995, 2002, 2003 and 2004 to undertake Intensive Revision of electoral rolls for all or some parts of the country for afresh preparation of electoral rolls through enumeration. The last intensive revision in Bihar, was conducted by the Commission in the year 2003 with reference to 01.01.2003 as the qualifying date;

5. Whereas, the preparation of electoral roll must ensure that all eligible citizens are included and no such eligible citizen is excluded from the electoral roll;

6. Whereas, the Article 326 of the Constitution stipulates that every person who is a citizen of India and who is not less than eighteen years of age on the qualifying date and is not otherwise disqualified under any law shall be entitled to be registered in the electoral roll;

7. Whereas, the Commission has noted that during the last 20 years significant change in electoral roll has taken place due to additions and deletions on a large scale over this long period. Rapid urbanization and frequent migration of population from one place to another on account of

education, livelihood and other reasons, have become a regular trend. Some electors obtain registration in one place and then shift their residence and register themselves at another place without getting their names deleted from the electoral roll of the initial place of residence. This has led to increased possibility of repeated entries in the electoral roll. Thus, the situation warrants an intensive verification drive to verify each person before enrolment as an Elector;

8. Whereas, one of the fundamental pre-conditions set out in Article 326 of the Constitution is that a person is required to be an Indian citizen, for his/her name to be registered in the electoral roll. Consequently, the Commission has a constitutional obligation to ensure that only persons who are citizens;

9. Whereas, under Section 21 of the RPA 1950 along with other applicable provisions of the RPA 1950, the Commission is empowered to direct special intensive revision of the electoral rolls including preparation of electoral rolls afresh;

10. Therefore, the Commission has now decided to begin the Special Intensive Revision in the entire country for the discharge of its constitutional mandate to protect the integrity of the electoral rolls; However, since the General Elections to the Legislative Assembly in the State of Bihar is expected in later part of this year, hence the Commission has decided to conduct Special Intensive Revision in the State of Bihar as per the Guidelines and schedule attached herewith. The schedule for the Special Intensive Revision in the rest of the country shall be issued separately in due course.

11. Since the last intensive revision in Bihar was undertaken in 2003, the EROs shall treat the electoral roll of 2003 with qualifying date of 01.01.2003 as probative evidence of eligibility, including presumption of citizenship unless they receive any other input otherwise.

12. Any person whose name is not recorded in the 2003 Electoral Roll shall for the purpose of registration in the electoral roll is required to submit from amongst a wide range of eligible government documents as prescribed for establishing their eligibility to be an elector.

13. Since the existing Electoral rolls were published on 06.01.2025 under Special Summary Revision, and continuously updated since then, the Commission further directs that a pre-filled enumeration form shall be made available to every existing elector as on the date of issue of this order and the draft roll shall include the names of all the electors who have submitted a duly filled Enumeration Form before July 25, 2025. This being an intensive revision, in case enumeration form is not submitted

before July 25, 2025, the name of the elector can not be included in the draft rolls. However, CEO/DEO/ERO/BLO should also take care that genuine electors, particularly old, sick, PwD, poor and other vulnerable groups are not harassed and are facilitated to the extent possible, including through deployment of volunteers.

14. The ERO/AERO shall not delete any entry from the draft roll without conducting an inquiry and giving a fair and reasonable opportunity to the persons concerned whose name has appeared in the draft roll. In case any person is aggrieved by the decision of the ERO, he may prefer an appeal to the District Magistrate under Section 24(a) of the RP Act, 1950, read with rule 27 of the RER, 1960 within the stipulated time. If the appellant remains unsatisfied, a second appeal may be preferred before the Chief Electoral Officer within 30 days of the DM's order, as per Section 24(b) of the RP Act, 1950 read with Rule 27 of the RER, 1960.

15. Further, in case of application for registration as a new elector or for shifting from outside the state of Bihar, it is also directed that henceforth, alongwith Form 6/Form 8, an additional Declaration Form (**Annexure D**) shall also be required to be filled by the applicant to support the declaration made therein.

By Order

Election Commission of India

24/06/25

(Sanjay Kumar)

Deputy Election Commissioner

Annexure B

Detailed Guidelines For Special Intensive Revision

1. **Training**
   a. DG(IT), ECI shall organise a training of the CEO and State IT Nodal Officers at the CEO office to familiarize them about new IT features/modules/applications/online submission of forms.
   b. CEO/DEO/ERO/AERO shall get themselves acquainted with the new ECINet application, and especially about the BLO, Elector and their respective modules.
   c. CEO shall also ensure that all the posts of EROs/AEROs/BLOs/Supervisors are filled and requisite training and orientation including training on the latest IT process and systems is completed well in time.
   d. At the earliest, ERO will conduct an orientation workshop for the Booth Level Agents (BLA) of recognized political parties to explain the process and to sensitize them about SIR.
2. **Rationalization, Reserialization and Formation of sections**
   a. Based on the H2H enumeration, ERO shall assess the need of new Polling Stations considering that no **Polling station has more than 1,200 electors, except with the prior approval of the Commission.** ERO to also ensure that the polling station area is so defined and demarcated that no overlap exists with any other Polling station.
   b. The electors of so merged/attached polling stations are not required to travel for more than two kilometer distance and to cross any natural barriers.
   c. Extensive survey must be carried out during the exercise of rationalization of polling stations for setting up new polling stations in the High Rise/Group Housing societies/RWA colonies that have common facilitation area/community halls at ground floor within the premises and in slum dwelling clusters of urban areas.
   d. Immediately after assessing the requirement of new polling stations, ERO shall communicate the requirement of additional polling stations to DEO.
   e. DEO, being responsible for provisioning of polling stations u/s 25 of the RP Act 1951, shall ensure 100% physical verification of the existing and newly proposed polling station locations through a senior officer to assess as to whether the building is in proper condition and it meets the other parameters set by the Commission for smooth conduct of poll.
   f. DEO shall consult the representatives of the political parties before finalizing the proposal of new polling stations. Thereafter,

DEO shall obtain the approval of the Commission for the consolidated proposal of polling stations.

g. Proposal for change of location shall be sent to the Commission only after 100% verification/inspection of the polling station and along with longitude and latitude. Latitude and Longitude of all Polling Stations, newly identified and proposed for creation/change of location of polling station shall be captured and details of the same shall be updated in the ECINet Dashboard.

h. After Commission's approval, ERO shall update the Control Table in ECINet and create Parts, as per IT applications to prepare draft Electoral Roll.

i. Once a new polling station is created in the Electoral Roll, ERO shall also, through BLO, ensure uploading of photos and location information of the polling station, along with data like latitude and longitude of the Polling Station, from BLO's module in ECINet App.

j. **Standardization of addresses:** The electors will be arranged in the roll in a sequence, according to the House no. (and Floor no. of the building). To standardize the address of electors the following fields of addresses shall be maintained while preparing the roll:[1]

   i. House No./ Flat No./Door No. (Name of house, if available)
   ii. Floor No. (in case of multi-story building)
   iii. Building No./Block No./Tower No. (name of building, if available)
   iv. Apartment No.
   v. Wing
   vi. Ward No*
   vii. Street/ Road/Lane*
   viii. Sector
   ix. Area/Locality*
   x. Landmark, if any
   xi. Village/Town/City*
   xii. Sub-district/Tehsil
   xiii. District*
   xiv. State*
   xv. Pincode*

k. **Family Grouping:**

[1] The fields marked with (*) should be mandatorily mentioned in the electors' details, while the remaining fields may be taken as optional fields and be included wherever necessary (like in urban areas). The CEO/DEO may include the other fields in the mandatory category as prevalent in the State/District. Where no House no. as given by the Panchayat/Municipal Authorities is available, the notional number will be given in the roll. In such cases, it will be invariably indicated that the House no. is notional. The mandatory address fields will be mentioned in the electoral roll and the same will be reflected as it is in the EPIC of the elector.

i. Based on the H2H enumeration, while creating a new polling station or re-organizing/rationalisation of the existing polling stations by creating/merging/ attaching sections to the adjacent polling stations, ERO to ensure the following:
   1. No family residing at same Door/Flat No. is broken and all the family members are kept in the same section and in the same part,
   2. Electors residing in a building are enrolled in the same part, and
   3. As far as possible electors residing in a Street are enrolled in the same part.

ii. To group all the family members and neighbors in a section, ERO shall keep all Electors of one house/building/tower, in one Section, as far as feasible, in any case within a part.

3. House to House (H2H) Enumeration

a. At the start of the H2H process, Booth Level Officers (BLOs) shall be provided with:
   i. an Identity Card, if not already given, and
   ii. a kit bag labeled **Special Intensive Revision,** that shall include registers, stationery, caps/T-shirts, and any other necessary stationery items required during the enumeration process.
   iii. Enumeration Forms (**Annexure C**) with pre printed details of existing electors, for each existing elector as on the date of issue of this order, in duplicate. Alongwith certain number of blank Enumeration Forms for any eventuality.

b. BLOs shall visit each household and distribute Enumeration Form, with pre printed details of existing electors, to each existing elector in duplicate and will guide them in filling up the Form.

c. If BLO finds that any house is locked or closed at the time of enumeration, she/he shall slip the Enumeration Forms in the house and make at least three visits to collect filled up Forms.

d. The existing electors will also be provided a facility to download pre-filled Enumeration Form and upload filled-in Forms and documents through online mode.

e. Each elector must submit this form along with requisite information and self-attested documents to the BLO.

f. BLO will again visit every household to collect the filled copy of the Enumeration Form from the electors. BLO shall keep one copy of Enumeration Form along with the requisite documents with him/her and give an acknowledgement of receipt of Form and document on the other copy of Enumeration Form to be retained by the applicant.

g. In case an elector has uploaded a form filled in with documents online, BLO will verify the documents during his visit to the house of the elector.
h. BLO shall upload these Forms and attached documents through BLO/ECINet mobile application. Thereafter, BLO will submit all the collected Enumeration Forms along with its documents to the concerned ERO/AERO for record purposes.

4. Publication of draft roll :

a. ERO shall prepare the draft Electoral Roll by including all the Electors whose Enumeration Forms have been received from the electors. Decision on the Enumeration Forms so received shall be taken after draft publication during the claims & objection period. However, ERO/AERO shall start scrutinising Enumeration Forms, as and when they are received to identify the cases with suspected eligibility.
b. Draft electoral roll shall consist of names of all the existing electors who have submitted their duly filled Enumeration Form to the BLO during the H2H enumeration period or which have been received online and verified by BLO. Names of other electors, from whom Enumeration Forms are not received will not be included in the draft roll.
c. In case any elector is unable to submit their filled in enumeration forms within the specified time, they may file Form 6 alongwith the prescribed Declaration Form (Annexure D) for inclusion during the claims and objections period.
d. All names of member of judiciary, public representatives, holders of declared offices and personalities from fields of arts, culture, journalism, sports, and public services etc. earlier flagged in the electoral database, are to be included in the draft Electoral Rolls, so that necessary documents can also be collected during the period of Claims and Objections.
e. ERO shall also invite advance application for subsequent qualifying date i.e. 01st October, 2025 while publishing notice for draft publication in Form-5.

5. Period of Claims and Objections

a. After publication of the draft Electoral Rolls, ERO/AERO shall scrutinise the eligibility of proposed Electors in accordance with the qualification of Electors prescribed under Article 326 and Section 16 & 19 of RPA 1950. To do so, ERO/AERO shall come to his/her satisfaction based on the documents submitted and field reports.
b. In case ERO/AERO doubts the eligibility of the proposed Elector (due to non-submission of requisite documents or otherwise), he/she will start a suo moto inquiry and issue notice to such proposed Elector, as to why his/her should not be deleted. Based

on field inquiry, documentation or otherwise, ERO/AERO shall decide on inclusion of such proposed Electors in the Final Rolls. In each such case, ERO/AERO shall pass a speaking order. Also, EROs will refer cases of suspected foreign nationals to the competent authority under the Citizenship Act, 1955. For these purposes, AERO shall exercise ERO's powers independently u/s 13C(2) of the RPA, 1950.

c. Whereas, the eligibility conditions to enroll as an elector were already being verified by the ERO to his satisfaction, it is necessary that the documents on the basis of which such satisfaction of ERO is arrived at, are also uploaded in ECINET as the current level of technology enables so.

d. Every claim for inclusion of name in the roll as new elector shall be in Form-6 along with new Declaration Form. Henceforth, all EROs shall also ensure to collect the prescribed Declaration Form in respect of all pending Form 6 and advance claims received in Form 6 w.r.t. 01.10.2025 as the qualifying date.

e. Application for shifting of residence within the constituency or outside the constituency, correction or updation of entries, replacement of EPIC and marking of PwD, shall be in Form-8 and shall be preferred by the person to whom that entry relates. New Declaration Form shall be submitted alongwith Form-8 for shifting of residence from outside the state of Bihar.

6. **Display of list of claims and objections**

   a. ERO shall prepare lists of claims and objections in Form 9, 10, 11 and 11A and 11B and exhibit one copy of such lists on a notice board in his office on every working day.

   b. The list of all claims and objections received should also be put up on the website of the CEO so that citizens are able to see the list and lodge objections, if any, with the concerned ERO.

   c. CEO to give adequate publicity to the fact that a list of claims and objections is available on CEO's website, and if any one wants to raise objections regarding any claim in the list, he/she can file the same before the EROs. This information should also be shared with the political parties by holding meetings with them and sending written communication to them.

   d. ERO to share the list of claims and objections with the political parties on a weekly basis. The list should be incremental instead of cumulative. For this purpose, the ERO should call a meeting of all political parties on a regular interval and personally handover a list of claims and objections to them and obtain acknowledgement.

7. **Appeals** under Section 24 of the Representation of the People Act, 1950: An appeal shall lie from any decision of the ERO to the District Magistrate u/s 24(a) of the RP Act, 1950, and a second appeal under

Section 24(b) against the decision of the first Appellate authority shall lie to the CEO, in the manner prescribed under Rule 27 of the Registration of Electors Rules, 1960.

8. **Supervision and Checks:** Following supervisory checks and verification are prescribed.
    a. BLO Supervisor, who normally has 10 BLOs under his charge shall verify 10% of each of the Booth Level Officer's verification work under him.
    b. ERO shall hold regular monitoring meetings with AEROs, BLO Supervisors and BLOs and ensure that the work done is not superficial. Delinquent officials should be taken to task and corrective measures taken swiftly.
    c. **Super-checking during SIR by Roll Observers:** Verification of 250 Forms (100 additions + 100 deletions + 50 modifications) in the assigned districts or at least 50 Forms (20 additions + 20 deletions + 10 modifications) in each of the assigned districts, by tabletop exercise. Out of these verified Forms, field verification must be done in a minimum of 50 Forms.
9. **Engagement with Political Parties and sharing of electoral rolls:**
    a. By CEO:
        i. As soon as the SIR schedule is announced, the CEO shall hold a meeting with all recognized political parties, and inform them of the important points of the law and procedures of the SIR and seek their cooperation.
        ii. For all such meetings, records like minutes of meetings attendance of participants with their signature should be maintained.
        iii. The CEO shall ask the recognized political parties to appoint a Booth Level Agent (BLA) for each polling station who would be associated with BLO during the revision period. Political Parties shall also be asked to give a list of BLAs to respective EROs.
        iv. The CEO shall extract a report on the status of disposal of claims and objections received during the revision from ECINet and put the same on his website on a weekly basis, for information of general public/citizens.
        v. Computerization and posting of all application forms received in Forms 6, 6A, 7, 8 on the website of the CEO on a day to day basis.
        vi. CEO shall put draft electoral roll, final electoral roll, list of claims and objections on CEOs' website and share the same with recognized political parties.
        vii. CEO shall get the revision schedule properly disseminated to media, political parties and social organizations/RWAs

and reach out to electors/eligible population extensively well before the date of draft publication of electoral rolls.

b. By DEO:
   i. DEO shall get the revision schedule properly disseminated to media, political parties and social organizations/RWAs and reach out to electors/eligible population extensively well before the date of draft publication of electoral rolls.
   ii. The DEO shall hold periodic meetings with all recognized national and state level political parties and inform them of the important points of the law and procedures of the SIR and seek their cooperation before the date of draft publication.

c. By ERO:
   i. ERO shall share a list of claims and objections with all political parties on a weekly basis. He will be able to download this list through ECINet.
   ii. ERO, immediately after draft and final publication, shall supply free of cost two copies (one hard copy & one soft copy) of each separate part of the roll to every registered political party. For this purpose, soft copy of electoral roll shall not have the electors' photographs.

d. By BLO:
   i. Before H2H enumeration, BLO will hold a meeting with BLAs and brief them about the schedule and process of SIR.
   ii. The BLOs will go through the draft electoral roll with BLAs of recognized political parties of the State and identify the corrections to be carried out, etc. It is pertinent to mention that BLAs once appointed from a recognized political party will continue as BLA, unless their appointment is rescinded /revoked by the political party concerned.
   iii. With a view to ensure more involvement of political parties, the Commission has allowed BLAs of recognized political parties to file applications in bulk, subject to the condition that a BLA shall not submit more than 50 Forms/day to BLO before the Draft Publication, and 10 Forms/day thereafter.
   iv. BLA will submit a list of application forms with an undertaking that he has personally verified the particulars of the application forms and is satisfied that they are correct.

10. Schedule of Press Note/Advertisement during SIR

a. Announcement of schedule of SIR:
   i. **Press Note:** CEO to issue a Press Note explaining pre-revision activities like, H2H, rationalization and

schedule in detail along with expected meetings with political parties. DEO to circulate CEO's press notes on its social media.

ii. **Advertisement:** CEO to publish SIR schedule in the prominent newspapers, along with a public appeal to file claims and objections.

iii. **Letter:** CEO/DEO/ERO to write to recognized political parties sharing the schedule and guidelines of SIR.

b. Rationalisation of PS:

i. **Press Note:** DEOs to issue a press note with photos of meetings with political parties discussing the draft list of Polling Station. CEO to issue a consolidated press note after Commission's approval of final list of PS.

c. Publication of draft roll

i. **Press Note:** CEO/DEOs to issue separate press notes on the day of draft publication with details of the electors, period of claims & objections, sharing of lists of claims & objections on weekly basis, information about the provision of appeal and details of appellate officers. Press Note shall have photos with the authorised representatives of the political parties while handing over the copies of draft roll to them.

ii. **Advertisement:** CEO to make an appeal for people to file claims and objections on the draft Electoral Roll.

d. Period of Claims and Objections

i. **Press Note:** Each DEO will issue a press note, during the period, while sharing the photos of ERO handing over the weekly list of claims and objections to political parties.

e. Final Roll Publication

i. **Press Note:** CEO/ DEOs will issue a Press Note on the day of final publication with electors details, and photos of ERO handing over the final roll to the political parties. The note shall also inform public and political parties about the process of appeal

ii. **Advertisement:** CEO to inform the public about the final publication and summary of electors details and informing the public about the process of appeal.

11. Preparation of Electoral roll at the time of Final Publication

a. ERO will ensure that the Final roll is a single updated roll (draft roll plus supplements prepared during SIR), in which all the additions made during SIR period will come with Sl. No. in continuation after the last entry of the draft roll and all the modifications and deletions carried out during SIR shall be

reflected in the updated roll against Sl. No. of such modified and deleted entries.[2]

b. This final roll shall be shared with recognized political parties and uploaded on the website.

c. No separate addition, deletion and modification lists will be printed and given to the political parties, though the EROs will generate these lists from ECINet and keep them only for future reference.

d. In cases where ERO/AERO, on having scrutinised the eligibility based on suo moto inquiry and after giving due opportunity of being heard, has found the proposed Elector in draft Electoral Roll as ineligible to be enrolled as an Elector, ERO/AERO shall ensure that such cases are not included in the Final Electoral Rolls. Such Electors shall have a right to file Appeal to the District Magistrate.

12. Preparation of electoral roll during elections

a. During elections, at the time of preparation of electoral roll on the last date of filing of nominations, to be given to the candidates of recognized political parties and for preparation of marked copy/working copy:

   i. ERO will ensure that the electoral roll is a single updated one and without re-serialization of entries. The deleted entries will not be removed.

   ii. All the additions made during continuous updation from the last final publication date till the last date of making nominations (during election), will be put in chronological order giving continuous Sl. No. starting with next Sl. No. of last entry in final roll. All deletions & modifications will be marked in the last final roll as per Commission's existing instructions.

b. There is a complete restriction on deletion of names & corrections in particulars of electors after 10th day of the announcement of election programme, therefore all Form-7 and Form-8 (other than shifting) received after the announcement of election shall be disposed of after the election is over. For applications received in Form-8 for shifting of residence, addition shall continue till the last date of making nominations while simultaneous deletion of such entry at old place shall be done by the ERO after the election is over. Such names shall be kept in the ASD list at the previous place of enrolment.

***

[2] Commission's Instruction No. 23/INST/2023-ERS dated 16.03.2023

Annexure C

Enumeration Form

Elector's Name, EPIC, Address (Pre-printed).

Serial No, Part No. & name, AC/PC Name, State (Pre-printed).

Old Photo (Pre-printed)	Paste Current Photo

Date of Birth	AADHAAR No. (Optional)	Mobile No.

Father's/Legal Guardian Name	EPIC No. (if available)

Mother's Name	EPIC No. (if available)

Spouse's Name (if applicable)	EPIC No. (if available)

DECLARATION

I HEREBY DECLARE that to the best of my knowledge and belief-

(i) I am above 18 years of age, ordinary resident on the above address and a citizen of India, and **(tick any one)**

- ☐ I was born in India before 01.07.1987
  - Provide any document, for Self, from the list given below establishing date of birth and/or place of birth.
- ☐ I was born in India between 01.07.1987 and 02.12.2004
  - Provide any document, for Self, from the list given below establishing date of birth and/or place of birth.
  - Provide any document, for Father or Mother, from the list given below establishing date of birth and/or place of birth.
- ☐ I was born in India after 02.12.2004

- Provide any document, for Self, from the list given below establishing date of birth and/or place of birth.
- Provide any document, for Father, from the list given below establishing date of birth and/or place of birth.
- Provide any document, for Mother, from the list given below establishing date of birth and/or place of birth.
- If any parent is not Indian, provide a copy of his/her valid passport & visa at the time of your birth.

☐ I was born outside of India (attach proof of Birth Registration issued by Indian Mission abroad),

☐ I have acquired Indian citizenship by Registration/Naturalisation (attach Certificate of Registration of Citizenship)

(ii) I have not acquired the citizenship of any other country.

(iii) I am applying for inclusion in the Electoral Roll and my name is not included in any other Assembly Constituency/ Parliamentary Constituency.

(iv) I am aware that making the above statement or declaration in relation to this application which is false and which I know or believe to be false or do not believe to be true, is punishable under Section 31 of Representation of the People Act,1950 (43 of 1950) with imprisonment for a term which may extend to one year or with fine or with both.

Date:_____ Place:_____ Signature/Left Thumb Impression

Indicative (not exhaustive) list of documents to be submitted in support of the declaration (separate self attested documents to be submitted for Self, Father and Mother, if mentioned above, except where extract of the Electoral Roll of Bihar with qualifying date 01.01.2003 is used, which will be considered as a sufficient document in itself):

1. Any Identity card/Pension Payment Order issued to regular employee/pensioner of any Central Govt./State Govt./PSU.
2. Any Identity Card/Certificate/Document issued in India by Government/ local authorities/Banks/Post Office/LIC/PSUs prior to 01.07.1987.
3. Birth Certificate issued by the competent authority.
4. Passport
5. Matriculation/Educational certificate issued by recognised Boards/universities
6. Permanent Residence certificate issued by competent State authority
7. Forest Right Certificate
8. OBC/SC/ST or any caste certificate issued by the Competent authority
9. National Register of Citizens (wherever it exists)
10. Family Register, prepared by State/Local authorities.
11. Any land/house allotment certificate by Government

Annexure D

Declaration Form

(To be submitted alongwith Form 6/8 for enrolment as a new Elector/shifting from outside the state)

I HEREBY DECLARE that to the best of my knowledge and belief-

(i) I am above 18 years of age, ordinary resident on the above address, and citizen of India, and **(tick any one)**

- ☐ I was born in India before 01.07.1987
  - Provide any document, for Self, from the list given below establishing date of birth and/or place of birth.
- ☐ I was born in India between 01.07.1987 and 02.12.2004
  - Provide any document, for Self, from the list given below establishing date of birth and/or place of birth.
  - Provide any document, for Father or Mother, from the list given below establishing date of birth and/or place of birth.
- ☐ I was born in India after 02.12.2004
  - Provide any document, for Self, from the list given below establishing date of birth and/or place of birth.
  - Provide any document, for Father, from the list given below establishing date of birth and/or place of birth.
  - Provide any document, for Mother, from the list given below establishing date of birth and/or place of birth.
  - If any parent is not Indian, provide a copy of his/her valid passport & visa at the time of your birth.
- ☐ I was born outside of India (attach proof of Birth Registration issued by Indian Mission abroad),
- ☐ I have acquired Indian citizenship by Registration/Naturalisation (attach Certificate of Registration of Citizenship)

(ii) I have not acquired the citizenship of any other country.

(iii) I am applying for inclusion in the Electoral Roll and my name is not included in any other Assembly Constituency/ Parliamentary Constituency.

(iv) I am aware that making the above statement or declaration in relation to this application which is false and which I know or believe to be false or do not believe to be true, is punishable under Section 31 of Representation of the People Act,1950 (43 of 1950) with imprisonment for a term which may extend to one year or with fine or with both.

Date:_____ Place:_____ Signature/Left Thumb Impression

Indicative (not exhaustive) list of documents to be submitted in support of the declaration (separate self attested documents to be submitted for Self, Father and Mother, if mentioned above, except where extract of the Electoral Roll of Bihar with qualifying date 01.01.2003 is used, which will be considered as a sufficient document in itself):

1. Any Identity card/Pension Payment Order issued to regular employee/pensioner of any Central Govt./State Govt./PSU.
2. Any Identity Card/Certificate/Document issued in India by Government/local authorities/Banks/Post Office/LIC/PSUs prior to 01.07.1987.
3. Birth Certificate issued by the competent authority.
4. Passport
5. Matriculation/Educational certificate issued by recognised Boards/universities
6. Permanent Residence certificate issued by competent State authority
7. Forest Right Certificate
8. OBC/SC/ST or any caste certificate issued by the Competent authority
9. National Register of Citizens (wherever it exists)
10. Family Register, prepared by State/Local authorities.
11. Any land/house allotment certificate by Government

***

Annexure-II

ELECTION COMMISSION OF INDIA
Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 23/2025-ERS/Vol. II **Dated 09.09.2025**

To,
Chief Electoral Officer,
Bihar.

Subject: Acceptance of Aadhaar as proof of identity during SIR, Bihar - reg.
Reference: Supreme Court Order dated 08.09.2025 in WP(Civil) 640/2025.

Sir,

1. I am directed to convey that the petition titled Association for Democratic Reforms v. Election Commission of India [Civil (W) No. 640/2025] was taken up for hearing on 08.09.2025, wherein the Hon'ble Supreme Court passed the following order:

   "The short issue that needs to be further clarified pertains to the acceptability and status of the Aadhaar Card insofar as supporting documents are concerned. There is no quarrel that as per the statutory status assigned to Aadhaar Card under the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016, it is not a proof of citizenship and therefore shall not be accepted as proof of citizenship. However, keeping in view Section 23(4) of the Representation of People Act, 1950, the Aadhaar Card is one of the documents enumerated for the purpose of establishing the identity of a person. Accordingly, we direct the Election Commission of India and its authorities to accept Aadhar Card as a proof of identity for the purpose of inclusion or exclusion in the revised voter list of the State of Bihar. Aadhaar Card, for this purpose, shall be treated as the 12th document by the Authorities. It is, however, made clear that the authorities shall be entitled to verify the authenticity and genuinity of the Aadhaar Card, like any of the other enumerated documents, by seeking further proof/documents. The Election Commission shall issue instructions in this regard by tomorrow i.e., 09.09.2025."

2. In this regard, vide letter of even No. dated 14.08.2025 and 23.08.2025, the Commission has already conveyed the previous directions of the Hon'ble Supreme Court dated 14.08.2025 and 22.09.2025 for acceptance of the claims with a copy of the Aadhaar card for strict compliance.

3. Additionally, in pursuance of the order of the Hon'ble Supreme Court dated 08.09.2025, the following instructions are issued for immediate compliance:
    a. The Aadhaar Card shall be treated as the 12th document, in addition to the 11 documents listed in Annexure C and Annexure D of the SIR order dated 24.06.2025.
    b. The Aadhaar Card is to be accepted and utilized as a proof of identity and not as a proof of citizenship, in terms of Section 9 of the Aadhaar (Delivery of Financial And Other Subsidies, Benefits and Services) Act, 2026.
    c. Under Section 23(4) of the Representation of People Act, 1950, the Aadhaar Card is already one of the documents enumerated for the purpose of establishing the identity of a person.

4. In view of the above, you are directed to bring this in the knowledge of all DEOs/EROs/AEROs and all other concerned authorities for its strict implementation. Any instance of non-compliance or refusal to accept Aadhaar in accordance with this directive shall be treated with utmost seriousness.

Yours faithfully,

Pawan Diwan
Secretary
Election Commission of India

Annexure-III

Enumeration Form

Name and contact No of BLO (pre-printed)

Elector's Name, EPIC, Address (Pre-printed).	Serial No., Part No. & name, AC/PC Name, State (Pre-printed).	QR Code	Old Photo (Pre-printed)	Paste Current Photo

Details of the Elector in the Electoral Roll of the last SIR			**Details of the Relative, whose name is given in the previous column, in the last SIR**		
Elector Name:			Name:		
EPIC No. (if available)			EPIC No. (if available)		
Relative's Name:			Relative's Name:		
Relationship:			Relationship:		
District:			District		
State:			State:		
AC Name:			AC Name:		
AC Number	**Part No.**	**Sr No.**	**AC Number**	**Part No.**	**Sr No.**

Date of Birth (DD/MM/YYYY)	d	d	m	m	y	y	y	y
Aadhaar No. (Optional)								
Mobile No.								
Father's/Guardian's Name								
Father's/Guardian's EPIC No. (if available)								
Mother's Name								
Mother's EPIC No. (if available)								
Spouse's Name (if applicable)								
Spouse's EPIC No. (if available)								

(i) The elector mentioned above, being myself/my family member, has not acquired the citizenship of any other country.

(ii) I am applying for inclusion in the Electoral Roll, and the name mentioned above, being myself/ my family member, is not included in any other Assembly Constituency/ Parliamentary Constituency.

(iii) I am aware that making the above statement or declaration in relation to this application which is false and which I know or believe to be false or do not believe to be true, is punishable under Section 31 of Representation of the People Act,1950 (43 of 1950) with imprisonment for a term which may extend to one year or with fine or with both.

Signature/Left Thumb Impression of Elector or
Any Adult Family Member (mention relationship) with date

BLO's undertaking: I have verified the above details from the electoral roll(s) of the last SIR.

BLO's Signature

Information Sheet for Enumeration Form

Electors can check their name and the name of the concerned relative(s) in the previous SIR Electoral Rolls at https://voters.eci.gov.in/ to provide the details in the Enumeration Form. For help, electors can connect with the concerned BLOs. ERO will issue notice to those electors whose previous SIR Electoral Roll(s) details provided in the Enumeration Form are either not available or do not match the database. Upon receipt of notice, the elector to provide the documents based upon the following categories:

- If born in India before 01.07.1987
    - Provide any document, for Self, from the list given below, establishing the date of birth and/or place of birth.
- If born in India between 01.07.1987 and 02.12.2004
    - Provide any document, for Self, from the list given below, establishing the date of birth and/or place of birth.
    - Provide any document, for Father or Mother, from the list given below, establishing the date of birth and/or place of birth.
- If born in India after 02.12.2004
    - Provide any document, for Self, from the list given below, establishing the date of birth and/or place of birth.
    - Provide any document, for Father, from the list given below, establishing the date of birth and/or place of birth.
    - Provide any document, for Mother, from the list given below, establishing the date of birth and/or place of birth.
    - If any parent is not Indian, provide a copy of his/her valid passport & visa at the time of your birth.
- If born outside of India (attach proof of Birth Registration issued by the Indian Mission abroad),
- If acquired Indian citizenship by Registration/Naturalisation (attach Certificate of Registration of Citizenship)

Indicative (not exhaustive) list of documents (separate self-attested documents to be submitted for Self, Father and Mother, if mentioned above):

1. Any Identity card/Pension Payment Order issued to a regular employee/pensioner of any Central Govt./State Govt./PSU.
2. Any Identity Card/Certificate/Document issued in India by the Government/ local authorities/Banks/Post Office/LIC/PSUs prior to 01.07.1987.
3. Birth Certificate issued by the competent authority.
4. Passport
5. Matriculation/Educational certificate issued by recognised Boards/universities
6. Permanent Residence certificate issued by the competent State authority
7. Forest Right Certificate
8. OBC/SC/ST or any caste certificate issued by the Competent Authority
9. National Register of Citizens (wherever it exists)
10. Family Register maintained by Govt. officials under any Statutory/Administrative Regulation
11. Any land/house allotment certificate by the Government
12. For Aadhaar, the Commission's directions issued vide letter No. 23/2025-ERS/Vol.II dated 09.09.2025 (**Annexure II**) shall apply.

***

Annexure-IV

Declaration Form

(To be submitted along with Form 6/Form 8 for enrolment as a new Elector/shifting from outside the state)

Applicant's Name:
Mobile Number:
Address:

Details of the Elector in the Electoral Roll of the last SIR (if applicable)			Details of the Relative, whose name is given in the previous column, in the last SIR		
Elector Name:			Name:		
EPIC No. (if available)			EPIC No. (if available)		
Relative's Name:			Relative's Name:		
Relationship:			Relationship:		
District:			District:		
State:			State:		
AC Name:			AC Name:		
AC Number	**Part No.**	**Sr No.**	**AC Number**	**Part No.**	**Sr No.**

Father's/Guardian Name	
Father's/Guardian EPIC No. (if available)	
Mother's Name	
Mother's EPIC No. (if available)	
Spouse's Name (if applicable)	
Spouse's EPIC No. (if available)	

(i) I have not acquired the citizenship of any other country.
(ii) I am applying for inclusion in the Electoral Roll through Form 6, and my name is not included in any other Assembly Constituency/Parliamentary Constituency. ☐

Or

I am applying for inclusion in the Electoral Roll through Form 8 on shifting. ☐
(iii) I am aware that making the above statement or declaration in relation to this application which is false and which I know or believe to be false or do not believe to be true, is punishable under Section 31 of Representation of the People Act,1950 (43 of 1950) with imprisonment for a term which may extend to one year or with fine or with both.

Signature/Left Thumb Impression of Elector with date

BLO's undertaking: I have verified the above details from the electoral roll(s) of the last SIR.

BLO's Signature

BLO's Name and Phone Number

Information Sheet for Declaration Form

Applicants can check their name and the name of the concerned relative(s) in the previous SIR Electoral Rolls at https://voters.eci.gov.in/ to provide the details in the Declaration Form. For help, applicants can connect with the concerned BLOs. ERO will issue notices to those applicants whose previous SIR Electoral Roll(s) details provided in the Declaration Form are either unavailable or do not match the database. Upon receipt of notice, the applicant to provide the documents based upon the following categories:

- If born in India before 01.07.1987
    - Provide any document, for Self, from the list given below, establishing the date of birth and/or place of birth.
- If born in India between 01.07.1987 and 02.12.2004
    - Provide any document, for Self, from the list given below, establishing the date of birth and/or place of birth.
    - Provide any document, for Father or Mother, from the list given below, establishing the date of birth and/or place of birth.
- If born in India after 02.12.2004
    - Provide any document, for Self, from the list given below, establishing the date of birth and/or place of birth.
    - Provide any document, for Father, from the list given below, establishing the date of birth and/or place of birth.
    - Provide any document, for Mother, from the list given below, establishing the date of birth and/or place of birth.
    - If any parent is not Indian, provide a copy of his/her valid passport & visa at the time of your birth.
- If born outside of India (attach proof of Birth Registration issued by the Indian Mission abroad),
- If acquired Indian citizenship by Registration/Naturalisation (attach Certificate of Registration of Citizenship)

Indicative (not exhaustive) list of documents (separate self-attested documents to be submitted for Self, Father and Mother, if mentioned above):

1. Any Identity card/Pension Payment Order issued to a regular employee/pensioner of any Central Govt./State Govt./PSU.
2. Any Identity Card/Certificate/Document issued in India by the Government/ local authorities/Banks/Post Office/LIC/PSUs prior to 01.07.1987.
3. Birth Certificate issued by the competent authority.
4. Passport
5. Matriculation/Educational certificate issued by recognised Boards/universities
6. Permanent Residence certificate issued by the competent State authority
7. Forest Right Certificate
8. OBC/SC/ST or any caste certificate issued by the Competent Authority
9. National Register of Citizens (wherever it exists)
10. Family Register maintained by Govt. officials under any Statute/Administrative Regulation
11. Any land/house allotment certificate by the Government
12. For Aadhaar, the Commission's directions issued vide letter No. 23/2025-ERS/Vol.II dated 09.09.2025 (**Annexure II**) shall apply.

***

Annexure-V

Relevant last intensive revision of the respective States/UTs

A- Last SIR qualifying date for States/UTs covered under this phase of SIR

SL No.	States/UT	Qualifying date of last Intensive Revision
1	Andhra Pradesh	01.01.2002
2	Arunachal Pradesh	01.01.2006
3	Chandigarh	01.01.2002
4	DNH & DD	01.01.2002
5	Haryana	01.01.2002
6	Jharkhand	01.01.2003
7	Karnataka	01.01.2002
8	Maharashtra	01.01.2002
9	Manipur	01.01.2005
10	Meghalaya	01.01.2005
11	Mizoram	01.01.2005
12	Nagaland	01.01.2005
13	NCT of Delhi	01.01.2002
14	Odisha	01.01.2002
15	Punjab	01.01.2003
16	Sikkim	01.01.2002
17	Telangana	01.01.2002
18	Tripura	01.01.2005
19	Uttarakhand	01.01.2003

B- Last SIR qualifying date for Other States/UTs

SL No.	States/UT	Qualifying date of last Intensive Revision
1	Andaman & Nicobar	01.01.2002 and 01.01.2026
2	Assam	01.01.2005
3	Bihar	01.01.2003 & 01.07.2025
4	Chhattisgarh	01.01.2003 & 01.01.2026
5	Goa	01.01.2002 & 01.01.2026
6	Gujarat	01.01.2002 & 01.01.2026
7	Himachal Pradesh	01.01.2002
8	Jammu & Kashmir	01.01.2005
9	Kerala	01.01.2002 & 01.01.2026
10	Ladakh	01.01.2005
11	Lakshadweep	01.01.2002 & 01.01.2026
12	Madhya Pradesh	01.01.2003 & 01.01.2026
13	Puducherry	01.01.2002 & 01.01.2026
14	Rajasthan	01.01.2002 & 01.01.2026
15	Tamil Nadu	01.01.2002 (197 ACs), 01.01.2005 (37 ACs) & 01.01.2026
16	Uttar Pradesh	01.01.2003 & 01.01.2026
17	West Bengal	01.01.2002 & 01.01.2026

Annexure-VI

States/UTs	Qualifying date of SIR	Preparation, Training & Printing	House to House visits by BLOs	Rationalization of Polling Stations	Publication of draft Electoral roll	Period for filing claims & objections	Notice Phase/ disposal of Claims & objection	Publication of Final Electoral Roll
Odisha, Mizoram, Sikkim, Manipur	01.07.2026	20.05.2026 to 29.05.2026	30.05.2026 to 28.06.2026	By 28.06.2026	05.07.2026	05.07.2026 to 04.08.2026	05.07.2026 to 02.09.2026	06.09.2026
DNH & DD	01.07.2026	25.05.2026 to 03.06.2026	04.06.2026 to 03.07.2026	By 03.07.2026	10.07.2026	10.07.2026 to 09.08.2026	10.07.2026 to 07.09.2026	11.09.2026
Uttarakhand	01.07.2026	29.05.2026 to 07.06.2026	08.06.2026 to 07.07.2026	By 07.07.2026	14.07.2026	14.07.2026 to 13.08.2026	10.07.2026 to 11.09.2026	15.09.2026
Andhra Pradesh, Arunachal Pradesh, Haryana, Chandigarh	01.07.2026	05.06.2026 to 14.06.2026	15.06.2026 to 14.07.2026	By 14.07.2026	21.07.2026	21.07.2026 to 20.08.2026	21.07.2026 to 18.09.2026	22.09.2026
Telangana, Punjab	01.10.2026	15.06.2026 to 24.06.2026	25.06.2026 to 24.07.2026	By 24.07.2026	31.07.2026	31.07.2026 to 30.08.2026	31.07.2026 to 28.09.2026	01.10.2026
Karnataka, Meghalaya, Maharashtra, Jharkhand, Delhi	01.10.2026	20.06.2026 to 29.06.2026	30.06.2026 to 29.07.2026	By 29.07.2026	05.08.2026	05.08.2026 to 04.09.2026	05.08.2026 to 03.10.2026	07.10.2026
Nagaland	01.10.2026	05.08.2026 to 14.08.2026	16.08.2026 to 14.09.2026	By 14.09.2026	20.09.2026	20.09.2026 to 20.10.2026	20.09.2026 to 18.11.2026	22.11.2026
Tripura	01.10.2026	05.09.2026 to 14.09.2026	15.09.2026 to 14.10.2026	By 14.10.2026	21.10.2026	21.10.2026 to 20.11.2026	21.10.2026 to 19.12.2026	23.12.2026

ANNEXURE R-4

THE ELECTION COMMISSION (CONDITIONS OF SERVICE OF ELECTION COMMISSIONERS AND TRANSACTION OF BUSINESS) ACT, 1991

ARRANGEMENT OF SECTIONS

CHAPTER I

PRELIMINARY

SECTIONS

1. Short title.
2. Definitions.

CHAPTER II

SALARY AND OTHER CONDITIONS OF SERVICE OF THE CHIEF ELECTION COMMISSIONER AND ELECTION COMMISSIONERS

3. Salary.
4. Term of office.
5. Leave.
6. Pension payable to Election Commissioners.
7. Right to subscribe to General Provident Fund.
8. Other conditions of service.

CHAPTER III

TRANSACTION OF BUSINESS OF ELECTION COMMISSION

9. Transaction of business of Election Commission.
10. Disposal of business by Election Commission.

[2][THE ELECTION COMMISSION (CONDITIONS OF SERVICE OF ELECTION COMMISSIONERS AND TRANSACTION OF BUSINESS)] ACT, 1991

ACT NO. 11 OF 1991

[25*th January*, 1991.]

An Act to determine the conditions of service of the Chief Election Commissioner and other Election Commissioners [1][and to provide for the procedure for transaction of business by the Election Commission and for matters] connected therewith or incidental thereto.

BE it enacted by Parliament in the Forty-first Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. Short title.—This Act may be called [2][the Election Commission (Conditions of Service of Election Commissioners and Transaction of Business)] Act, 1991.

2. Definitions.—In this Act, unless the context otherwise requires,—

(*a*) "Chief Election Commissioner" means the Chief Election Commissioner appointed under articles 324 of the Constitution;

[3][(*b*) "Election Commission" means the Election Commission referred to in article 324 of the Constitution;]

[4][(*c*)]"Election Commissioner" means any other Election Commissioner appointed under article 324 of the Constitution.

CHAPTER II

SALARY AND OTHER CONDITIONS OF SERVICE OF THE CHIEF ELECTION COMMISSIONER AND ELECTION COMMISSIONERS

3. Salary.—[5]***There shall be paid to the Chief Election Commissioner [6][and other Election Commissioners] a salary which is equal to the salary of a Judge of the Supreme Court:

[7]* * * * *

Provided that if a person who, immediately before the date of assuming office as the Chief Election Commissioner or, as the case maybe, an Election Commissioner, was in receipt of, or, being eligible so to do, had election to draw, a pension(other than a disability or wound pension) in respect of any previous service under the Government of the Union or under the Government of a State, his salary in respect of service as the Chief Election Commissioner or, as the case may be, an Election Commissioner shall be reduced—

(*a*) by the amount of that pension; and

(*b*) if he had, before assuming office, received, in lieu of a portion of the pension due to him in respect of such previous service, the commuted value thereof, by the amount of that portion of the pension.

---

1. Subs by Act 4 of 1994, s. 2, for "and for matters" (w.e.f. 1-10-1993).
2. Subs by s. 3, *ibid*., for "the Chief Election Commissioner and other Election Commissioners (Conditions of Service)" (w.e.f. 1-10-1993)
3. Ins. by s. 4, *ibid*. (w.e.f. 1-10-1993).
4. Clause (*b*) shall be re-lettered as clause (*c*) by s. 4, *ibid*. (w.e.f. 1-10-1993).
5. The brackets and figure "(*1*)" omitted by s. 5, *ibid*.(w.e.f. 1-10-1993).
6. Ins. by s. 5, *ibid*. (w.e.f. 1-10-1993).
7. Certain brackets, figure and words omitted by s. 5, *ibid*. (w.e.f. 1-10-1993).

4. Term of office.—The Chief Election Commissioner or an Election Commissioner shall hold office for a term of six years from the date on which he assumes his office:

[1][Provided that where the Chief Election Commissioner or an Election Commissioner attains the age of sixty-five years before the expiry of the said term of six years, he shall vacate his office on the date on which he attains the said age:]

Provided further that the Chief Election Commissioner or an Election Commissioner may, at any time, by writing under his hand addressed to the President, resign his office.

Explanation.—For the purpose of this section, the term of six years in respect of the Chief Election Commissioner or an Election Commissioner holding office immediately before the commencement of this Act, shall be computed from the date on which he had assumed office.

5. Leave.—(*1*) A person who, immediately before the date of assuming office as the Chief Election Commissioner or an Election Commissioner, was in service of Government may be granted during his tenure of office but not thereafter, leave in accordance with the rules for the time being applicable to the Service to which he belonged before such date and he shall be entitled to carry forward the amount of leave standing at his credit on such date, notwithstanding any thing contained in section 6.

(*2*) Any other person who is appointed as the Chief Election Commissioner or an Election Commissioner may be granted leave in accordance with such rules as are for the time being applicable to a member of the Indian Administrative Service.

(*3*) The power to grant or refuse leave to the Chief Election Commissioner or an Election Commissioner and to revoke or curtail leave granted to him, shall vest in the President.

6. Pension payable to Election Commissioners.—(*1*) A person who, immediately before the date of assuming office as the Chief Election Commissioner or an Election Commissioner was in service of Government, shall be deemed to have retired from service on the date on which he enters upon office as the Chief Election Commissioner or an Election Commissioner but his subsequent service as the Chief Election Commissioner or an Election Commissioner shall be reckoned as continuing approved service counting for pension in Service to which he belonged.

(*2*) Where the Chief Election Commissioner [2][or an Election Commissioner] demits office [whether in any manner specified in [3][sub-section (*3*)] or by resignation], he shall, on such demission be entitled to—

(*a*) a pension which is equal to the pension payable to a Judge of the Supreme Court in accordance with the provisions of Part III of the Schedule to the Supreme Court Judges (Conditions of Service) Act,1958 (41 of 1958), as amended from time to time; and

(*b*) such pension (including commutation of pension), family pension and gratuity as are admissible to a Judge of the Supreme Court under the said Act and the rules made thereunder, as amended from time to time.

[4]* * * * *

[5][(*3*)]Except where the Chief Election Commissioner or an Election Commissioner demits office by resignation, he shall be deemed, for the purpose of this Act, to have demitted his office if, and only if,—

(*a*) he has completed the term of office specified in section 4,or

(*b*) he has attained the age of sixty-five years, [6]*** or

(*c*) his demission of office is medically certified to be necessitated by ill-health.

---

1. Subs by Act 4 of 1994, s. 6, for the first proviso (w.e.f. 1-10-1993).
2. Ins. by s. 7, *ibid*. (w.e.f. 1-10-1993).
3. Subs by s. 7, *ibid*., for "sub-section (*4*)" (w.e.f. 1-10-1993).
4. Sub-section (*3*) omitted by s. 7, *ibid*. (w.e.f. 1-10-1993).
5. Sub-section (*4*) shall be re-numbered as sub-section (*3*) by s. 7, *ibid*. (w.e.f. 1-10-1993).
6. The words "or as the case may be, sixty-two years," omitted by s. 7, *ibid*. (w.e.f 1-10-1993).

7. Right to subscribe to General Provident Fund.—Every person holding office as the Chief Election Commissioner or an Election Commissioner shall be entitled to subscribe to the General Provident Fund (Central Services).

8. Other conditions of service.—Save as otherwise provided in this Act, the conditions of service relating to travelling allowance, provision of rent-free residence and exemption from payment of income-tax on the value of such rent-free residence, conveyance facilities, sumptuary allowance, medical facilities and such other conditions of service as are, [1][for the time being, applicable to a Judge of the Supreme Court under Chapter IV of the Supreme Court Judges (Conditions of Service) Act, 1958 (41 of 1958) and the rules made thereunder, shall, so far as may be, apply to the Chief Election Commissioner and other Election Commissioners].

[2][CHAPTER III

TRANSACTION OF BUSINESS OF ELECTION COMMISSION

9. Transaction of business of Election Commission.—The business of the Election Commission shall be transacted in accordance with the provisions of this Act.

10. Disposal of business by Election Commission.—(*1*) The Election Commission may, by unanimous decision, regulate the procedure for transaction of its business as also allocation of its business amongst the Chief Election Commissioner and other Election Commissioners.

(*2*) Save as provided in sub-section (*1*), all business of the Election Commission shall, as far as possible, be transacted unanimously.

(*3*) Subject to the provisions of sub-section (*2*), if the Chief Election Commissioner and other Election Commissioners differ in opinion on any matter, such matter shall be decided according to the opinion of the majority.]

1. Subs. by Act 4 of 1994, s. 8, for certain words (w.e.f. 1-10-1993).
2. Ins. by s. 9, *ibid*. (w.e.f. 1-10-1993).

ANNEXURE R-5 (29)

ELECTION COMMISSION OF INDIA

Nirvachan Sadan,
Ashoka Road,
New Delhi.

No. 191/2/96/

Dated 12th January, 1996

ORDER

Subject:- Delegation of Powers.

In supersession of all orders of the Commission on the subject mentioned above, the Commission directs that the level of decision/disposal of work in the Commission and the delegation of powers amongst Deputy Election Commissioners and Secretaries shall be as follows:

NO.	SUBJECT/ITEM	AUTHORITY	
		Normal	Special
PREPARATION OF ROLLS FOR AND CONDUCT OF ELECTIONS			
1.	Designation/Nomination of DEOs under section 13AA of the RP Act, 1950.	DEC (Within the Guidelines/ policies fixed by Commission).	EC (All other cases)
2.	Designation of ERO of an Assembly Constituency under section 13B of the RP Act, 1950 and appointment of AEROs under section 13C of the RP Act, 1950.	DEC (Within the Guidelines/ policies fixed by Commission).	EC (All other cases).
3.	Approval for designation/ nomination of RO of a Parliamentary Constituency under section 21 of the Representation of the People Act, 1951 and appt., of AROs under section 22 of the Representation of the People Act, 1951.	Election Commission.	

16.

4.	Approval for designation of RO of an Assembly Constituency under section 21 of the RP Act, 1951 and appointment of AROs under section 22 of the RP Act, 1951.	DEC (Within the Guidelines/ policies fixed by Commission).	EC (All other cases)
5.	Permission for final publication of electoral rolls after intensive revision.	DEC	
6.	Disqualification for failure to lodge accounts of election expenses including supercheck of accounts filed under section 10A of the RP Act, 1951.	Secy.	
7.	Removal or reduction of period of disqualification on appeal under section 11 of the RP Act, 1951.	DEC	
8.	Approval for location and change of polling stations under section 25 of the RP Act, 1951.	Secy.	DEC
9.	Registration of political parties under section 29A of RP Act, 1951.	DEC (dealing with the subject).	

ADMINISTRATIVE

10.	Casual leave of all officers upto DEC	DEC concerned.
11.	Earned leave and all kinds of leave (except CL) of all other officers upto DEC	DEC (Admn.)
12.	Casual leave of DECs	CEC
13.	Earned leave and all other kinds of leave (except CL) of DECs	EC
14.	Casual leave of CEOs	CEC

15.	Earned leave of CEOs	EC
16.	Permission for attending training by CEOs and Station-leave permission	CEC
17.	Sanction of OTA	DECs
18.	Creation of temporary posts of staff and officers of all categories.	EC
19.	Conversion of temporary posts into regular posts	EC
20	Appointment, recruitment, transfers and postings of employees below the level of Under Secretary.	DEC (Adm.)
21.	Appointment, recruitment, transfer and posting of officers of the level of Under Secretary and above.	EC

FINANCIAL

22.	Approval of financial sanctions for expenditure	
	(a) upto Rs.5.000/-	US (Adm.)
	(b) Upto Rs.50.000/-	DEC(Adm.)
	(c) Beyond Rs.50.000/-	CEC
23.	Approval of Annual Budget	EC
24.	Approval for Reappropriation	EC

OTHERS

25.	Permission for Xeroxing/ photo-copying of documents	Secy.
26.	Approval of replies to Parliament Questions *(Unstarred)	DEC
	*(In sensitive cases Commission should be consulted)	

(32)

(14)

27. Parliament Questions (Starred) EC

2 The aforementioned delegation shall come into force with immediate effect and will be in force till further orders.

3. In so far as there may be any earlier orders not consistent with the aforementioned delegation, they shall be deemed to be treated as cancelled forthwith.

4. In all other cases where no specific delegation has been made decisions will be taken by Election Commission.

(SUBAS PANI) 12/11/96

Deputy Election Commissioner

STANDARD DISTRIBUTION.

TRUE TYPED COPY

ELECTION COMMISSION OF INDIA

Nirvachan Sadan,
Ashoka Road,
New Delhi.

No. 191/2/96/ Dated 12th January, 1996

ORDER

Subject:- Delegation of Powers.

In supersession of all orders of the Commission on the subject mentioned above, the Commission directs that the level of decision/disposal of work in the Commission and the delegation of powers amongst Deputy Election Commissioners and Secretaries shall be as follows:

NO.	SUBJECT/ITEM	AUTHORITY	
	PREPARATION OF ROLLS FOR AND CONDUCT OF ELECTIONS		
		Normal	Special
1.	Designation/Nomination of DEOs under section 13AA of the RP Act, 1950.	DEC (Within the Guidelines/ policies fixed by Commission).	EC (All other cases)
2.	Designation of ERO of an Assembly Constituency under section 13B of the RP Act, 1950 and appointment of AEROs under section 13C of the RP Act, 1950.	DEC (Within the Guidelines/ policies fixed by Commission).	EC (All other cases).

3.	Approval for designation/ nomination of RO of a Parliamentary Constituency under section 21 of the Representation of the People Act, 1951 and appt., of AROs under section 22 of the Representation of the People Act, 1951.	Election Commission.	
4.	Approval for designation of RO of an Assembly Constituency under section 21 of the RP Act, 1951 and appointment of AROs under section 22 of the RP Act, 1951.	DEC (Within the Guidelines/ policies fixed by Commission).	EC (All other cases)
5.	Permission for final publication of electoral rolls after intensive revision.	DEC	
6.	Disqualification for failure to lodge accounts of election expenses including supercheck of accounts filed under section 10A of the RP Act, 1951.	Secy.	
7.	Removal or reduction of period of disqualification on appeal under section 11 of the RP Act, 1951.	DEC	
8.	Approval for location and change of polling stations under section 25 of the RP Act, 1951.	Secy.	DEC
9.	Registration of political parties under section 29A of RP Act, 1951.	DEC (dealing with the subject).	

ADMINISTRATIVE

10.	Casual leave of all officers upto DEC	DEC concerned.
11.	Earned leave and all kinds of leave (except CL) of all other officers upto DEC	DEC (Admn.)
12.	Casual leave of DECs	CEC

13.	Earned leave and all other kinds of leave (except CL) of DECs	EC
14.	Casual leave of CEOs	CEC
15.	Earned leave of CEOs	EC
16.	Permission for attending training by CEOs and Station-leave permission	CEC
17.	Sanction of OTA	DECs
18.	Creation of temporary posts of staff and officers of all categories.	EC
19.	Conversion of temporary posts into regular posts	EC
20.	Appointment, recruitment, transfers and postings of employees below the level of Under Secretary.	DEC (Adm.)
21.	Appointment, recruitment, transfer and posting of officers of the level of Under Secretary and above.	EC

FINANCIAL

22.	Approval of financial sanctions for expenditure	
	(a) upto Rs.5,000/-	US (Adm.)
	(b) Upto Rs.50,000/-	DEC(Adm.)
	(c) Beyond Rs.50,000/-	CEC
23.	Approval of Annual Budget	EC
24.	Approval for Reappropriation	EC

OTHERS

25.	Permission for Xeroxing/ photo-copying of documents	Secy.
26.	Approval of replies to Parliament Questions *(Unstarred)	DEC

	*(In sensitive cases Commission should be consulted)	
27.	Parliament Questions (Starred)	EC

2. The aforementioned delegation shall come into force with immediate effect and will be in force till further orders.

3. In so far as there may be any earlier orders not consistent with the aforementioned delegation, they shall be deemed to be treated as cancelled forthwith.

4. In all other cases where no specific delegation has been made decisions will be taken by Election Commission.

Sd/-
(SUBAS PANI)
Deputy Election Commissioner

STANDARD DISTRIBUTION.

ANNEXURE R-6 (36)

ELECTION COMMISSION OF INDIA

Nirvachan Sadan,
Ashoka Road,
New Delhi – 110 001.

No.1912/97 Dated : 9th December1997.

OFFICE ORDER

In partial modification of Commission's Order No.191/2/96, dated 12th January, 1996, the following orders regarding delegation of various Financial and Administrative powers is hereby made:

Full Financial Powers	
1. Sanction for Stationeries	Dir (Admn)
2. Sanction for Postage Stamps	Dir(Admn)
3. Sanction for hiring of vehicles	Dir(Admn)
4. Sanction for Tele-communication charges, Electricity and Water charges	Dir(Admn)
5. Sanction for Printing and Publications	Dir(Admn)
6. Sanction for Library Books	Dir(Admn)
Other Financial Powers	
7. Approval of financial sanctions for expenditure upto Rs.1,00,000/- in respect of all items other than as listed at 1 to 6 above.	Dir(Admn)
Administrative Powers	
8. Earned Leave and all kinds of leave(except C.L) of all Officers above the rank of U.S upto DEC	D.E.C(Admn)
9. Earned Leave and all kinds of leave(except C.L) of all other staff and Officers up to US	Dir(Admn)
10. Appointment,recruitment,transfers and postings of employees including and above the level of S.O and posting and transfer of all personal staff of ECs and DECs	D.E.C(Admn)
11. Appointment ,recruitment,transfersand postings of employees below the level of S.O except all personal staffof Ecs and DECs	Dir(Admn)
12. Sanction of O.T.A	Dir(Admn)

(37)

The above mentioned delegation shall come into force with immediate effect and will be in force till further orders.

(SUBAS PANI)
Deputy Election Commissioner

Standard Distribution

TRUE TYPED COPY

ELECTION COMMISSION OF INDIA

Nirvachan Sadan,
Ashoka Road,
New Delhi – 110 001.

No.1912/97 Dated : 9th December 1997.

OFFICE ORDER

In partial modification of Commission's Order No.191/2/96, dated 12th January, 1996, the following orders regarding delegation of various Financial and Administrative powers is hereby made:

Full Financial Powers

1. Sanction for Stationeries	Dir (Admn)
2. Sanction for Postage Stamps	Dir (Admn)
3. Sanction for hiring of vehicles	Dir (Admn)
4. Sanction for Tele-communication charges, Electricity and Water charges	Dir (Admn)
5. Sanction for Printing and Publications	Dir (Admn)
6. Sanction for Library Books	Dir (Admn)

Other Financial Powers

7. Approval of financial sanctions for expenditure upto Rs.1,00,000/- in respect of all items other than as listed at 1 to 6 above.	Dir (Admn)

Administrative Powers

8. Earned Leave and all kinds of leave (except C.L) of all Officers above the rank of U.S upto DEC	D.E.C (Admn)
9. Earned Leave and all kinds of leave (except C.L) of all other staff and Officers up to US	Dir (Admn)

10. Appointment, recruitment, transfers and postings of employees including and above the level of S.O and posting and transfer of all personal staff of ECs and DECs	D.E.C (Admn)
11. Appointment, recruitment, transfers and postings of employees below the level of S.O except all personal staff of ECs and DECs	Dir (Admn)
12. Sanction of O.T.A	Dir (Admn)

The above mentioned delegation shall come into force with immediate effect and will be in force till further orders.

Sd/-

(SUBAS PANI)

Deputy Election Commissioner

Standard Distribution

ANNEXURE R-7

सत्यमेव जयते

IndiaCode

The Chief Election Commissioner and other Election Commissioners (Appointment, Conditions of Service and Term of Office) Act, 2023

(ACT NO. 49 OF 2023)

[*As on the* 1*st July*, 2026]

LIST OF ABBREVIATIONS USED

G.S.R.	*for*	General Statutory Rules.
S.O.	,,	Statutory Order.
Notifn.	,,	Notification.

IndiaCode

THE CHIEF ELECTION COMMISSIONER AND OTHER ELECTION COMMISSIONERS (APPOINTMENT, CONDITIONS OF SERVICE AND TERM OF OFFICE) ACT, 2023

———

ARRANGEMENT OF SECTIONS

———

CHAPTER I

PRELIMINARY

SECTIONS.

1. Short title and commencement.

2. Definitions.

CHAPTER II

APPOINTMENT AND TERM OF CHIEF ELECTION COMMISSIONER AND OTHER ELECTION COMMISSIONERS

3. Election Commission.

4. Appointment of Chief Election Commissioner and other Election Commissioners.

5. Qualifications of Chief Election Commissioner and other Election Commissioners.

6. Search Committee.

7. Selection Committee.

8. Power of Selection Committee to regulate its own procedure.

9. Term of office.

CHAPTER III

SALARY, ALLOWANCES AND OTHER CONDITIONS OF SERVICE OF CHIEF ELECTION COMMISSIONER AND OTHER ELECTION COMMISSIONERS

10. Salary, etc.

11. Resignation and removal.

12. Leave.

13. Pension.

14. Right to subscribe to General Provident Fund.

15. Other conditions of service.

16. Protection of Chief Election Commissioner and other Election Commissioners.

IndiaCode

CHAPTER IV

TRANSACTION OF BUSINESS OF ELECTION COMMISSION

SECTIONS.

17. Transaction of business.

18. Disposal of business.

CHAPTER V

MISCELLANEOUS

19. Power to remove difficulties.

20. Laying.

21. Repeal and saving.

IndiaCode

THE CHIEF ELECTION COMMISSIONER AND OTHER ELECTION COMMISSIONERS (APPOINTMENT, CONDITIONS OF SERVICE AND TERM OF OFFICE) ACT, 2023

ACT NO. 49 OF 2023

[*28th December*, 2023.]

An Act to regulate the appointment, conditions of service and term of office of the Chief Election Commissioner and other Election Commissioners, the procedure for transaction of business by the Election Commission and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Seventy-fourth Year of the Republic of India as follows:—

CHAPTER I
PRELIMINARY

1. Short title and commencement.— (*1*) This Act may be called the Chief Election Commissioner and other Election Commissioners (Appointment, Conditions of Service and Term of Office) Act, 2023.

(*2*) It shall come into force on such date[1] as the Central Government may, by notification in the Official Gazette, appoint.

2. Definitions.—In this Act, unless the context otherwise requires,—

(*a*) "Chief Election Commissioner" means the Chief Election Commissioner appointed under clause (*2*) of article 324 of the Constitution and in accordance with this Act;

(*b*) "Election Commission" means the Election Commission referred to in clause (*1*) of article 324 of the Constitution;

(*c*) "Election Commissioner" means any other Election Commissioner appointed under clause (*2*) of article 324 of the Constitution and in accordance with this Act;

(*d*) "Search Committee" means the Search Committee for preparation of panel of persons for consideration for appointment as Chief Election Commissioner and other Election Commissioners; and

(*e*) "Selection Committee" means the Selection Committee that recommends appointment of Chief Election Commissioner and other Election Commissioners.

CHAPTER II
APPOINTMENT AND TERM OF CHIEF ELECTION COMMISSIONER AND OTHER ELECTION COMMISSIONERS

3. Election Commission.— The Election Commission shall consist of—

(*a*) Chief Election Commissioner; and

(*b*) such number of other Election Commissioners as the President may fix from time to time.

1. 2nd day of January, 2024, *vide* Notifn. No. S.O. 35 (E), dated 2nd of January, 2024, *see* Gazette of India, Extraordinary, Part II, sec. 3 (*ii*).

4. Appointment of Chief Election Commissioner and other Election Commissioners.—The Chief Election Commissioner and other Election Commissioners shall be appointed by the President by warrant under his hand and seal.

5. Qualifications of Chief Election Commissioner and other Election Commissioners.—The Chief Election Commissioner and other Election Commissioners shall be appointed from amongst persons who are holding or have held a post equivalent to the rank of Secretary to the Government of India and shall be persons of integrity, who have knowledge of and experience in management and conduct of elections.

6. Search Committee.—A Search Committee headed by the Minister of Law and Justice and comprising two other members not below the rank of Secretary to the Government of India, shall prepare a panel of five persons for consideration of the Selection Committee, for appointment as the Chief Election Commissioner and other Election Commissioners.

7. Selection Committee.—(*1*) The Chief Election Commissioner and other Election Commissioners shall be appointed by the President on the recommendation of a Selection Committee consisting of—

(*a*) the Prime Minister—Chairperson;

(*b*) the Leader of Opposition in the House of the People—Member;

(*c*) a Union Cabinet Minister to be nominated by the Prime Minister—Member.

Explanation.—For the purposes of removal of doubts, it is hereby declared that where the Leader of Opposition in the House of the People has not been recognised as such, the leader of the single largest party in opposition of the Government in the House of the People shall be deemed to be the Leader of Opposition.

(*2*) The appointment of Chief Election Commissioner and other Election Commissioners shall not be invalid merely by reason of any vacancy in or any defect in the constitution of, the Selection Committee.

8. Power of Selection Committee to regulate its own procedure.— (*1*) The Selection Committee shall regulate its own procedure in a transparent manner for selecting the Chief Election Commissioner or other Election Commissioners.

(*2*) The Selection Committee may also consider any other person than those included in the panel by the Search Committee.

9. Term of office.—(*1*) The Chief Election Commissioner and other Election Commissioners shall hold office for a term of six years from the date on which he assumes his office or till he attains the age of sixty-five years, whichever is earlier.

(*2*) The Chief Election Commissioner and other Election Commissioners shall not be eligible for re-appointment.

(*3*) Where an Election Commissioner is appointed as Chief Election Commissioner, his term of office shall not be more than six years in aggregate as the Election Commissioner and the Chief Election Commissioner.

CHAPTER III

SALARY, ALLOWANCES AND OTHER CONDITIONS OF SERVICE OF CHIEF ELECTION COMMISSIONER AND OTHER ELECTION COMMISSIONERS

10. Salary, etc.—(*1*) The Chief Election Commissioner and other Election Commissioners shall be paid a salary which is equal to the salary of a Judge of the Supreme Court:

Provided that the salary, allowances and other conditions of service of the Chief Election Commissioner and other Election Commissioners, holding office immediately before the date of commencement of this Act shall not be varied to their disadvantage.

(*2*) If a person who, immediately before the date of assuming office as the Chief Election Commissioner or an Election Commissioner, was in receipt of, or being eligible so to do, had elected to draw, a pension (other than a disability or wound pension) in respect of any previous service under the Central Government or a State Government, his salary in respect of service as the Chief Election Commissioner or an Election Commissioner shall be reduced—

(*a*) by the amount of that pension; and

(*b*) if he had, before assuming office, received, in lieu of a portion of the pension due to him in respect of such previous service, the commuted value thereof, by the amount of that portion of the pension.

(*3*) The Chief Election Commissioner and other Election Commissioners shall be entitled to dearness allowance as may be admissible to Judge of the Supreme Court.

(*4*) The Chief Election Commissioner and other Election Commissioners shall be entitled to encashment of fifty per cent. of earned leave to his credit at the time of completion of tenure.

(*5*) Where the Chief Election Commissioner or an Election Commissioner had retired from the service of the Central Government or a State Government prior to appointment as such, the aggregate period for which the encashment of unutilised earned leave he shall be entitled, shall be subject to a maximum period as admissible in accordance with the rules for the time being applicable to the service to which he belonged before his appointment as Chief Election Commissioner or an Election Commissioner.

11. Resignation and removal.—(*1*) The Chief Election Commissioner or an Election Commissioner may, at any time, by writing under his hand addressed to the President, resign his office.

(*2*) The Chief Election Commissioner shall not be removed from his office except in like manner and on the like grounds as a Judge of the Supreme Court.

(*3*) The other Election Commissioners shall not be removed from office except on the recommendation of the Chief Election Commissioner.

12. Leave.—(*1*) The Chief Election Commissioner or an Election Commissioner may be granted leave in accordance with the rules for the time being applicable to the service to which he belonged before the date of his appointment and he shall be entitled to carry forward the leave standing at his credit on such date, irrespective of the provisions contained in section 13.

(*2*) The power to grant or refuse leave to the Chief Election Commissioner or an Election Commissioner and to revoke or curtail leave granted to him, shall vest in the President.

IndiaCode

13. Pension.—(*1*) Where the Chief Election Commissioner or an Election Commissioner was in service of Government, he shall be deemed to have retired from the service on the date on which he enters upon office as the Chief Election Commissioner or an Election Commissioner, as the case may be.

(*2*) The Chief Election Commissioner or other Election Commissioners who at the time of his appointment as such, was in service of the Central Government or a State Government, shall at his option to be exercised within a period of six months from the date of such appointment, be entitled to draw his pension and other retirement benefits under the rules applicable to the service to which he belonged, with effect from the date of his appointment as the Chief Election Commissioner or other Election Commissioner.

(*3*) Except where the Chief Election Commissioner or an Election Commissioner demits office by resignation, he shall be deemed, for the purposes of this Act, to have demitted his office only if,—

(*a*) he has completed the term of office specified in section 9; or

(*b*) he has attained the age of sixty-five years; or

(*c*) his demission of office is medically certified to be necessitated by ill-health.

14. Right to subscribe to General Provident Fund.—Every person holding office as the Chief Election Commissioner or an Election Commissioner shall be entitled to subscribe to the General Provident Fund under the General Provident Fund (Central Services) Rules, 1960.

15. Other conditions of service.—Save as otherwise provided in this Act, the President may by rules determine the conditions of service relating to travelling allowance, medical facilities, leave travel concession, conveyance facilities, and such other conditions of service relating to the Chief Election Commissioner and other Election Commissioners.

16. Protection of Chief Election Commissioner and other Election Commissioners.—Notwithstanding anything contained in any other law for the time being in force, no Court shall entertain or continue any civil or criminal proceedings against any person who is or was a Chief Election Commissioner or an Election Commissioner for any act, thing or word, committed, done or spoken by him when, or in the course of acting or purporting to act in the discharge of his official duty or function.

CHAPTER IV

TRANSACTION OF BUSINESS OF ELECTION COMMISSION

17. Transaction of business.—The business of the Election Commission shall be transacted in accordance with the provisions of this Act.

18. Disposal of business.—(*1*) The Election Commission may, by unanimous decision, regulate the procedure for transaction of its business and also allocation of its business amongst the Chief Election Commissioner and other Election Commissioners.

(*2*) All business of the Election Commission shall, as far as possible, be transacted unanimously, and if the Chief Election Commissioner and other Election Commissioners differ in opinion on any matter, such matter shall be decided according to the opinion of the majority.

CHAPTER V

MISCELLANEOUS

19. Power to remove difficulties.—(*1*) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, within a period of five years from the date of commencement of this Act, by order not inconsistent with the provisions of this Act, remove the difficulty.

(*2*) Every order made under sub-section (*1*) shall, as soon as may be after it is made, be laid before each House of Parliament.

20. Laying.—Every rule and order made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or order, or both Houses agree that the rule or order should not be made, the rule or order shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or order.

21. Repeal and saving.—(*1*) The Election Commission (Conditions of Service of Election Commissioners and Transaction of Business) Act, 1991 (11 of 1991) is hereby repealed.

(*2*) Anything done or any action taken or purported to have been done or taken under the Act hereby repealed shall, insofar as it is not inconsistent with the provisions of this Act, be deemed to have been done or taken under the corresponding provisions of this Act.

(*3*) The mention of particular matters in sub-section (*2*) shall not be held to prejudice or affect the general application of section 6 of the General Clauses Act, 1897 (10 of 1897) with regard to the effect of repeal.

———

IndiaCode

STATEMENT OF OBJECTS AND REASONS

The matters regarding conditions of service of Chief Election Commissioner and other Election Commissioners, the procedure for transaction of business of the Election Commission, etc., are presently governed by the Election Commission (Conditions of Service of Election Commissioners and Transaction of Business) Act, 1991. The said Act do not contain provisions regarding the qualifications, search committee for preparing panel of persons for consideration and recommendation by the Selection Committee for appointment as Chief Election Commissioner (CEC) and other Election Commissioners (ECs) and other incidental provisions.

2. The Hon'ble Supreme Court in Writ Petition (Civil) No. 104 of 2015 (Anoop Baranwal Vs Union of India) declared that the appointment of CEC and ECs shall be made by the President on the basis of advice tendered by a Committee consisting of the Prime Minister, the Leader of Opposition in the Lok Sabha and in case, there is no such leader, the leader of the largest party in the opposition in Lok Sabha having the largest numerical strength; and the Chief Justice of India. It has been clarified in the aforesaid judgment that the said norm provided by the Supreme Court will continue to hold good till a law is made by the Parliament.

3. The proposed Chief Election Commissioner and other Election Commissioners (Appointment, Conditions of Service and Term of Office) Bill, 2023, inter alia, provides for—

(*a*) defining various expressions used in the Bill;

(*b*) appointment, qualifications, Search Committee, Selection Committee, term of office, salary, resignation and removal, leave, pension, etc., of the Chief Election Commissioner and other Election Commissioners; and

(*c*) transaction of business and disposal of business of the Election Commission.

4. The Bill seeks to achieve the above objectives.

ARJUN RAM MEGHWAL.

NEW DELHI;
The 4th August, 2023.

IndiaCode

ANNEXURE R-8

ELECTION COMMISSION OF INDIA

Form-6

Application Form for New Voters

FORM No._____

(To be filled by office)

(See Rules 13(1) and (26) of the Registration of Electors Rules, 1960)

To,

The Electoral Registration Officer,

No. & Name of Assembly Constituency No. ☐ Name _____

Or No. & Name of Parliamentary Constituency@ No. ☐ Name _____

(@ only for Union Territories not having Legislative Assembly)

I submit application for inclusion of my name in the electoral roll for the above constituency.

(1)(a) Name (In Official Language of State)

First Name followed by Middle Name

Surname (if any)

SPACE FOR PASTING ONE RECENT UNSIGNED PASSPORT SIZE COLOR PHOTOGRAPH (4.5 CM X 3.5 CM) SHOWING FRONTAL VIEW OF FULL FACE WITH WHITE BACKGROUND

(1)(b) Name (In English in BLOCK LETTERS)

First Name followed by Middle Name

Surname (if any)

Disclaimer: If name not filled in English, it will be transliterated by software.

*(2)(a) Name and Surname (in official language of State) of any one of the relatives:-

☐ Father Or ☐ Mother Or ☐ Husband Or ☐ Wife Or

☐ Legal Guardian in case of orphan/Guru in case of Third Gender

*(2)(b) Name and Surname (In English in BLOCK LETTERS) of the relative mentioned above

(3) Mobile No. of Self (if available) (or)
Of relative mentioned at Item No. 2

(4) Email ID of Self (If available) (or) _____
Of relative mentioned at Item No. 2 _____

(5) Aadhaar Details:- (Please tick the appropriate box)

(a) ☐ Aadhaar Number or

(b) ☐ I am not able to furnish my Aadhaar Number because I don't have Aadhaar Number.

(6) Gender ☐ Male ☐ Female ☐ Third Gender

(7) (a)Date of Birth d d / m m / y y y y

(b) Self attested copy of document supporting age proof attached (anyone of the following)

(i) *Document for Proof of Date of Birth* ^:- *(Any one of these)*

1. ☐ Birth certificate issued by Competent Local Body/Municipal Authority/Registrar of Births & Deaths
2. ☐ Aadhaar Card
3. ☐ PAN Card
4. ☐ Driving License
5. ☐ Certificates of Class X or Class XII issued by CBSE/ICSE/ State Education Boards, if it contains Date of Birth
6. ☐ Indian Passport

(ii) *Any Other Document for Proof of Date of Birth*:- *(If none of the above documents is available)* (Pl. Specify)_____

(8) (a) Present Ordinary Residence (Full Address)	House/Building/Apartment No.	Street/Area/Locality/ Mohalla/Road
	Town/Village	Post Office
	PIN Code	Tehsil/Taluqa/Mandal
	District	State/UT

(b) Self-attested copy of address proof either in the name of applicant or any one of parents/spouse/adult child, if already enrolled as elector at the same address *(Attach anyone of them)*

(i) Document for proof of residence ^:- *(Any one of these)*

1. ☐ Water/Electricity/Gas connection Bill for that address (atleast 1 year)
2. ☐ Aadhaar Card
3. ☐ Current passbook of Nationalized/Scheduled Bank/Post Office
4. ☐ Indian Passport
5. ☐ Revenue Department's Land Owning records including KisanBahi
6. ☐ Registered Rent Lease Deed (In case of tenant)
7. ☐ Registered Sale Deed (In case of ownhouse)

(ii) Any Other document for Proof of residence: -

(If none of the above documents is available) *(Pl. Specify)#*_____

(9) Category of disability, if any(Optional) ☐ Locomotive ☐ Visual ☐ Deaf & Dumb

If any other (Give description)_____

Percentage of disability: ☐ %, Certificate attached *(Tick the appropriate box)* ☐ Yes ☐ No

(10) The details of my family member already included in the electoral roll at current address with whom I currently reside are as under:

Name of family member: _____ Relationship with applicant _____

His/her EPIC no.: _____

DECLARATION

I HEREBY DECLARE that to the best of my knowledge and belief-

(i) I am a citizen of India and place of my birth is:- Village/Town_____

District _____ State/UT _____

(ii) I am ordinarily a resident at the address mentioned at Sr. No. 8(a) in Form 6 since_____ *(mention monthand year)*

(iii) I am applying for inclusion in Electoral Roll for the first time and my name is not included in any Assembly Constituency/ Parliamentary Constituency.

(iv) I don't possess any of the documentsmentionedfor proof of Date of Birth/Age. Therefore, I have enclosed _____*(Name of the document) in support of age proof (Strike off, if not applicable).*

(v) I am aware that making the above statement or declaration in relation to this application which is false and which I know or believe to be false or do not believe to be true, is punishable under Section 31 of Representation of the People Act,1950 (43 of 1950) with imprisonment for a term which may extend to one year or with fine or with both.

Date:_____

Place:_____ Signature of Applicant/Left Hand Thumb Impression

Accessibility Instructions:-In the light of provisions of Rights of Persons with Disabilities Act 2016 and Rights of Persons with Disabilities Rules, 2017, in case of persons with intellectual disability, autism, cerebral palsy and multiple disabilities etc., signature or left hand thumb impression of person with disability, or signature or left hand thumb impression of his/her legal guardian will be required.

Note-

*	In case of a married female applicant, name of Husband may preferably be mentioned.
^	Submission of self-attested copy ofmentioneddocumentswill ensure speedy delivery of services.
#	In case none of the mentioned documents is available, field verification is must. As for example, category like homeless Indian citizens who are otherwise eligible to become electors but do not possess any documentary proof of ordinary residence, Electoral Registration Officer shall designate an officer for field verification.

✂Acknowledgement/Receipt for application ✂

Acknowledgment Number ..... Date .....

Received the application in Form 6 of Shri/Smt./Ms. _____

[Applicant can refer the Acknowledgement No. to check the status of application.]

Name/Signature of ERO/AERO/BLO

ANNEXURE R-9

Declaration in Annexure D to SIR Order dated 24.06.2025	Declaration in Annexure IV to SIR Order dated 27.10.2025

Annexure D

Declaration Form

(To be submitted alongwith Form 6/8 for enrolment as a new Elector/shifting from outside the state)

I HEREBY DECLARE that to the best of my knowledge and belief-

(i) I am above 18 years of age, ordinary resident on the above address, and citizen of India, and **(tick any one)**

- ☐ I was born in India before 01.07.1987
  - Provide any document, for Self, from the list given below establishing date of birth and/or place of birth.
- ☐ I was born in India between 01.07.1987 and 02.12.2004
  - Provide any document, for Self, from the list given below establishing date of birth and/or place of birth.
  - Provide any document, for Father or Mother, from the list given below establishing date of birth and/or place of birth.
- ☐ I was born in India after 02.12.2004
  - Provide any document, for Self, from the list given below establishing date of birth and/or place of birth.
  - Provide any document, for Father, from the list given below establishing date of birth and/or place of birth.
  - Provide any document, for Mother, from the list given below establishing date of birth and/or place of birth.
  - If any parent is not Indian, provide a copy of his/her valid passport & visa at the time of your birth.
- ☐ I was born outside of India (attach proof of Birth Registration issued by Indian Mission abroad),
- ☐ I have acquired Indian citizenship by Registration/Naturalisation (attach Certificate of Registration of Citizenship)

Annexure-IV

Declaration Form

(To be submitted along with Form 6/Form 8 for enrolment as a new Elector/shifting from outside the state)

Applicant's Name:
Mobile Number:
Address:

Father's/Guardian Name	
Father's/Guardian EPIC No. (if available)	
Mother's Name	
Mother's EPIC No. (if available)	
Spouse's Name (if applicable)	
Spouse's EPIC No. (if available)	

Details of the Elector in the Electoral Roll of the last SIR (if applicable)			**Details of the Relative, whose name is given in the previous column, in the last SIR**		
Elector Name:			Name:		
EPIC No. (if available)			EPIC No. (if available)		
Relative's Name:			Relative's Name:		
Relationship:			Relationship:		
District:			District:		
State:			State:		
AC Name:			AC Name:		
AC Number	**Part No.**	**Sr No.**	**AC Number**	**Part No.**	**Sr No.**

Declaration in Annexure D to SIR Order dated 24.06.2025	Declaration in Annexure IV to SIR Order dated 27.10.2025
(ii) I have not acquired the citizenship of any other country. (iii) I am applying for inclusion in the Electoral Roll and my name is not included in any other Assembly Constituency/ Parliamentary Constituency. (iv) I am aware that making the above statement or declaration in relation to this application which is false and which I know or believe to be false or do not believe to be true, is punishable under Section 31 of Representation of the People Act,1950 (43 of 1950) with imprisonment for a term which may extend to one year or with fine or with both. Date:_____ Place:_____ Signature/Left Thumb Impression	(i) I have not acquired the citizenship of any other country. (ii) I am applying for inclusion in the Electoral Roll through Form 6, and my name is not included in any other Assembly Constituency/Parliamentary Constituency. ☐ **Or** I am applying for inclusion in the Electoral Roll through Form 8 on shifting. ☐ (iii) I am aware that making the above statement or declaration in relation to this application which is false and which I know or believe to be false or do not believe to be true, is punishable under Section 31 of Representation of the People Act,1950 (43 of 1950) with imprisonment for a term which may extend to one year or with fine or with both. **Signature/Left Thumb Impression of Elector with date** **BLO's undertaking:** I have verified the above details from the electoral roll(s) of the last SIR. **BLO's Signature** **BLO's Name and Phone Number**

Declaration in Annexure D to SIR Order dated 24.06.2025	Declaration in Annexure IV to SIR Order dated 27.10.2025
	Information Sheet for Declaration Form Applicants can check their name and the name of the concerned relative(s) in the previous SIR Electoral Rolls at https://voters.eci.gov.in/ to provide the details in the Declaration Form. For help, applicants can connect with the concerned BLOs. ERO will issue notices to those applicants whose previous SIR Electoral Roll(s) details provided in the Declaration Form are either unavailable or do not match the database. Upon receipt of notice, the applicant to provide the documents based upon the following categories: • If born in India before 01.07.1987 ◦ Provide any document, for Self, from the list given below, establishing the date of birth and/or place of birth. • If born in India between 01.07.1987 and 02.12.2004 ◦ Provide any document, for Self, from the list given below, establishing the date of birth and/or place of birth. ◦ Provide any document, for Father or Mother, from the list given below, establishing the date of birth and/or place of birth. • If born in India after 02.12.2004 ◦ Provide any document, for Self, from the list given below, establishing the date of birth and/or place of birth. ◦ Provide any document, for Father, from the list given below, establishing the date of birth and/or place of birth. ◦ Provide any document, for Mother, from the list given below, establishing the date of birth and/or place of birth. ◦ If any parent is not Indian, provide a copy of his/her valid passport & visa at the time of your birth. • If born outside of India (attach proof of Birth Registration issued by the Indian Mission abroad), • If acquired Indian citizenship by Registration/Naturalisation (attach Certificate of Registration of Citizenship)

Declaration in Annexure D to SIR Order dated 24.06.2025	Declaration in Annexure IV to SIR Order dated 27.10.2025
Indicative (not exhaustive) list of documents to be submitted in support of the declaration (separate self attested documents to be submitted for Self, Father and Mother, if mentioned above, except where extract of the Electoral Roll of Bihar with qualifying date 01.01.2003 is used, which will be considered as a sufficient document in itself): 1. Any Identity card/Pension Payment Order issued to regular employee/pensioner of any Central Govt./State Govt./PSU. 2. Any Identity Card/Certificate/Document issued in India by Government/local authorities/Banks/Post Office/LIC/PSUs prior to 01.07.1987. 3. Birth Certificate issued by the competent authority. 4. Passport 5. Matriculation/Educational certificate issued by recognised Boards/universities 6. Permanent Residence certificate issued by competent State authority 7. Forest Right Certificate 8. OBC/SC/ST or any caste certificate issued by the Competent authority 9. National Register of Citizens (wherever it exists) 10. Family Register, prepared by State/Local authorities. 11. Any land/house allotment certificate by Government	**Indicative (not exhaustive) list of documents (separate self-attested documents to be submitted for Self, Father and Mother, if mentioned above):** 1. Any Identity card/Pension Payment Order issued to a regular employee/pensioner of any Central Govt./State Govt./PSU. 2. Any Identity Card/Certificate/Document issued in India by the Government/ local authorities/Banks/Post Office/LIC/PSUs prior to 01.07.1987. 3. Birth Certificate issued by the competent authority. 4. Passport 5. Matriculation/Educational certificate issued by recognised Boards/universities 6. Permanent Residence certificate issued by the competent State authority 7. Forest Right Certificate 8. OBC/SC/ST or any caste certificate issued by the Competent Authority 9. National Register of Citizens (wherever it exists) 10. Family Register, prepared by State/Local authorities. 11. Any land/house allotment certificate by the Government 12. For Aadhaar, the Commission's directions issued vide letter No. 23/2025-ERS/Vol.II dated 09.09.2025 (**Annexure II**) shall apply. 13. Extract of the electoral roll of Bihar SIR with reference to 01.07.2025.

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 1 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

ANNEXURE R-10

THE SUPREME COURT CASES

(2026) 7 SCC

(2026) 7 Supreme Court Cases 1

(BEFORE SURYA KANT, C.J. AND JOYMALYA BAGCHI, J.)

2J

ASSOCIATION FOR DEMOCRATIC REFORMS AND OTHERS .. Petitioners;

Versus

ELECTION COMMISSION OF INDIA AND OTHERS .. Respondents.

Writ Petitions (C) No. 640 of 2025† with Nos. 630-31, 634, 636-38, 642, 644-46, 674, 676, 686, 700-701, 708, 719 and 855 of 2025, decided on May 27, 2026

A. **Constitution of India — Arts. 324 and 327 r/w Ss. 21(3) and 21(2) of the Representation of the People Act, 1950 — Special Intensive Revision (SIR) of electoral rolls treating 2003 roll as presumptive proof of eligibility — Direction for, by Election Commission of India — Plenary Authority of Election Commission and validity of special revision under S. 21(3) of the 1950 Act — Election Commission, held, possesses plenary yet regulated authority under Art. 324, harmoniously co-existing with parliamentary law under Art. 327 of the Constitution, and is empowered under S. 21(3) of the 1950 Act to conduct SIRs of electoral rolls with wide procedural discretion to ensure electoral integrity — Law clarified**

— Arts. 324 and 327 of the Constitution establish a framework of harmonious coexistence rather than competition, with Art. 324 conferring on Election Commission a plenary constitutional mandate of superintendence, direction and control over elections, while Art. 327 enables Parliament to legislate on electoral matters subject to Constitution, thereby ensuring that statutory law cannot extinguish or dilute Commission's core functions — At same time, this plenary authority is regulated, as Commission must act in conformity with valid statutory provisions and cannot override express

† Under Article 32 of the Constitution of India

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 2 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

prohibitions, reflecting a system of mutual accommodation — Contention that Art. 324 operates only in residual fields untouched by legislation was rejected, holding instead that it remains a continuous and expansive source of power, enabling Commission to issue regulatory directions even where legislation exists, so long as there is no direct conflict

— This constitutional position is strengthened by S. 21(3) of the RP Act, which constitutes an independent and enabling statutory source, empowering Commission, through a non obstante clause, to undertake special revisions "at any time" and "in such manner as it may think fit", thereby granting wide procedural discretion distinct from ordinary revision scheme under S. 21(2) — Expressions used in S. 21(3), including "any constituency", are of broad amplitude, permitting even Statewide revisions where justified by recorded reasons, and absence of detailed subordinate rules does not curtail this statutory power, which flows conjointly from Art. 324 of the Constitution and the 1950 Act itself — Requirement of recording reasons functions as a substantive safeguard, ensuring accountability while preserving flexibility to respond to exigencies such as demographic changes, migration, and electoral inaccuracies

— Supreme Court further clarified that precedents like *A.C. Jose*, (1984) 2 SCC 656 only prohibit Commission from acting in direct conflict with statutory provisions, and do not impose an absolute bar on procedural innovation where statute itself confers discretion, as in S. 21(3) — Consequently, once Commission acts within boundaries of statute, records reasons, and adopts measures aimed at preserving integrity of electoral rolls, such action cannot be invalidated merely for deviating from ordinary statutory procedure

— Impugned SIR, therefore, held to be a valid exercise of plenary yet regulated authority, rooted in both Art. 324 of the Constitution and S. 21(3) of the 1950 Act, and directly advancing constitutional objective of free and fair elections, which depends not only on polling but also on accuracy and purity of electoral rolls forming foundation of democratic process

— Election — Democracy and General Principles — Rights and Entitlements of Voters and Candidates — Right to Vote/Suffrage and Voter's Rights/Secrecy of voting — Conduct of Election — Voters — Electoral Roll/ Voter's List/Voter's Register — Special Intensive Revision (SIR) of electoral rolls

— Representation of the People Act, 1950, Ss. 21(3) and 21(2)

B. **Constitution of India — Arts. 324, 327, 325 and 326 — Special Intensive Revision (SIR) of electoral rolls — Legitimacy of purpose as first limb of proportionality test — Whether satisfied**

— SIR is an electoral roll purification exercise undertaken to ensure inclusion of eligible voters and exclusion of ineligible persons, grounded in constitutional mandates (Arts. 325-326) and statutory provisions, constitutes a legitimate purpose under first limb of proportionality — First limb of proportionality test, namely, existence of a legitimate purpose, is satisfied where a State action is directed towards ensuring accuracy, completeness, and integrity of electoral rolls, which constitutes a foundational requirement of democratic governance

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 3 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

— Objective of SIR, being inclusion of all eligible electors and exclusion of ineligible persons, is not merely administrative but is firmly rooted in constitutional mandate under Arts. 325 and 326 of the Constitution, which require elections to be conducted on basis of a common electoral roll and universal adult suffrage — Electoral rolls are dynamic in nature and must be continuously updated to reflect changes such as death, migration, or disqualification, failing which electoral equality would be adversely affected

— Existence of structural issues such as duplication, non-deletion of deceased persons, and continued inclusion of migrated individuals provided a rational and factual basis for exercise — Moreover, these very contingencies are expressly recognised under statutory framework, particularly R. 21-A of the 1960 Rules, thereby rendering exercise consistent with and even necessitated by law — Long gap since the last intensive revision reasonably justified need for such an exercise — Accordingly, SIR exercise, held, is founded on a legitimate purpose and bears a direct nexus to constitutional objective of maintaining a free and fair electoral process, and therefore cannot be regarded as arbitrary or lacking justification

— Constitution of India — Arts. 14 and 19 — Proportionality test — Application of — Election — Democracy and General Principles — Rights and Entitlements of Voters and Candidates — Right to Vote/Suffrage and Voter's Rights/Secrecy of voting — Conduct of Election — Voters — Electoral Roll/ Voter's List/Voter's Register — Special Intensive Revision (SIR) of electoral rolls

— Representation of the People Act, 1950 — Ss. 21(3) and 21(2) — Registration of Electors Rules, 1960, R. 21-A

C. **Constitution of India — Arts. 324 and 327 — Special Intensive Revision (SIR) of electoral rolls — Rational nexus between means adopted and object sought to be achieved as second limb of proportionality test — Whether satisfied**

— Existence of reasonable connection between means employed and ends pursued — SIR measures, including house-to-house verification, Enumeration Forms, and document scrutiny, bear a direct and rational nexus with ensuring electoral roll accuracy, thereby satisfying second limb of proportionality — Second limb of proportionality test, namely, existence of a rational nexus between means adopted and object sought to be achieved, stands satisfied where measures employed are intrinsically and directly connected to stated objective

— Mechanisms adopted under SIR process, including house-to-house verification, submission of Enumeration Forms, and document-based scrutiny, are specifically tailored to achieve objective of ensuring accuracy and integrity of electoral rolls by identifying outdated, duplicate, or ineligible entries — These measures are supported by a structured procedural framework incorporating safeguards such as scrutiny by designated officers, issuance

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 4 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

of notice in doubtful cases, and availability of appellate remedies, thereby ensuring that process is neither arbitrary nor unguided

— Contention regarding absence of empirical data was rejected, noting that issues such as migration, non-reporting of deaths, and duplication are matters of common administrative experience and are recognised within statutory scheme itself — Accordingly, SIR exercise bears a direct and proximate nexus with constitutional objective of maintaining a pure and accurate electoral roll, and thus satisfies requirement of second limb of proportionality

— Constitution of India — Arts. 14 and 19 — Proportionality test — Application of — Election — Democracy and General Principles — Rights and Entitlements of Voters and Candidates — Right to Vote/Suffrage and Voter's Rights/Secrecy of voting — Conduct of Election — Voters — Electoral Roll/ Voter's List/Voter's Register — Special Intensive Revision (SIR) of electoral rolls

— Representation of the People Act, 1950, Ss. 21(3) and 21(2)

D. **Constitution of India — Arts. 324 and 327 — Special Intensive Revision (SIR) of electoral rolls — Balance between purpose and limitation it places upon constitutional right as third limb of proportionality test — Whether satisfied**

— Regulation of voting is valid if it protects electoral integrity without imposing excessive or exclusionary burdens, and is backed by procedural safeguards — Proportionality requires a proper balance between importance of maintaining an accurate electoral roll and restriction on right to vote, assessed through the measure's overall impact — Since electoral integrity is foundational to democracy, measures aimed at ensuring correctness of rolls carry significant public purpose — Though right to vote is a constitutional right, it is not absolute and is subject to statutory regulation, including verification and identification requirements

— Such procedural conditions are intrinsic to preserving franchise and do not per se infringe right unless they are so onerous as to effectively negate it — Where framework provides adequate safeguards, such as notice, opportunity to respond, and appellate remedies, and does not result in widespread disenfranchisement, measure is proportionate — Minor errors or hardship do not invalidate process, as proportionality requires reasonable balance, not perfection

— Constitution of India — Arts. 14 and 19 — Proportionality test — Application of — Election — Democracy and General Principles — Rights and Entitlements of Voters and Candidates — Right to Vote/Suffrage and Voter's Rights/Secrecy of voting — Conduct of Election — Voters — Electoral Roll/ Voter's List/Voter's Register — Special Intensive Revision (SIR) of electoral rolls

— Representation of the People Act, 1950, Ss. 21(3) and 21(2)

SCC ONLINE True Print
SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 5 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

E. **Constitution of India — Arts. 324 and 327 — Special Intensive Revision (SIR) of electoral rolls — Presumption of validity in favour of electors whose names are already entered in electoral roll — Plea as to — Sustainability — That it is a rebuttable presumption and effect thereof on powers of Election Commission — Adjudicatory proceedings distinguished from systemic verification exercises — Law clarified**

— An electoral roll entry carries only a rebuttable presumption and does not bar Election Commission from conducting systemic verification under its constitutional powers — Although inclusion of a name in electoral roll carries a presumption of validity as an official act under S. 114 of the Evidence Act, 1872 such presumption is merely evidentiary and rebuttable, and cannot be elevated to a conclusive rule preventing further enquiry — It does not fetter constitutional authority of Election Commission to undertake a fresh or intensive verification of electoral rolls in discharge of its duty to ensure their accuracy, completeness, and integrity

— There is a distinction between adjudicatory proceedings, where presumption operates in favour of existing entries, and systemic verification exercises, which are inquisitorial in nature and aimed at comprehensive review — Electoral rolls being dynamic, prior inclusion does not create a perpetual immunity from scrutiny, and requiring electors to furnish supporting material during verification does not reverse burden of proof but constitutes a procedural mechanism of reaffirmation — However, such power must be exercised with due process and fairness, ensuring that existing entries are not disturbed arbitrarily

— Evidence Act, 1872 — S. 114 — Presumptions — Adjudicatory proceedings distinguished from Systemic verification exercises — Election — Democracy and General Principles — Rights and Entitlements of Voters and Candidates — Right to Vote/Suffrage and Voter's Rights/Secrecy of voting — Conduct of Election — Voters — Electoral Roll/Voter's List/Voter's Register — Special Intensive Revision (SIR) of electoral rolls

— Representation of the People Act, 1950, Ss. 21(3) and 21(2)

F. **Constitution of India — Arts. 324 and 327 — Special Intensive Revision (SIR) of electoral rolls — Deletion of elector's name — Permissibility — Substantive compliance with R. 21-A of the 1960 Rules safeguards under SIR framework — Whether sufficient — Law clarified**

— Deletion of an elector's name is valid if notice and opportunity of hearing are provided in substance before final decision; R. 21-A of the 1960 Rules ensures fairness, not procedural rigidity — It was contended that SIR process diluted R. 21-A safeguards (prior notice and hearing before deletion) by allowing exclusion of electors for non-submission of Enumeration Forms and alleged arbitrariness — However, R. 21-A does not insist on a rigid or uniform procedure but mandates fairness in substance — SIR Guidelines were found to incorporate these safeguards in a structured, multi-stage process, comprising

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 6 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

enumeration, draft roll publication, and claims and objections stage, wherein notice is issued, enquiries are conducted in cases of doubt, objections are considered, and reasoned decisions with appellate remedies are provided — Non-inclusion in draft roll is only provisional and not a final deletion — Accordingly, essential requirements of notice and opportunity of hearing are preserved in substance, and deletions under SIR are not contrary to R. 21-A of the 1960 Rules

— Election — Democracy and General Principles — Rights and Entitlements of Voters and Candidates — Right to Vote/Suffrage and Voter's Rights/Secrecy of voting — Conduct of Election — Voters — Electoral Roll/ Voter's List/Voter's Register — Special Intensive Revision (SIR) of electoral rolls

— Representation of the People Act, 1950 — Ss. 21(3) and 21(2) — Registration of Electors Rules, 1960, R. 21-A

G. **Constitution of India — Arts. 324 and 327 — Special Intensive Revision (SIR) of electoral rolls — Election Commission's discretion in prescribing documentation for electoral verification — Scope of — Law clarified**

— Documentation rules in electoral verification fall within Commission's discretion, subject to reasonableness and nexus with electoral integrity — Challenge to Commission's authority to prescribe a documentation regime was rejected, holding that preparation of electoral rolls is a constitutional function requiring continuous verification of eligibility under RP Act — In discharge of this duty, Commission possesses discretion to design an appropriate documentation framework, including prescribing or excluding documents, to ensure administrative consistency and evidentiary reliability — Such discretion is not arbitrary where it is exercised within statutory scheme and based on rational criteria linked to object of ensuring electoral integrity, such as evidentiary value, relevance to eligibility, and susceptibility of documents to misuse

— Supreme Court further clarified that documentation requirement is only one facet of a broader procedural framework and does not operate rigidly — Accordingly, classification or exclusion of documents, such as Aadhaar, ration cards, or EPIC, cannot be invalidated so long as it is founded on reasonable considerations with a direct nexus to maintaining accurate and reliable electoral rolls

— Election — Democracy and General Principles — Rights and Entitlements of Voters and Candidates — Right to Vote/Suffrage and Voter's Rights/Secrecy of voting — Conduct of Election — Voters — Electoral Roll/ Voter's List/Voter's Register — Special Intensive Revision (SIR) of electoral rolls

— Representation of the People Act, 1950 — Ss. 21(3) and 21(2) — Registration of Electors Rules, 1960, R. 21-A

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 7 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

H. **Constitution of India — Arts. 324 and 327 — Special Intensive Revision (SIR) of electoral rolls — Election Commission's enquiry into citizenship under RP Act — Scope of — Law clarified**

— ECI can examine citizenship for voter eligibility, but cannot finally determine it; its role is verification, not adjudication — Citizenship is a foundational constitutional status linked to democratic participation and dignity, but its final determination lies exclusively with competent authority under Citizenship Act — However, since citizenship is a mandatory condition for electoral enrolment under RP Act, Election Commission is empowered to conduct a limited, prima facie inquiry to satisfy itself about eligibility while preparing or revising electoral rolls — This inquiry is administrative and not adjudicatory, and any decision of inclusion or exclusion has only electoral consequences, without conclusively determining citizenship status — Where doubt persists, matter must be referred to competent authority, preserving constitutional balance between electoral integrity and statutory control over citizenship, while ensuring fairness and judicial review

— Election — Democracy and General Principles — Rights and Entitlements of Voters and Candidates — Right to Vote/Suffrage and Voter's Rights/Secrecy of voting — Conduct of Election — Voters — Electoral Roll/Voter's List/Voter's Register — Special Intensive Revision (SIR) of electoral rolls — Citizenship Act, 1955 — Election Commission's enquiry into citizenship under RP Act — Scope of, clarified

— Representation of the People Act, 1950, Ss. 21(3), 21(2) and 16

I. **Constitution of India — Arts. 324 and 327 — Harmonious Construction — Constitutional Supremacy of Election Commission's powers under Arts. 324 and 327 — Explained**

— Provisions of Arts. 324 and 327 establish a harmonious and complementary framework governing electoral process, wherein legislative competence of Parliament and constitutional mandate of Election Commission operate in tandem rather than in conflict — While Parliament is empowered to enact laws relating to elections under Art. 327, such legislation cannot be interpreted in a manner that dilutes, overrides, or paralyses essential constitutional functions entrusted to Commission under Art. 324 — Commission's authority, being inherently broad and supervisory in nature, extends across all stages and aspects of electoral machinery, ensuring integrity and purity of democratic process — Moreover, in areas where legislation is silent or inadequate, Commission is vested with residual constitutional power to act and address emerging contingencies so as to uphold free and fair elections

— However, this plenary power is not unbridled; it must be exercised in consonance with existing parliamentary law and statutory limitations — Thus, a delicate constitutional balance is maintained, wherein parliamentary law may guide exercise of Commission's powers, but cannot be construed to emasculate or extinguish its overriding constitutional mandate to secure free and fair elections — Election — Election Commission — Jurisdiction/Functions/Powers of

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 8 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

J. **Election — Representation of the People Act, 1950 — S. 21(3) — Revision of electoral roll — Effect of non obstante clause and procedural discretion under S. 21(3) — Non obstante clause and expansive phrase "as it may think fit" confer overriding, independent, and wide procedural discretion upon Commission to conduct special revisions, effectively advancing its constitutional mandate — Law clarified**

— Interpretation of S. 21(3) must be guided by overriding effect of its non obstante clause, which is not merely ornamental but reflects a conscious legislative intent to confer an independent and superseding authority upon Election Commission — While petitioners contended that this clause should not be read so as to dilute structured scheme of the RP Act or vest uncanalised discretion in Commission, more persuasive view supports a broader construction that gives full effect to legislative design

— Expression "notwithstanding anything contained in S. 21(2)" indicates a clear departure from procedural constraints ordinarily governing revisions, thereby enabling Commission to undertake a special revision with greater flexibility — Furthermore, phrase "in such manner as it may think fit" must be accorded its natural and expansive meaning, as judicial precedents have consistently recognised such expressions as conferring wide procedural discretion rather than limited flexibility — A restrictive interpretation would render special power under S. 21(3) redundant and defeat its purpose — Thus, when read conjointly, non obstante clause and broad procedural language evince an unmistakable legislative intent to grant Commission substantial latitude in devising procedures, so as to effectively discharge its constitutional mandate of ensuring free and fair elections

— Democracy and General Principles — Rights and Entitlements of Voters and Candidates — Right to Vote/Suffrage and Voter's Rights/Secrecy of voting — Conduct of Election — Voters — Electoral Roll/Voter's List/Voter's Register — Special Intensive Revision (SIR) of electoral rolls — Words and Phrases — "As it may think fit", "in such manner as it may think fit" — Statute Law — Non Obstante Clause/Relative scope of Provisions/Statutes/Addition to/Non Derogation Clause — Interpretation of Statutes — Internal Aids — Non obstante clause

K. **Election — Representation of the People Act, 1950 — S. 21(3) — Expression "any" — Meaning of — Word "any" indicates "all" or "every" as well as "some" or "one" depending on context and subject-matter of statute — S. 21(3) gives wide powers to Commission — Interpreting "any" as "only" would restrict these powers and require separate notifications for each constituency, defeating provision — A purposive approach allows "any" to mean "many" or "all", enabling Statewide revision where justified by reasons like urbanization and migration**

— Words and Phrases — "Any" — Conduct of Election — Voters — Electoral Roll/Voter's List/Voter's Register — Special Intensive Revision (SIR) of electoral rolls

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 9 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

L. **Election — Representation of the People Act, 1950 — S. 21(3) — Revision of electoral roll — Statutory requirement of recording reasons by Commission — Explained**

— Conduct of Election — Voters — Electoral Roll/Voter's List/Voter's Register — Special Intensive Revision (SIR) of electoral rolls

M. **Constitution of India — Art. 324 — Symbols order — Whether Election Commission can issue such order — Explained**

— Election — Conduct of Election Rules, 1961 — Rr. 5 and 10 — Political Parties, Politics and Government Formation — Recognition of a Political Party/ Election Symbol — Election Symbols (Reservation and Allotment) Order, 1968 (Paras 39 to 42)

N. **Election — Representation of the People Act, 1950 — Ss. 58 and 64-A — Existence of power of Election Commission to order re-poll in multiple polling stations — Explained — Conduct of Election — Re-Poll (Paras 70 to 72)**

O. **Constitution of India — Arts. 32, 226 and 136 — Judicial review in technical and policy matters — Scope of — Explained (Paras 101 to 112)**

Controversy arises from the Commission's impugned order issued under Article 324 read with the RP Act directing a Special Intensive Revision (SIR) of Bihar's electoral rolls, citing substantial changes since the last revision in 2003 due to urbanisation and migration, and need to ensure free and fair elections before 2025 Assembly polls. Order treated 2003 roll as presumptive proof of eligibility, while persons not included had to establish eligibility through prescribed government documents submitted via Enumeration Forms, failing which exclusion from draft rolls followed. It laid down a detailed procedure involving scrutiny by ERO/AERO under constitutional and statutory provisions, issuance of show-cause notices in doubtful cases, reasoned orders, and a two-tier appellate remedy up to CEO. SIR was to be conducted through house-to-house verification by BLOs, supported by offline and online submission, with draft rolls including only those who submitted forms. Following its commencement in June 2025, large-scale exclusions occurred, with about 65 lakh electors omitted from draft roll due to non-submission of forms. This led to writ petitions challenging Commission's authority, procedure adopted (including citizenship verification), and timing of exercise. The Supreme Court issued interim directions to safeguard voters, including publication of excluded names with reasons, permitting Aadhaar, EPIC, and ration cards as supporting documents (with Aadhaar limited to identity), extending opportunities to file claims and objections, involving political parties and legal services authorities to assist voters, and ensuring continued correction processes. Ultimately, despite pending challenges, Election Commission finalized electoral roll with revised figures after deletions and additions, and proceeded to conduct Bihar Legislative Assembly elections in November 2025 in accordance with law.

The present batch of writ petitions was instituted under Article 32 of the Constitution, assailing the impugned order directing SIR in Bihar.

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 10 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

The issues for determination before the Supreme Court were:

(*i*) Whether the Election Commission possesses plenary yet regulated authority under Article 324, harmoniously co-existing with parliamentary law under Article 327 of the Constitution, and is empowered under Section 21(3) of the Representation of the People Act, 1950 to conduct special revisions of electoral rolls with wide procedural discretion to ensure electoral integrity?

(*ii*) Whether an electoral roll purification exercise, aimed at ensuring inclusion of eligible voters and exclusion of ineligible persons, and grounded in Articles 325-326 of the Constitution and relevant statutory provisions, constitutes a legitimate objective under the first limb of the proportionality test?

(*iii*) Whether the measures adopted in a Special Intensive Revision, including house-to-house verification, submission of Enumeration Forms, and scrutiny of documents, bear a rational nexus with the objective of ensuring accuracy of electoral rolls, thereby satisfying the second limb of the proportionality test?

(*iv*) Whether regulation of voting is constitutionally valid where it seeks to protect electoral integrity without imposing excessive or exclusionary burdens on voters, and is supported by adequate procedural safeguards?

(*v*) Whether an entry in the electoral roll creates only a rebuttable presumption of eligibility and does not preclude the Election Commission from undertaking systemic verification of voters in exercise of its constitutional powers under Article 324 of the Constitution?

(*vi*) Whether deletion of an elector's name from the electoral roll is valid when notice and an opportunity of hearing are provided in substance prior to the final decision, and whether Rule 21-A of the Registration of Electors Rules, 1960 ensures fairness without mandating rigid procedural compliance?

(*vii*) Whether the prescription and application of documentation requirements in electoral verification fall within the discretionary domain of the Election Commission, subject to the tests of reasonableness and a rational nexus with the objective of ensuring electoral integrity?

(*viii*) Whether the Election Commission is empowered to examine the citizenship of individuals for the limited purpose of determining voter eligibility, while not possessing the authority to finally adjudicate upon citizenship, its role being confined to verification rather than adjudication?

Dismissing the writ petitions, the Supreme Court

Held :

A plain reading of Articles 324 and 327 of the Constitution shows that they are not competing repositories of power. Article 324 vests the constitutional function of superintendence, direction and control of preparation of electoral rolls in the Commission. Article 327 enables Parliament to make law in relation to elections, including preparation of electoral rolls, but expressly makes such law-making power "subject to the provisions of this Constitution". The opening words of Article 327 are not ornamental. They make it clear that parliamentary legislation in the field of elections must operate in harmony with the constitutional design and cannot be read so as to extinguish the constitutional function vested in the Commission. (Para 32)

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 11 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

Conversely, the Commission's authority under Article 324 of the Constitution must also operate inconformity with a valid law made by Parliament. It is this mutual accommodation, and not mutual destruction, which the Constitution contemplates. (Para 33)

The opening words of Article 327 are "subject to the provisions of this Constitution". The above words indicate that any law made by Parliament in exercise of the powers conferred by Article 327 would be subject to the other provisions of the Constitution including Article 324 thereof. Article 324 provides that superintendence, direction and control of elections shall be vested in Election Commission. It, therefore, cannot be said that when the Commission issues direction, it does so not on its own behalf but as the delegate of some other authority. (Para 33)

Sadiq Ali v. *Election Commission of India*, (1972) 4 SCC 664, *followed*

The proposition advanced by the petitioners that Article 324 of the Constitution operates exclusively in the residual interstices completely untouched by statute is legally untenable. It is incorrect to posit that once Parliament legislates on a particular subject, the Commission is entirely disabled from exercising its vested constitutional powers. The Commission inherently possesses the jurisdiction to issue directions of a general and regulatory character to effectuate the constitutional purpose entrusted to it. Parliament by legislating under Article 327 of the Constitution does not reduce Article 324 to a dead letter. (Para 34)

The Commission is empowered in its own right under Article 324 of the Constitution to issue directions in the widest terms necessary to facilitate a free and fair election with promptitude. Article 324, on the face of it, vests vast functions with the Commission, which may be powers or duties, essentially administrative and marginally even judicative or legislative. (Para 35)

All Party Hill Leaders' Conference v. *W.A. Sangma*, (1977) 4 SCC 161, *followed*

Parliamentary legislation under Article 327 of the Constitution undoubtedly regulates the electoral field, but the Commission does not, for that reason, cease to be constitutional authority acting in its own right under Article 324 of the Constitution. The plenary powers afforded to the Commission under the Constitution supplements the law where necessary to effectuate the constitutional mandate, but cannot be deployed to override an express statutory prohibition. (Para 38)

Mohinder Singh Gill v. *Election Commission of India*, (1978) 1 SCC 405, *clarified* and *followed*

While construing the expression "superintendence, direction and control" under Article 324(1) of the Constitution, it must be recognised that not every norm of conduct amounts to legislation or delegated legislation, as certain authorities may issue binding directions without exercising formal law-making power. A "direction" may take the form of either a specific order or a general precept applicable to many. Importantly, the source of this power is the Constitution itself, the supreme legal authority, and therefore such powers must be liberally construed to effectively achieve their intended purpose. Seen in this light, the directions issued by the Commission, including the Symbols Order, cannot be invalidated for lack of authority, as they validly flow from its constitutional mandate. (Paras 39 to 42)

Kanhiya Lal Omar v. *R.K. Trivedi*, (1985) 4 SCC 628, *followed*

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 12 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

The jurisdiction of the Commission under Article 324 of the Constitution is of sufficient amplitude to encompass all powers necessary for the smooth conduct of elections. The expression "elections" in Article 324 is employed in a comprehensive sense to include the entire electoral process. (Para 43)

Election Commission of India v. *Ashok Kumar*, (2000) 8 SCC 216; *Union of India* v. *Assn. for Democratic Reforms*, (2002) 5 SCC 294, *followed*

The petitioners' contention that Article 324 of the Constitution is merely a residual power extinguished by parliamentary legislation is untenable, as Article 324 remains a plenary constitutional source governing electoral rolls and elections. While this power is not above statutory law and cannot override express prohibitions, the restraint operates both ways, Parliamentary legislation likewise cannot nullify or curtail the Commission's overriding constitutional mandate. (Para 44)

Special Reference No. 1 of 2002, In re (Gujarat Assembly Election matter), (2002) 8 SCC 237, *followed*

It can thus be summarised as follows:

(*i*) The legislative competence of Parliament under Article 327 of the Constitution and the Commission's mandate under Article 324 of the Constitution are complementary. They are designed to operate in tandem rather than as competing or mutually exclusive domains. Any law enacted under Article 327 cannot be, thus, construed in a manner that extinguishes or paralyses the core constitutional functions vested in the Commission under Article 324.

(*ii*) The Commission's supervisory authority is inherently expansive. Functioning as a continuous wellspring of power, it encompasses every facet and stage of the electoral machinery to ensure the sanctity of the democratic process.

(*iii*) The Commission retains the absolute constitutional mandate to step into vacuous areas left unoccupied by legislation. In situations where the enacted laws and rules are silent or inadequate to meet emerging contingencies, the Commission is empowered to take necessary steps that will ensure the purity of the electoral process.

(*iv*) The constitutional equilibrium rests upon a delicate balance. Although the Commission's power under Article 324 of the Constitution is plenary, it must be exercised with due regard to parliamentary law, including statutory prohibitions. Parliamentary law may illuminate the exercise of that constitutional power, but it cannot be applied or construed in a manner that emasculates or extinguishes the Commission's overriding constitutional mandate to secure free and fair elections. (Para 45)

Seen thus, the petitioners are right only to a limited extent. They are correct in law in contending that Article 324 of the Constitution cannot be used to override an express statutory command. However, they are not correct in contending that, because Parliament has legislated under Article 327 of the Constitution, every procedural or regulatory step taken by the Commission to attain the constitutional goal of free and fair elections would stand forfeited. Such a reading would render Article 324 unduly anaemic. (Paras 46 and 47)

A.C. Jose v. *Sivan Pillai*, (1984) 2 SCC 656, *explained* and *distinguished*

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 13 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

Thereafter, the Representation of the People (Amendment) Act, 1956, was enacted, which introduced a revised statutory framework governing revision of electoral rolls. The amendment replaced the erstwhile Section 25 of the 1950 Act, which governed revision of electoral rolls with Section 21 thereof. (Para 50)

Section 21(1) provides for initial preparation of electoral rolls with reference to the qualifying date, while Sections 21(2) and (3) of the 1950 Act govern revision. Section 21(2) lays down the ordinary revision process, ensuring periodic revision while maintaining continuity even if revision is not undertaken in a given year. (Para 51)

Section 21(3) of the 1950 Act operates on a distinct footing to address exigencies, empowering the Commission, by a non obstante clause, to direct special revision at any time, for recorded reasons, and in such manner as it thinks fit, thereby departing from the ordinary revision scheme while ensuring continuity till completion. (Para 52)

A comparison of erstwhile Section 25 with Section 21 of the 1950 Act shows that the 1956 amendment expanded the Commission's power by introducing Section 21(3), thereby widening its authority over revision of electoral rolls. (Para 53)

Section 21(3) of the 1950 Act reflects a legislative intent to confer an independent and flexible power of special revision, where the non obstante clause removes constraints of Section 21(2) of the 1950 Act, and the phrase "at any time" enables action whenever electoral integrity demands. (Para 54)

The expressions "any constituency", "reasons to be recorded", and "in such manner as it may think fit" collectively grant territorial flexibility, ensure accountability through recorded reasons, and confer broad procedural discretion, establishing Section 21(3) of the 1950 Act as an autonomous enabling provision for special revision. (Para 55)

The absence of a distinct rule framed by the Central Government under Section 28 specifically regulating the exercise of power under Section 21(3) of the 1950 Act would not take away the Commission's statutory powers expressly conferred on it. Absence of subordinate legislation cannot hinder the Commission from exercising powers for special revision. Such powers flow in a plenary manner from the Constitution under Article 324 of the Constitution read with Section 21(3) of the 1950 Act. The Commission does not act as a delegate of Parliament under Article 327 of the Constitution. (Para 57)

The statutory framework of the RP Act itself provides for a situation where the Commission may direct a special revision under Section 21(3) of the RP Act, in such a manner as it may think fit and for reasons to be recorded. (Para 58)

The expression "notwithstanding anything contained in sub-section (2)" of Section 21 of the 1950 Act is a deliberate device conferring overriding force on Section 21(3) of the 1950 Act, displacing the procedural limits of ordinary revision and creating an independent source of authority for special revision. Once invoked, the power flows directly from the statute and operates with greater flexibility beyond the usual constraints of ordinary revision. (Para 60)

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 14 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

The petitioners contended that "in such manner as it may think fit" in Section 21(3) of the 1950 Act allows only limited flexibility within the Act and Rules, whereas the respondents contended that it conferred broad authority on the Commission to shape the procedure according to exigencies. (Para 61)

A narrow interpretation would defeat the overriding purpose of Section 21(3) of the 1950 Act. Expressions like "as it thinks fit" are widely construed, granting broad procedural discretion free from rigid limits to effectively fulfil statutory objectives. (Para 62)

Promoters & Builders Assn. of Pune v. *Pune Municipal Corpn.*, (2007) 6 SCC 143; *Ghulam Qadir* v. *Custodian (Evacuee Property)*, (2002) 1 SCC 33, *followed*

The phrase "in such manner as it may think fit" in Section 21(3) of the 1950 Act read in conjunction with the non obstante clause, reflects a clear legislative intent to confer a wide procedural latitude upon the Commission, enabling it to shape its course to further its constitutional mandate of ensuring free and fair elections. (Para 63)

A perusal of the impugned order lays bare two major reasons for the impugned exercise (SIR). First, a demographic change due to rapid urbanisation and migration in the last 20 years since the intensive revision in 2003 which has led to repeated, multiple and defective entries on the electoral roll. Second, the mandate of the Commission under Article 326 of the Constitution to ensure that only Indian citizens are on the electoral roll. The Commission, in its order dated 24-6-2025, has thus provided cogent justifications warranting SIR process. (Para 68)

The petitioners contended that "any" in Section 21(3) of the 1950 Act cannot be interpreted to turn a constituency specific residuary provision to mean "all" or "many", thereby granting the Commission power to conduct a special revision on a State wide scale. On the contrary, the Commission contended that Section 21(3) of the 1950 Act gives them wide powers to conduct a special revision at any, many or all constituencies, subject to reasons being recorded. (Para 69)

Every word present in a statute without an explicit definition must be interpreted in the context of the statute. Word "any" indicates "all" or "every" as well as "some" or "one" depending on the context and the subject matter of the statute. (Para 70)

Prabhakaran v. *P. Jayarajan*, (2005) 1 SCC 754 : 2005 SCC (Cri) 451, *followed*

Shri Balaganesan Metals v. *M.N. Shanmugham Chetty*, (1987) 2 SCC 707, *cited*

Justice G.P. Singh: *Principles of Statutory Interpretation*, 2004, 9th Edn., p. 302, *cited*

Even Sections 58 and 64-A of the Representation of the People Act, 1951 show that cancellation and re-poll can occur at specific polling stations. If widespread malpractices affect multiple stations, the Election Commission retains power to act broadly. The issue is existence of power, not its misuse, so "polling station" may extend to several stations where necessary. (Para 71)

Undefined statutory terms must be read contextually to reflect their purpose. In Section 21(3) of the RP Act, reading "any" narrowly would defeat special revision. A purposive interpretation allows Statewide revision based on broad reasons, so "any" can mean "many" or "all". (Para 72)

Mohinder Singh Gill v. *Election Commission of India*, (1978) 1 SCC 405, *explained* and *followed*

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 15 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

The issue is whether the order conflicts with the RP Act/Rules and promotes free and fair elections. Both are answered in favour of the Commission. (Para 73)

The Commission acted under Section 21(3) of the RP Act, a special power distinct from ordinary revision. Hence, deviation from usual procedures under Section 21(2) does not invalidate its action. (Para 74)

SIR supplements, not overrides, the Act and Rules. It is a valid exercise under Section 21(3) of the RP Act allowing deviation where justified, if within statutory limits and supported by reasons. (Para 75)

SIR directly supports free and fair elections by ensuring electoral roll accuracy. Reasons like long delay, migration, and duplication justify its necessity. (Para 76)

Thus, SIR neither conflicts with the Act nor undermines elections. It validly flows from Section 21(3) of the RP Act read with Article 324 of the Constitution to uphold electoral integrity. (Para 77)

The object of SIR, as articulated in the notification for SIR, is twofold: first, to ensure the inclusion of all eligible electors in the electoral roll; and second, to ensure the exclusion of all ineligible persons. (Para 85)

At a conceptual level, these objectives are constitutionally grounded. Articles 325 and 326 of the Constitution require elections based on a common roll and universal adult suffrage. Since elections involve unforeseen situations, broad powers are necessary. Thus, electoral roll accuracy is a foundational element of democratic legitimacy. (Para 86)

The preparation and maintenance of electoral rolls must therefore be understood as a dynamic and continuous obligation. The electoral roll is not a static document; it must evolve in response to changes in population, residence, and eligibility. Any systemic distortion in the roll, whether by way of wrongful inclusion or exclusion, directly impacts the principle of electoral equality. (Para 87)

The Commission has identified certain persistent and structural issues affecting the rolls, including duplication of entries, non-deletion of deceased persons, and the continued presence of electors who have migrated from their place of registration. These factors are not speculative; they are inherent in any large and evolving electoral system, and their cumulative effect, over time, can materially impair the integrity of the roll. (Para 88)

Rule 21-A of the 1960 Rules recognises contingencies like death, migration, and disqualification for deletion of names. The Commission's reasons directly align with these grounds. Hence, SIR exercise is not only consistent with, but effectively required by, the statutory scheme. (Para 89)

The decision to undertake an intensive revision after a prolonged interval must therefore be viewed in this context. The passage of over two decades since the last such exercise is, in itself, a relevant consideration. A system that relies exclusively on summary revisions over such an extended period may reasonably be expected to accumulate inaccuracies that cannot be effectively addressed through incremental corrections. (Para 90)

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 16 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

The Commission's objective of ensuring accurate, complete, and reliable electoral rolls is clearly legitimate and integral to its constitutional mandate. The reasons given are directly connected to maintaining electoral integrity. Thus, SIR validly rests on sound constitutional and statutory foundations. (Para 91)

SIR clearly aims to restore electoral roll accuracy by including eligible voters and excluding ineligible ones, through systematic measures like house-to-house checks, forms, and document-based verification. (Para 93)

These measures are directly suited to the objective. Physical verification ensures correct entries, while standardised forms enable consistent and effective scrutiny across constituencies. (Para 94)

The exercise (SIR) validly operates within a structured framework of scrutiny, notice, and appeal, ensuring fairness and preventing arbitrariness in the verification process. (Para 95)

The exercise rests on a sound foundation, addressing well-recognised issues like migration, unreported deaths, and duplication, with measures specifically designed to resolve them. (Para 96)

In this backdrop, the impugned SIR bears a direct and proximate nexus with the objective of ensuring the purity and accuracy of the electoral roll. The second limb of the proportionality test, therefore, stands duly satisfied. (Para 97)

Determining effective measures for complex systemic issues lies primarily with expert bodies. Judicial review does not extend to evaluating alternative methods unless the adopted measure is clearly arbitrary or unreasonable. (Para 101)

In technical and policy matters, courts adopt a limited role. The identification of problems and selection of solutions rests with specialised authorities, and judicial interference arises only in cases of arbitrariness or clear disproportionality. (Para 102)

Vivek Narayan Sharma (Demonetisation Case-5 J.) v. *Union of India*, (2023) 3 SCC 1, *followed*

These principles apply equally to the Election Commission, which performs a specialised constitutional function. Its role in electoral roll management involves ground realities and administrative expertise, placing it beyond ordinary judicial reassessment. (Para 103)

Given the systemic nature of inaccuracies, a comprehensive Statewide SIR is a proportionate response. Structural issues require broad solutions, as piecemeal approaches would be inadequate. (Para 104)

The availability of less restrictive alternatives does not invalidate the chosen measure. Where the problem is pervasive, a comprehensive solution remains justified unless it is clearly excessive. (Para 105)

Courts do not evaluate whether the Commission's chosen method is the most optimal. The Commission's expertise and constitutional mandate justify deference in such matters. (Para 106)

SIR incorporates safeguards like multiple submission modes, flexible documentation, notice mechanisms, and appellate remedies, ensuring fairness and accessibility. (Para 107)

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 17 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

Accordingly, SIR satisfies the necessity test, as it is neither excessive nor disproportionate, and does not warrant judicial interference. (Para 108)

The final stage of proportionality requires balancing the importance of the objective with the extent of restriction on the right. The key test is whether the measure imposes a disproportionate impact on the voter in practice. (Para 109)

Where a measure serves a significant public purpose and includes procedural safeguards, the balance ordinarily favours upholding such a measure. (Para 110)

Maintaining an accurate electoral roll is a foundational democratic objective, as electoral integrity depends directly on the correctness of the roll. (Para 111)

Although the right to vote is a significant constitutional right, it is not absolute and operates within statutory conditions. Verification and periodic revision are inherent to ensuring universal and equal franchise under Articles 325 and 326 of the Constitution. (Para 112)

Citizenship Act, 1955, Section 6-A, In re (1), (2024) 16 SCC 105, *followed*

Rajbala v. *State of Haryana*, (2016) 2 SCC 445, *cited*

Procedural requirements like identity verification and proof of residence are not restrictions, but essential mechanisms to preserve the integrity of the electoral roll. (Para 113)

Measures aimed at correcting electoral rolls do not violate voting rights unless they are excessively burdensome. The requirements here remain reasonable and manageable. (Para 114)

Procedural safeguards such as notice, opportunity to respond, and appellate remedies ensure that the right to vote is regulated fairly and not arbitrarily denied. (Para 115)

Minor errors or deviations in large-scale exercises do not invalidate the process, as proportionality requires overall constitutional compliance, not perfection. (Para 116)

Available data does not indicate widespread disenfranchisement, and individual exclusions can be remedied through established procedures. (Para 117)

While some hardship may arise, proportionality requires mitigation through safeguards, not the complete absence of inconvenience. (Para 118)

Initial concerns regarding transparency and access were valid, but were subsequently addressed through judicial interventions. (Para 119)

The inclusion of Aadhaar as a valid document expanded access and eased compliance, addressing concerns about documentation requirements. (Para 120)

Transparency was enhanced by publishing lists of excluded voters with reasons, enabling awareness and facilitating challenges. (Para 121)

Accessibility issues were addressed by involving BLAs and para-legal volunteers, ensuring assistance to disadvantaged groups. (Para 122)

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 18 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

These safeguards collectively ensured procedural fairness and strengthened remedies like claims, objections, and appeals. (Para 123)

Proportionality depends on actual implementation. With adequate safeguards, the process achieved a balance between electoral integrity and voter inclusion. (Para 124)

Therefore, SIR satisfies proportionality, as it serves a legitimate aim, is not excessive, and includes sufficient safeguards to prevent arbitrary exclusion. (Para 125)

An entry in the electoral roll carries a presumption of validity as an official act, reflecting that required conditions were satisfied at the time of inclusion. (Para 133)

This presumption remains evidentiary and rebuttable, facilitating proof without preventing further enquiry into the correctness of entries. (Para 134)

In *Lal Babu Hussein*, (1995) 3 SCC 100, the presumption was applied within adjudicatory proceedings, where the burden lay on the objector to displace an existing entry. (Para 135)

The decision did not address systemic verification exercises by the Commission, and its ratio is confined to individual adjudicatory contexts. (Para 136)

Lal Babu Hussein v. *Electoral Registration Officer*, (1995) 3 SCC 100, *explained* and *distinguished*

A clear distinction exists: adjudicatory proceedings rely on existing entries, while verification exercises aim at comprehensive scrutiny of the electoral roll. (Para 137)

In conducting such verification, the Commission acts in its constitutional role, empowered to review and reassess entries to ensure integrity. (Para 138)

Accepting an absolute presumption of validity in favour of electors whose names are already entered in electoral roll would unduly restrict the Commission's powers and prevent correction of systemic deficiencies. (Para 139)

Electoral rolls are dynamic and subject to revision, so the presumption of validity cannot operate as a permanent bar to scrutiny. (Para 140)

Requiring electors to provide information during verification does not reverse the burden of proof but enables confirmation or correction of entries. (Para 141)

Even in *Lal Babu Hussein case*, the presumption was recognised as rebuttable, requiring fair procedure but not excluding verification. (Para 142)

Lal Babu Hussein v. *Electoral Registration Officer*, (1995) 3 SCC 100, *explained* and *distinguished*

The presumption validity in favour of electors whose names are already entered in electoral roll cannot override constitutional powers, as prior inclusion does not preclude re-examination of eligibility. (Para 143)

At the same time, verification must follow due process, ensuring that existing entries are disturbed only on proper grounds. (Para 144)

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 19 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

The selection of 2003 as a reference point is justified, as it corresponds to the last intensive revision, with later updates being only summary. (Para 145)

Relying on the 2003 roll is reasonable, given its higher reliability, and bears a rational link to ensuring roll accuracy. (Para 146)

Thus, while electoral entries carry a rebuttable presumption, they do not restrict the Commission's power to conduct intensive revisions under its constitutional mandate. (Para 147)

Lal Babu Hussein v. *Electoral Registration Officer*, (1995) 3 SCC 100, *explained* and *distinguished*

The challenge is not merely to specific documents but to the Commission's authority to design a documentation regime. This authority validly flows from its powers, and the prescribed framework cannot be considered arbitrary or outside the statutory scheme. (Para 171)

The preparation and maintenance of electoral rolls is a constitutional responsibility of the Commission. This function inherently includes the power to prescribe suitable verification procedures, including documentation requirements. (Para 172)

Sections 16 and 19 of the RP Act require the Commission to ensure continued eligibility of electors. This satisfaction must be based on verifiable material, making documentary support essential. (Para 173)

The documentation framework ensures consistency and reliability in verification. While Form 6 applies to ordinary revision, the Commission retains residual authority to adapt documentation for special revisions, provided it maintains a rational link with statutory objectives. (Para 174)

The document list reflects materials generally available to electors and has been expanded to increase inclusivity, rather than restrict access. (Para 175)

The purpose of documents is to establish eligibility, not merely identity. The Commission can differentiate documents based on their evidentiary strength for statutory requirements. (Para 176)

Exclusion of certain documents is justified where based on rational concerns of reliability or misuse. The Commission is not obliged to accept all documents indiscriminately. (Para 177)

Aadhaar, under its statutory framework, does not prove citizenship or domicile, making it of limited utility for verifying eligibility in electoral rolls. (Para 178)

However, Aadhaar is statutorily recognised for identity verification. The Court directed its inclusion as an additional document, without treating it as conclusive proof. (Para 179)

Assn. for Democratic Reforms v. *Election Commission of India*, 2025 SCC OnLine SC 1932, *referred to*

The exclusion of ration cards is also justified due to limited evidentiary value regarding citizenship. The Commission may select documents suited to the purpose of a special revision within its discretion. (Para 180)

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 20 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

EPIC, being derived from electoral roll inclusion, cannot logically be used to verify that same inclusion. Its exclusion is inherent to the verification process. (Para 181)

The documentation requirement forms part of a broader procedural framework involving enquiry and adjudication, ensuring the process is neither rigid nor mechanical. (Para 182)

Thus, the documentation regime represents a reasoned exercise of administrative discretion, based on rational criteria aligned with ensuring the integrity of the electoral roll, and is not arbitrary or unlawful. (Para 183)

The issue involves a balance between constitutional structure, statutory mandate, and individual rights. It requires examining both the extent of the Commission's powers and their proper exercise where citizenship concerns are implicated. (Para 189)

Citizenship forms the legal foundation of an individual's relationship with the State. It enables participation in democracy and underlies the system of representative governance. (Para 190)

Citizenship also has broader constitutional significance, as it embodies identity, belonging, and recognition within the constitutional order, extending beyond mere statutory rights. (Para 191)

The concept of citizenship is linked to dignity and liberty under Article 21 of the Constitution. Therefore, any process affecting it must ensure fairness and institutional restraint. (Para 192)

The formal determination of citizenship lies exclusively with authorities under the Citizenship Act, and the Commission cannot assume this adjudicatory role. (Para 193)

However, the present issue concerns the Commission's limited enquiry into eligibility while preparing electoral rolls, as mandated by Articles 325, 326 of the Constitution, and the RP Act. (Para 194)

Since Section 16 of the RP Act disqualifies non-citizens, citizenship becomes a necessary condition for enrolment, requiring the Commission to verify this threshold. (Para 195)

A distinction exists between adjudicating citizenship and administratively assessing eligibility. The former is conclusive, while the latter is limited to electoral purposes. (Para 196)

The Commission may examine citizenship-related facts to determine inclusion, but only within electoral scope and subject to judicial review ensuring fairness. (Para 197)

Such assessment is prima facie. Lack of satisfactory material may justify exclusion, but it does not amount to declaring a person a non-citizen. (Para 198)

The effect of such exclusion is limited to electoral participation and does not determine or extinguish citizenship status. (Para 199)

Where doubt persists, the Commission must refer the issue to the competent authority, whose adjudication will govern the final position. (Para 200)

Such determinations must be made within a reasonable time to avoid prolonged uncertainty affecting electoral rights. (Para 201)

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 21 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

This division of roles preserves constitutional balance, enabling the Commission to maintain electoral integrity without exceeding its authority. (Para 202)

Section 9(2) of the Citizenship Act deals only with loss of citizenship and does not prohibit incidental enquiry by other authorities in their respective domains. (Para 203)

Similarly, the Allocation of Business Rules do not restrict the Commission from examining citizenship aspects relevant to its functions. (Para 204)

Given the importance of citizenship, the process must be conducted with fairness, care, and respect for institutional limits. (Para 205)

The Commission is therefore empowered to conduct a limited enquiry into citizenship for electoral purposes without determining citizenship conclusively. (Para 206)

Accordingly, the contention that the impugned exercise is ultra vires on the ground that it entails an impermissible adjudication of citizenship deserves to be rejected. (Para 207)

Conclusion and directions

It is thus concluded and directed as follows:

(*i*) SIR exercise is valid as it does not conflict with the RP Act or the 1960 Rules, nor undermine free and fair elections. Instead, it is firmly grounded in Section 21(3) of the RP Act read with Article 324 of the Constitution, advancing the constitutional objective of maintaining electoral integrity.

(*ii*) SIR satisfies proportionality, as its measures are rationally connected to the objective, are not excessive, and include safeguards against arbitrary exclusion. Given the systemic nature of the issue and the scale of the exercise, the measures adopted are proportionate and constitutionally justified.

(*iii*) Although entries in the electoral roll carry a presumption of validity, such presumption is rebuttable and does not restrict the Commission's power to conduct an intensive revision. The ruling in *Lal Babu Hussein case* applies only to adjudicatory contexts and does not limit systemic verification exercises.

(*iv*) The deletions made under SIR comply with Rule 21-A of the 1960 Rules, as essential safeguards like notice and hearing are preserved, and the procedure remains within statutory limits.

(*v*) The documentation framework represents a reasoned exercise of discretion, with classifications based on rational criteria linked to maintaining electoral integrity. The exclusion of certain documents, except Aadhaar as directed, is neither arbitrary nor contrary to law.

(*vi*) The Commission can conduct a limited enquiry into citizenship for electoral purposes without determining citizenship conclusively. Such enquiry affects only electoral eligibility and does not extinguish or decide citizenship status.

(*vii*) Where eligibility is doubtful, the Commission must refer the matter to the competent authority, whose decision will determine citizenship

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 22 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

conclusively. The Commission's findings remain provisional and confined to electoral purposes.

(*viii*) Cases of deletion based on citizenship doubts must be referred within four weeks for adjudication, ensuring timely resolution before upcoming elections. Affected individuals retain the right to hearing, reinstatement if found eligible, and access to judicial review for other erroneous deletions. (Para 208)

Lal Babu Hussein v. *Electoral Registration Officer*, (1995) 3 SCC 100, *distinguished*

Assn. for Democratic Reforms v. *Election Commission of India*, 2025 SCC OnLine SC 1408; *Assn. for Democratic Reforms* v. *Election Commission of India*, 2025 SCC OnLine SC 1925; *Assn. for Democratic Reforms* v. *Election Commission of India*, 2025 SCC OnLine SC 1841; *Assn. for Democratic Reforms* v. *Election Commission of India*, 2025 SCC OnLine SC 3614; *Assn. for Democratic Reforms* v. *Election Commission of India*, 2025 SCC OnLine SC 1932, *referred to*

Indrajit Barua v. *Election Commission of India*, (1985) 4 SCC 722, *cited*

Bernard Manin: *The Principles of Representative Government*, 1-7, 161-83; Hanna Fenichel Pitkin: *The Concept of Representation*, 1-13; Jagdish Prasad Sharma: *Republican and Quasi-Republican Institutions in Ancient India*; Prasad Sharma: *Republics in Ancient India*, c. 1500 B.C.-500 B.C.; R.S. Sharma: *Aspects of Political Ideas and Institutions in Ancient India*; R.S. Sharma: *India's Ancient Past*; Mahāparinibbāna Sutta, in *Last Days of the Buddha: The Mahāparinibbāna Sutta*; Constituent Assembly Debates, Vol. VIII, 15-6-1949; Constituent Assembly Debates, Vol. VIII, 16-6-1949, *referred to*

RM-D/73467/C

Advocates who appeared in this case :

Dr Abhishek Manu Singhvi, Shadan Farasat, Gopal Sankaranarayanan, Raju Ramachandran, P.C. Sen, Shoeb Alam, Prashanto Chandra Sen, Kapil Sibal, Dr K.S. Chauhan, P.S. Teji and Vijay Hansariya, Senior Advocates [Ms Neha Rathi (Advocate-on-Record), Ms Kajal Giri, Amit Bhandari, Pranav Sachdeva, Ms Priyansha Sharma, Ms Somya Kumari, P. Rohit Ram, Prateek Yadav, Ms Shahrukh Alam, Talha Abdul Rahman (Advocate-on-Record), M. Shaz Khan, Sudhanshu Tewari, Faizan Ahmed, Rafid Akhter, Vaibhav Mishra (Advocate-on-Record), Harshit Anand, Kaustubh Chaturvedi, Yash S. Vijay (Advocate-on-Record), Shikhar Aggarwal, Joshua Tom Thomas, Haris Beeran, Azhar Assees, Anand B. Menon, Shaswat Jena, Ms Rizwana R. Raj, Radha Shyam Jena (Advocate-on-Record), Prashant Bhushan (Advocate-on-Record), Ms Neha Rathi, Tushar Srivastava, Shourya Dasgupta, Satayam Singh, Adarsh Singh, Ms Sneha Rani, Ms Pragati Keshri, Pankaj Ray, Ms Neema (Advocate-on-Record), Raja Choudhary, Ms Anushika Mishra, Rajesh Singh Chauhan (Advocate-on-Record), Ms Pinky Behera (Advocate-on-Record), Atif Inam (Advocate-on-Record), Aman Prasad, Nizam Pasha, Sidharth Kaushik, Arif Ali, Madhav Deepak, Abishek Jebaraj (Advocate-on-Record), Ms A. Reyna Shruti, Ms Sanjana Grace Thomas, D.P. Singh, Prasanna S. (Advocate-on-Record), Paras Nath Singh, Ms Rupali Samuel, Ms Shruti Narayan, Sayantan Chanda, Mohammad Afeef, Ms Nida Khan Salim, Ms Injila Muslim Zaidi, Maamid Ashish Reddy, Prasanna B., Ms Ishita Tulsyan, Ms Vrinda Grover, John Simte, Ms Devika Tulsiani, Soutik Banerjee, Aakarsh Kamra (Advocate-on-Record), Fuzail Ahmad Ayyubi (Advocate-on-Record), Ibad Mushtaq, Ms Akanksha Rai, Ms Gurneet Kaur, Ajit Kr. Ekka, Kriti Ranjan, Abhishek Chauhan, Vishal, Ms Divya Sinha, S.P. Singh, Rsm Kalky, Abhishek Ranjan, Ms Aditi Chauhan, Sumit Kishore, Ms Deeksha Singh, Alok Kumar, Dr R.K. Chauhan, Kunal Kishore, Ravi Prakash (Advocate-on-Record), Ashwini Kr. Upadhyay, Ashwani Kr. Dubey (Advocate-on-Record), Nikhil Upadhyay, Ms Kavya Jhawar, Ms Nandini Rai, Aashay Shukla, Muhammad Ali Khan, Omar Hoda, Ms Eesha Bakshi, Uday Bhatia,

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 23 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

Kamran Khan, Surya Kiran Singh, Aviral Jain, Ms Ayesha Khan, Usman Ghani Khan (Advocate-on-Record), Ms Fauzia Shakil, Ujjwal Singh (Advocate-on-Record), Sivagnanam Karthikeyan, Aravind Raj, Dev Sareen, Ms Fauzia Shakil (Advocate-on-Record), Ms Aparajita Jamwal, Ms Tasmiya Talaha, Khalid Ali and Ms Nazmeen Ahmed, Advocates], for the Petitioners;

Tushar Mehta, Solicitor General, Lenin Singh Hijam, Advocate General, Lokesh Sinhal and Padmesh Mishra, Additional Advocates General, Dama Seshadri Naidu, Sukumar Pattjoshi, Rakesh Dwivedi, Maninder Singh, Shadan Farasat, Shoeb Alam and Pradeep Kr. Rai, Senior Advocates {Kanu Agrawal, Raman Yadav, Gaurang Bhushan, Ms Sansriti Pathak, Bhakti Vardhan Singh, Prashant Singh-II, Arvind Kr. Sharma (Advocate-on-Record), Aman Mehta, Prateek Kumar (Advocate-on-Record), Ms Raina Anand, Abhinav Thakur, Ms Sanjivani Pattjoshi, Deepak Sharma, Devansh Rai, Kumar Utsav, Ms Simran Parmar, Ms Anamika Mishra, Ms Ananya Mishra, Eklavya Dwivedi (Advocate-on-Record), Sidhant Kumar, Sahil Tagotra (Advocate-on-Record), Prabhas Bajaj, Ms Manyaa Chandok, Om Batra, Ms Shreya Kasera, Ashish Shukla, Dr N. Visakamurthy (Advocate-on-Record), Manish Kumar (Advocate-on-Record), Divyansh Mishra, Kumar Saurav, Shail Kr. Dwivedi (Advocate-on-Record), Guntur Pramod Kumar (Advocate-on-Record), Ms Prerna Singh, Dhruv Yadav, Ms Vanshika Singh, Keshav Singh, Harshit Anand, Kaustubh Chaturvedi, Yash S. Vijay (Advocate-on-Record), Shikhar Aggarwal, Joshua Tom Thomas, Prashant Kr. Umrao (Advocate-on-Record), Prateek Som, Shivam Singh, Ms Bahuli Sharma, Gopal Singh (Advocate-on-Record), Akshat Bajpai (Advocate-on-Record), Samar Vijay Singh (Advocate-on-Record), Ms Sabarni Som, Sarthak Arya, Gaj Singh, Nikunj Gupta, Keshav Mittal, Chandan Kr. Singh, Aman Dev Sharma, Ms Fauzia Shakil (Advocate-on-Record), Ujjwal Singh, Dr Vinod Kr. Tewari (Advocate-on-Record), Arman Roop Sharma, Ms Shimpy Arman Sharma, Pramod Tiwari, Vivek Tiwari, Ms Priyanka Dubey, Ms Saumya Mishra, Anuj Tiwari (Advocate-on-Record), Naveen Sharma (Advocate-on-Record), Ms Swati Bhushan Sharma, S.K. Sharma, Ms Payal Gola, Samarvir Singh, Siddharth Dharmadhikari, Aaditya Aniruddha Pande (Advocate-on-Record), Shrirang B. Varma, Pukhrambam Ramesh Kumar (Advocate-on-Record), Mayank Sapra, Karun Sharma, Ms Anupama Ngangom, Ms Rajkumari Divyasana, P.V. Yogeswaran (Advocate-on-Record), Ms Shailja Singh, Karan Sharma (Advocate-on-Record), S. Udaya Kr. Sagar (Advocate-on-Record), Sameer Abhyankar (Advocate-on-Record), Aryan Srivastava, Aakash Thakur, Nalin Talwar, Ms Devina Sehgal (Advocate-on-Record), Yatharth Kansal, Srikanth Varma Mudunuru, Kunal Mimani (Advocate-on-Record), Ms Mrinal Elkar Mazumdar, Mukesh Kr. Verma, Ms Indira Bhakar, Yogesh Vats, Shreekant Neelappa Terdal (Advocate-on-Record), Mukesh Kr. Maroria (Advocate-on-Record), Vivek Singh (Advocate-on-Record), Anilendra Pandey (Advocate-on-Record), Rajeev Kr. Ranjan, Kamlesh Upadhyay, Animesh Shukla, Ms Aarati Sah, Ms Farhat Naim, Vinay Kr. Rai, Ms Rajshree Rai, Ms Modoyia Kayina, Paras Chauhan, Virendra Singh, Devi Prasad Semwal, Ms Shweta, Shreyansh Singh, Ashok Pratap Rai [for M/s R. and R. Law Associates (Advocate-on-Record)], Anand Nandan, Kuldeep Mishra, Rameshwar Prasad Goyal (Advocate-on-Record), Kumar Sambhrant Krishna (Advocate-on-Record), Binay Kumar, Brajesh Kumar, Dr Siddhartha Priya Ashok (Advocate-on-Record), Ms Babita, Ms Trisha Chakraborty, Nishesh Sharma (Advocate-on-Record), Shiva Nand Mishra, Syed Mehdi Imam (Advocate-on-Record), Kaleeswaram Raj, Mohammed Sadique T.A. (Advocate-on-Record), Ms Thulasi K. Raj, Ms Chinnu Maria Antony, Ms Athira Nandakumar, Kailash Prashad Pandey (Advocate-on-Record), Hitesh Kr. Sharma, Amit Kr. Chawla, Akhileshwar Jha, Mahi Pal Singh, Anupam Kumar, Narendra Pal Sharma, Satvik Sharma, Varun Varma, Saurabh Kr. Solanki, Ms Shreya Jha, Ms Niharika Dwivedi, Ms Asmita Mishra, Ms Swati Vishan, Ms Charanjeet Sidhu, Ms Divya Mishra,

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 24 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

Ms Suresh Kumari, Ms Laveena Mishra, D.P. Singh, Rajesh Singh, Javed Raza, Shubham Rajhans, Ishank Ranjan, Prakhar Shukla, Jatin Malik, Pawan Kumar, Dinesh Kr. Mudgal, Kailash Chandra Mudgal, Ms Manisha Chawla, Jogendra Kumar, Desh Pal Singh, Sandeep Singh Dingra, Sanjiv Kr. Jain, Ms Kumud Lata Das (Advocate-on-Record), Barun Kr. Sinha, Ms Pratibha Sinha, Sneh Vardhan, Chhail Bihari Singh, Rakesh Mudgal, Ritu Raj, Pankaj Kr. Shukla, Ms Kanika, Vaibhav Singh, Anantha Narayana M.G. (Advocate-on-Record), Pawan Kr. Saxena, Mata Prasad Singh, Ram Narayan Mohanty, Ankit Bhatnagar, Ravi Bhushan Pandey, Charan Dass, Jasveer Rana and Ms Jitesh Kumari, Advocates}, for the Respondents.

Chronological list of cases cited ***on page(s)***

1. 2025 SCC OnLine SC 3614, *Assn. for Democratic Reforms* v. *Election Commission of India* 30*c-d*
2. 2025 SCC OnLine SC 1932, *Assn. for Democratic Reforms* v. *Election Commission of India* 30*e-f*, 73*c*
3. 2025 SCC OnLine SC 1925, *Assn. for Democratic Reforms* v. *Election Commission of India* 29*f-g*, 37*c*, 69*e-f*
4. 2025 SCC OnLine SC 1841, *Assn. for Democratic Reforms* v. *Election Commission of India* 30*a*
5. 2025 SCC OnLine SC 1408, *Assn. for Democratic Reforms* v. *Election Commission of India* 29*b-c*
6. (2024) 16 SCC 105, *Citizenship Act, 1955, Section 6-A, In re (1)* 60*c-d*
7. (2023) 3 SCC 1, *Vivek Narayan Sharma (Demonetisation Case-5 J.)* v. *Union of India* 58*b*, 58*d*
8. (2016) 2 SCC 445, *Rajbala* v. *State of Haryana* 60*d*
9. (2007) 6 SCC 143, *Promoters & Builders Assn. of Pune* v. *Pune Municipal Corpn.* 49*c-d*
10. (2005) 1 SCC 754 : 2005 SCC (Cri) 451, *Prabhakaran* v. *P. Jayarajan* 51*b*
11. (2002) 8 SCC 237, *Special Reference No. 1 of 2002, In re (Gujarat Assembly Election matter)* 43*a-b*
12. (2002) 5 SCC 294, *Union of India* v. *Assn. for Democratic Reforms* 42*b-c*, 42*c*
13. (2002) 1 SCC 33, *Ghulam Qadir* v. *Custodian (Evacuee Property)* 49*c-d*
14. (2000) 8 SCC 216, *Election Commission of India* v. *Ashok Kumar* 42*b*
15. (1995) 3 SCC 100, *Lal Babu Hussein* v. *Electoral Registration Officer* 32*g*, 36*a*, 63*e*, 63*f-g*, 64*a*, 65*d*, 65*e*, 66*e-f*, 67*e*, 78*c*
16. (1987) 2 SCC 707, *Shri Balaganesan Metals* v. *M.N. Shanmugham Chetty* 51*b-c*
17. (1985) 4 SCC 722, *Indrajit Barua* v. *Election Commission of India* 32*g-h*, 63*e*
18. (1985) 4 SCC 628, *Kanhiya Lal Omar* v. *R.K. Trivedi* 41*b-c*, 41*d*, 41*e*, 41*f*, 42*e-f*, 43*e-f*
19. (1984) 2 SCC 656, *A.C. Jose* v. *Sivan Pillai* 31*f*, 34*e*, 43*e-f*, 44*f*, 44*f-g*, 45*a*
20. (1978) 1 SCC 405, *Mohinder Singh Gill* v. *Election Commission of India* 31*e-f*, 34*d*, 39*e*, 40*a*, 40*f-g*, 40*g-h*, 43*e-f*, 51*f-g*
21. (1977) 4 SCC 161, *All Party Hill Leaders' Conference* v. *W.A. Sangma* 35*a*, 39*d*
22. (1972) 4 SCC 664, *Sadiq Ali* v. *Election Commission of India* 34*f-g*, 38*g-h*

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 25 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

The Judgment of the Court was delivered by

SURYA KANT, C.J.— Before any representative government can count votes, it must first know whose votes may be counted. The story of democracy is therefore not only a story of voting, but also of identifying the persons entitled to participate in the choice of Government. The electoral roll is the legal record of that political community. For this reason, disputes concerning electoral rolls are never merely administrative. They go to the composition of the electorate and, in turn, to the foundation of representative government[1]. Across different periods and forms of political organisation, Indian history discloses a recurring concern. By what legal parameters is the body of citizens entitled to participate in public affairs to be identified?

2. Bihar stands at the beginning of that history. In the age of the Mahajanapadas, roughly between the sixth and fifth centuries BCE, the region now forming Bihar, contained both monarchical and non-monarchical polities. Magadha and Anga were associated with kingship. However, the Vajji confederacy, centred at Vaishali, stood on a different footing. Modern scholarship has located the Vajji polity within the tradition of republican and quasi republican institutions in ancient India.[2]

3. The Mahāparinibbāna Sutta, a key Pali text describing the final days of the Buddha, refers to the Vajjis as holding full and frequent assemblies, meeting and conducting business in concord, and acting according to established institutions. These accounts do not speak of a general electoral roll. Nor do they employ the modern language of equal adult suffrage. Yet they unmistakably point to a constituted public body, settled procedures, and authority exercised through assembly rather than through the solitary will of a ruler. Ancient Bihar, therefore, cannot be reduced to monarchy alone. It also preserves the memory of organised republican life.[3] Such republics were not democracies in the present constitutional sense. Participation was narrower and often structured by status, family, or rank. Even so, any republic, including an oligarchic one, had to determine who could participate, deliberate, and decide questions of polity. In that limited but real sense, ancient history reveals an early concern with public membership.

1 Bernard Manin, *The Principles of Representative Government*, 1-7, 161-83 (Cambridge University Press, 1997); Hanna Fenichel Pitkin, *The Concept of Representation*, 1-13 (University of Cal Press, 1967).

2 Jagdish Prasad Sharma, *Republican and Quasi-Republican Institutions in Ancient India, with Special Reference to the Time of the Buddha* (PhD thesis, SOAS University of London, 1962); Jagdish Prasad Sharma, *Republics in Ancient India, c. 1500 B.C.-500 B.C.* (EJ Brill 1968); R.S. Sharma, *Aspects of Political Ideas and Institutions in Ancient India* (Motilal Banarsidass, 1959); R.S. Sharma, *India's Ancient Past* (Oxford Univ Press, 2007).

3 Mahāparinibbāna Sutta (Dīgha Nikāya 16), in *Last Days of the Buddha: The Mahāparinibbāna Sutta* (Sister Vajirā & Francis Story trans., Buddhist Publication Soc'y 1964; R.C. Childers, The Pali Text of the Mahāparinibbāna Sutta and Commentary, with a Translation, 7 *J. Royal Asiatic Soc'y 49 (1874).*

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 26 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

4. The problem of identifying eligible voters assumed its modern legal form under the colonial rule. The Government of India Act, 1935 ("the 1935 Act"), established a comprehensive statutory framework for electoral rolls and their revision. The Sixth Schedule required an electoral roll for every territorial constituency. It provided that such rolls would be prepared and revised, in whole or in part, by reference to a prescribed date. The same scheme fixed age qualifications, recognised legal disqualifications, and continued communal and special electorates. The importance of the 1935 Act lies not in having democratised the franchise, for it plainly did not do so, but in having transformed enrolment and revision from scattered administrative practice into a formal legal regime[4].

5. The Constitution of India was framed in the shadow of that history and in conscious departure from it. In the Constituent Assembly Debates, it was recognised that the purity and freedom of elections required the election machinery, particularly the preparation and revision of electoral rolls, to be placed beyond executive control. The Assembly also adopted the principle of one general electoral roll for every territorial constituency and affirmed that elections to the House of the People and to the Legislative Assemblies would be based on adult suffrage. The Constitution, therefore, did not invent the electoral roll. It altered its constitutional character. What had earlier been an instrument of a limited and exclusionary franchise was now made the foundation of universal political participation. An older question concerning the manner in which a polity identifies those entitled to participate in Government was thus answered by the Constitution through one general electoral roll, universal adult franchise, and an independent Election Commission.[5]

6. To that effect, our Constitution-makers, with remarkable foresight, devoted an entire chapter in Part XV to the subject of "Elections", thereby recognising that the sanctity of the electoral process lies at the very heart of our democratic framework. The Commission has been vested with the plenary power of superintendence, direction and control over elections, ensuring that the conduct of elections remains insulated from extraneous influence and guided solely by constitutional principles. The relevant constitutional provisions in this regard may be noticed:

> "**324.** ***Superintendence, direction and control of elections to be vested in an Election Commission***.—(1) The superintendence, direction and control of the preparation of the electoral rolls for, and the conduct of, all elections to Parliament and to the legislature of every State and of elections to the offices of President and Vice-President held under this Constitution shall be vested in a Commission (referred to in this Constitution as "the Election Commission").
>
> * * *

4 Government of India Act, 1935, 26 Geo. 5 & 1 Edw. 8 c. 2, sched. VI, paras 1-3 (U.K.); M.V. Pylee, *Constitutional History of India 1600-1950*, 120-34 (Asia Publishing House, 1967).

5 *Constituent Assembly Debates*, Vol. VIII, 15-6-1949 (Draft Article 289); *Constituent Assembly Debates*, Vol. VIII, 16-6-1949 (Draft Articles 289-A and 289-B, later Articles 325 and 326).

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 27 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

> **327.** ***Power of Parliament to make provision with respect to elections to legislatures.***—Subject to the provisions of this Constitution, Parliament may from time to time by law make provision with respect to all matters relating to, or in connection with, elections to either House of Parliament or to the House or either House of the Legislature of a State including the preparation of electoral rolls, the delimitation of constituencies and all other matters necessary for securing the due constitution of such House or Houses."

7. It is in this historical and constitutional setting that the present controversy arises. The dispute is not concerned merely with the mechanics of a revisional exercise. It concerns the manner in which the constitutional promise of universal adult franchise is preserved through an electoral roll which is accurate, inclusive, and legally valid. Bihar assumes particular significance in this regard because the last Special Intensive Revision of this nature in the State was conducted in 2003. For more than two decades thereafter, the electoral rolls were carried forward through summary revisions, without the same degree of verification that an intensive exercise entails. The order dated 24-6-2025 ("the impugned order") issued by Respondent 1 Election Commission of India ("the Commission"), directing a Special Intensive Revision ("SIR") of the electoral rolls in the State of Bihar, therefore, does not arise in isolation. It stands at the intersection of two constitutional concerns. First, that no eligible citizen should be excluded from the electorate. Second, the electoral roll must continue to reflect the true composition of the political community.

8. The present batch of writ petitions has been instituted under Article 32 of the Constitution of India, assailing the impugned order directing SIR in Bihar. The petitioners contend that, unless quashed, the impugned order is liable to result in the arbitrary disenfranchisement of lakhs of voters in the State of Bihar, thereby imperilling the conduct of free and fair elections.

9. We deem it appropriate to clarify that certain petitions [for instance, *Writ Petition (Civil) No. 855 of 2025*] have in fact been instituted in support of SIR exercise. The petitioner(s) in these cases have urged that such an exercise ought to be conducted at regular intervals to prevent and curb the inclusion of ineligible persons in the electoral rolls on account of illegal influx.

A. *Factual matrix*

The issuance of the impugned order by the Election Commission of India

10. The present controversy emanates from the issuance of the impugned order by the Commission in purported exercise of its powers under Article 324 of the Constitution of India, read with Section 21(3) of the Representation of the People Act, 1950 ("the RP Act"), directing an SIR of the electoral rolls in every Assembly constituency of the State of Bihar.

11. The impugned order recorded that the last intensive revision in the State of Bihar was conducted in 2003, and that, over the past two decades, substantial changes in the electoral rolls have occurred *inter alia* on account of rapid urbanisation and large-scale migration. Therefore, in furtherance of

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 28 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

its constitutional mandate to safeguard the integrity of the electoral rolls and ensure free and fair elections, the Commission resolved to undertake a nationwide SIR. Given that General Elections to the Bihar Legislative Assembly were anticipated later in 2025, the Commission directed the conduct of SIR in the State of Bihar.

12. In terms of *Clause 11* of the impugned order, the Commission decided to treat the 2003 electoral roll, with 1-1-2003 as the qualifying date, as probative evidence of eligibility, unless rebutted. The impugned order, in *Clause 12*, further stipulated that any person not listed in the 2003 roll must produce one or more prescribed government documents to establish their eligibility as an elector.

13. The impugned order also provided that for the aforesaid purpose, the Commission shall release an Enumeration Form to be filled and submitted by 25-7-2025, failing which the elector's name would be excluded from the draft rolls. Pertinently, the Enumeration Form provided an indicative list of eleven (11) documents that could be submitted along with the Enumeration Form, each of which would be considered a sufficient document in itself.

14. *Clause 14* of the impugned order read with the accompanying Guidelines ("the SIR Guidelines") thereafter added that, after the publication of the draft roll, the Electoral Registration Officer (ERO)/Assistant Electoral Registration Officer (AERO) were required to scrutinise the eligibility of the proposed electors in accordance with Article 326 of the Constitution, read with Sections 16 and 19 of the RP Act. Upon such scrutiny, where the eligibility of any person is found to be doubtful, ERO/AERO was mandated to issue a show-cause notice setting out the grounds for the proposed exclusion, allow the elector concerned to submit a response, and thereafter render a reasoned and speaking order in the matter.

15. In this context, the impugned order further added that any person aggrieved by a decision of ERO shall be entitled to prefer an appeal before the District Magistrate under Section 24(*a*) of the RP Act, read with Rule 27 of the Registration of Electors Rules, 1960 ("the 1960 Rules"). Furthermore, it was also stipulated that if the elector remains dissatisfied with the decision of the District Magistrate, a second appeal may be filed before the Chief Electoral Officer (CEO) within thirty days, in terms of Section 24(*b*) of the RP Act, read with Rule 27 of the 1960 Rules.

16. As already observed in the preceding paragraphs, along with the impugned order, the Commission also published detailed SIR Guidelines for the conduct of the exercise. It was envisaged that the exercise would be carried out through a structured house-to-house enumeration, the rationalisation of polling stations, and the preparation of electoral rolls. It was further stipulated that Booth Level Officers (BLOs) would visit each household, distribute pre-filled Enumeration Forms to existing electors, and collect the duly filled forms along with requisite documents, with an additional facility for online submission and verification. In addition, the SIR Guidelines also contemplated

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 29 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

that the draft electoral roll would include only those electors from whom Enumeration Forms had been received, either physically or through verified online submission, while the names of those who failed to submit such forms would not be included at the draft stage.

17. Shortly after the publication of the impugned order and the SIR Guidelines, the Commission issued a press note on 28-6-2025 declaring the commencement of SIR in the State of Bihar.

The proceedings before this Court

18. In the interregnum, the instant batch of writ petitions came to be filed. Upon hearing the parties on 10-7-2025[6], this Court, while issuing notice to the Commission, observed that on a *prima facie* appraisal, three substantial questions arise for determination: *first*, the very authority of the Commission to embark upon the impugned exercise; *second*, the procedure and methodology adopted in carrying out the exercise, including the method prescribed by the Commission to ascertain the citizenship of the voters; and *third*, the propriety of its timing, given that elections to the Bihar Legislative Assembly were slated for November 2025. The Court further observed that in the interest of justice and to obviate any unwarranted exclusion of eligible voters, the Commission should, in addition to the eleven documents already prescribed, also consider accepting: (*a*) Aadhaar card; (*b*) Electors Photo Identity Card (EPIC); and (*c*) ration card, as valid proof.

19. Upon expiry of the prescribed timeline for submitting Enumeration Forms i.e. 25-7-2025, the Commission, on 27-7-2025, issued a press release explaining that 7 lakh electors were found enrolled at multiple places, 22 lakhs were recorded as deceased, and another 36 lakh were either permanently shifted or not found. Consequently, on 1-8-2025, the draft roll containing approximately 7.24 crore electors was published by the Commission. It is undisputed that prior to the commencement of SIR, the electoral roll as on 24-6-2025 featured about 7.89 crore electors. Consequently, nearly 65 lakh electors stood excluded from the draft roll for non-submission of the Enumeration Form.

20. Shortly, thereafter, the present batch of matters was taken up for hearing by this Court, whereupon interim directions have been issued from time to time. On 14-8-2025, after hearing the parties, the Court directed[7] the Commission to publish the list of approximately 65 lakh electors who had been excluded from the draft roll, along with the reasons for such exclusion, and to give ample coverage to such publication through newspapers, electronic media and radio. It was further directed that persons aggrieved by their exclusion could submit claims by furnishing the same along with a copy of their Aadhaar card.

6 *Assn. for Democratic Reforms* v. *Election Commission of India*, 2025 SCC OnLine SC 1408
7 *Assn. for Democratic Reforms* v. *Election Commission of India*, 2025 SCC OnLine SC 1925

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 30 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

21. On 22-8-2025[8], this Court directed that twelve political parties, comprising six nationally recognised and six State recognised parties, be impleaded as respondents in the present proceedings through their respective Presidents. It was further directed that the aforesaid twelve political parties, acting through their respective Presidents of the Bihar State, shall issue specific instructions to their Booth Level Agents (BLAs) to assist voters in their village, block, constituency, panchayat area, as well as in relief camps, in submitting the requisite forms along with any of the eleven documents specified in SIR Notification or with their Aadhaar card.

22. On 1-9-2025, certain interlocutory applications seeking extension of time for filing claims were taken up for hearing. On such a plea, the Commission took a categorical stand that claims, objections and corrections could be submitted even after the deadline of 1-9-2025. It was stated that the process of consideration of claims and objections would continue until the last date of nominations, and that all inclusions and exclusions would be duly integrated in the final roll. Subsequently, with a view to aid and facilitating the voters of the State of Bihar, the Chairman of the Bihar State Legal Services Authority was directed[9] to issue instructions to all the District Legal Services Authorities. These Authorities were required to depute and notify para-legal volunteers, along with their names and mobile numbers, who would assist individual voters or political parties in submitting claims, objections and corrections through the online process.

23. On 8-9-2025, the issue that arose for consideration concerned the legal acceptability of the Aadhaar card as a supporting document in the SIR process. This Court observed that in terms of the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016 ("the Aadhaar Act"), an Aadhaar card does not constitute proof of citizenship and, therefore, cannot be relied upon for that purpose. At the same time, it was noted that Section 23(4) of the RP Act expressly includes Aadhaar among the documents which may be produced for the limited purpose of establishing the identity of a person. Keeping this in view, the Commission was directed[10] to treat Aadhaar card as the 12th document of identity for consideration for the purposes of inclusion or exclusion from the revised electoral roll of the State of Bihar. It was, however, made explicit that the authorities would have the power to verify the authenticity and genuineness of an Aadhaar card by calling for further material where necessary.

24. It assumes significance that during the pendency of these proceedings, the Commission, by way of a Press release dated 30-9-2025, declared the successful culmination of SIR exercise in the State of Bihar. The figures therein disclosed that out of 7.24 crore electors in the draft roll published on 1-8-2025, a further 3.66 lakhs names stood deleted, while as many as 21.53 lakh eligible electors were added. *The net result was that the final electoral roll published on 30-9-2025 contained 7.42 crore electors*, compared to 7.89 crore on 24-6-2025.

8 *Assn. for Democratic Reforms* v. *Election Commission of India*, 2025 SCC OnLine SC 1841
9 *Assn. for Democratic Reforms* v. *Election Commission of India*, 2025 SCC OnLine SC 3614
10 *Assn. for Democratic Reforms* v. *Election Commission of India*, 2025 SCC OnLine SC 1932

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 31 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

25. Based on the final electoral roll published on 30-9-2025, the Commission proceeded to conduct the Legislative Assembly elections for the State of Bihar in November 2025. The electoral process was completed in accordance with the law, and the results of the said elections were duly declared on 14-11-2025.

B. ***Contentions on behalf of the petitioner(s)***

26. Mr Kapil Sibal, Dr Abhishek Manu Singhvi, Mr Gopal Sankaranarayanan, Mr P.C. Sen, Mr Shoeb Alam, Mr K.S. Chauhan, Mr Shahdan Farasat, Mr Raju Ramachandran, Mr Prashant Bhushan, Ms Vrinda Grover, Ms Fauzia Shakil, Mr Nizamuddin Pasha and Ms Neha Rathi, learned Senior Counsel/counsel appearing on behalf of the petitioner(s) vehemently contended that the impugned SIR exercise is unconstitutional, arbitrary, exclusionary and disproportionate. We have also heard Mr Yogendra Yadav, who argued in person, at length.

27. In support of their submissions, the learned Senior Counsel/counsel have canvassed the following grounds:

27.1. At the threshold, the Commission's purported reliance on Article 324 of the Constitution as the source of power to initiate and conduct the impugned SIR exercise is fundamentally flawed and constitutionally impermissible. Article 324, which vests in the Commission, the superintendence, direction, and control of elections, is not a freestanding reservoir of plenary power that may be invoked *dehors* the legislative framework.

27.2. The settled constitutional position, as authoritatively expounded by this Court in a catena of decisions, is that the residuary power traceable to Article 324 operates only in the interstitial spaces, and is available to the Commission solely where parliamentary legislation under Article 327 of the Constitution does not occupy the field. Where Parliament has made a law, the Commission cannot leapfrog the same by resorting to its plenary constitutional power. In *Mohinder Singh Gill* v. *Election Commission of India*[11], this Court recognised the width of Article 324, but also made it clear that the provision operates only in areas left unoccupied by statute. Similarly, in *A.C. Jose* v. *Sivan Pillai*[12], this Court held where the Act and the Rules occupy the area, the Commission cannot override them or act in direct disobedience of their mandate.

27.3. In the present case, the Commission has, under the guise of an administrative exercise, devised an entirely new regime of enumeration, documentary scrutiny, inclusion and deletion, though the field already stands occupied by parliamentary legislation enacted under Article 327 of the Constitution, namely, the Representation of the People Acts, 1950 and 1951, and the Registration of Electors Rules, 1960. According to the petitioners, once Parliament has legislated upon the subject of electoral rolls, Article 324 cannot

11 (1978) 1 SCC 405
12 (1984) 2 SCC 656

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 32 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

be invoked to supplant that framework. The constitutional scheme, read as a whole, makes it manifest that Article 324 must be construed harmoniously and in consonance with the statutory framework enacted by Parliament. The Commission cannot don the garb of Article 324 to circumvent statutory provisions that have been specifically enacted to regulate the very exercise it seeks to undertake.

27.4. Without prejudice to the aforesaid, the Commission's attempt to anchor the impugned exercise in Section 21(3) of the RP Act is equally misconceived. Section 21(3) empowers the Commission to direct a special revision of an electoral roll with respect to "*any constituency or part of a constituency*" in such manner as it may think fit. The provision, by its plain text, is constituency-specific and part-specific, and does not contemplate or authorise a sweeping Statewide or nationwide revision exercise of the kind that has been initiated by the impugned order.

27.5. The legislative intent underlying Section 21(3) reinforces this textual reading. A special revision is envisaged as an extraordinary measure, only to be used when Section 21(2) is rendered inapplicable, and one that is meant to be deployed in exceptional circumstances, confined to specific geographical units where an identified exigency warrants departure from the routine revision process. To interpret Section 21(3) otherwise would be to read into the statute a power that Parliament conspicuously chose not to confer upon the Commission, and would transgress the boundaries of the legislative purpose.

27.6. Even if the Commission were otherwise vested with the power to initiate the impugned exercise, the manner in which such power has been exercised is *ex facie* arbitrary and unreasonable. The impugned order does not disclose any valid reasons that could justify the initiation of an SIR of this magnitude. Every exercise of statutory power, particularly one that bears upon fundamental civil rights, ought to be supported by the application of mind and must be traceable to relevant and constitutionally valid considerations.

27.7. The impugned exercise, in calling upon enrolled electors to re-establish their credentials through a wholly new and onerous process, effectively inverts the well-settled presumption of citizenship and places upon the elector an affirmative burden of proving anew what the law already presumes in their favour. This strikes at the very foundation of the statutory scheme governing electoral rolls, which is premised on the principle that a name once included upon due verification carries presumptive validity unless displaced through the procedure prescribed by law.

27.8. This Court in *Lal Babu Hussein* v. *Electoral Registration Officer*[13], has unequivocally held that electors whose names appear on the electoral roll are entitled to a presumption of citizenship, and that this presumption cannot be displaced except by following the procedure prescribed by law. Similarly, in *Indrajit Barua* v. *Election Commission of India*[14], this Court affirmed the

13 (1995) 3 SCC 100
14 (1985) 4 SCC 722

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 33 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

probative value that attaches to enrolment on the electoral roll insofar as it evidences the elector's entitlement to be registered.

27.9. The selection of 2003 as the cut-off year for determining which enrolled electors are required to undergo fresh verification introduces an entirely arbitrary classification, lacks any rational nexus to the object sought to be achieved, and has no legally sustainable basis. The Commission has not placed on record any material demonstrating that the electoral rolls of 2003 possess some special accuracy that subsequent rolls lack, or that electors enrolled thereafter constitute an inherently suspect class.

27.10. It was also emphasised that the existing voters can be deleted by merely not filling up their enumeration form and without giving them any notice as provided under Rule 21-A of the 1960 Rules, and that an existing voter filling up the enumeration form can also be arbitrarily excluded without any guidelines for the same. Rule 21-A of the 1960 Rules sets out the procedure for removing names on the roll on the grounds of death, migration and disqualification and requires ERO to prepare a list of names, exhibit it, invite claims and objections and give a reasonable opportunity for a hearing to a voter before deletion.

27.11. The impugned exercise is independently and cumulatively vitiated by a series of deep-seated procedural infirmities that render it an affront to the principles of fairness and due process. The introduction of a new enumeration form imposes a fresh and onerous evidentiary burden upon persons whose entitlement to be on the roll has already been duly established. For instance, the exclusion of documents previously accepted as valid proof of identity and residence, without any reasoned justification, compounds this unfairness manifold. The grant of excessive and largely unchecked powers to BLOs in the verification process, without adequate safeguards, standardised criteria, or mechanisms for oversight, creates ground for abuse and arbitrariness at the very grassroots of administration.

27.12. One of the manifest objects of the impugned SIR exercise is to permit a broad-ranging scrutiny of the citizenship of persons whose names appear on the electoral roll. This is constitutionally impermissible. Under the *Government of India (Allocation of Business) Rules, 1961*, the determination of whether a person is or is not a citizen of India is a matter that falls squarely and exclusively within the domain of the Ministry of Home Affairs. The Commission neither has the constitutional mandate nor the institutional competence to usurp this function under the pretext of electoral roll revision.

C. *Contentions on behalf of the respondent, Election Commission of India*

28. *Contrarily*, Mr Rakesh Dwivedi, Mr Maninder Singh, Mr D.S. Naidu, Mr Vijay Hansaria and Mr Sukumar Pattjoshi, learned Senior Counsel, along with Mr Eklavya Dwivedi, learned counsel appearing on behalf of the Election Commission of India and some of the petitioner(s) supporting the impugned SIR, have strongly opposed the instant writ petition(s) urging that the impugned order and the resultant SIR exercise falls within the constitutional mandate of the Commission and thus warrants no interference.

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 34 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

29. Their submissions may be summarised as follows.

29.1. Electoral democracy is premised upon the preparation and maintenance of accurate electoral rolls in terms of the conditions prescribed under Articles 325 and 326 of the Constitution. However, the nature and modality of any revisional exercise is a matter left to the informed discretion of the Commission, which is to be exercised having regard to prevailing circumstances. The impugned order and the resultant SIR exercise are squarely within the authority of the Commission and are entirely consistent with Articles 324, 325 and 326 of the Constitution, read with Sections 15, 21(2) and 21(3) of the RP Act.

29.2. Article 324 of the Constitution expressly vests, in the Commission, the power of superintendence, direction and control over the preparation of electoral rolls, and the conduct of all elections to Parliament and the State Legislatures. While Article 327 empowers Parliament to make laws with respect to elections, such power is expressly *subject to the provisions of the Constitution*, meaning that parliamentary legislation cannot detract from what the Constitution itself provides. The power under Article 324(1) is wide enough to equip the Commission to deal with the myriad situations that arise in the context of electoral roll preparation, and no narrow or restrictive construction of that power is warranted.

29.3. *Mohinder Singh Gill*[11] does not say that the Commission becomes powerless the moment Parliament legislates. It says only that the Commission must not act in breach of the law. So long as the Commission acts within the constitutional purpose of ensuring free and fair elections and within the broad statutory framework, directions issued under Article 324 of the Constitution remain available. Similarly, *A.C. Jose*[12] concerns an altogether different situation, namely, the introduction of mechanical voting by executive action in a field where the relevant rules positively contemplated paper ballots and the change directly conflicted with the existing statutory mechanism. The impugned order does not negate any express prohibition in the RP Act or the 1960 Rules. It operates in furtherance of the statutory objective of revision of rolls and within the constitutional duty of ensuring that only eligible persons remain in the roll.

29.4. In *Sadiq Ali* v. *Election Commission of India*[15], this Court rejected the contention that the Commission acts merely as a delegate of Parliament while exercising power in the electoral field. Once Article 324 vests the constitutional function in the Commission, it does not become a subordinate delegate merely because Parliament has legislated in the same area. It continues to act in its own right as the constitutional repository of electoral superintendence.

11 *Mohinder Singh Gill* v. *Election Commission of India*, (1978) 1 SCC 405
12 *A.C. Jose* v. *Sivan Pillai*, (1984) 2 SCC 656
15 (1972) 4 SCC 664

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 35 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

29.5. Judgment like *All Party Hill Leaders' Conference* v. *W.A. Sangma*[16], underscore that Article 324 has repeatedly been understood as a source of wide power enabling the Commission to issue directions, including directions of a legislative or subordinate legislative character, where such directions are necessary to effectuate the constitutional mandate of free and fair elections. The Commission is not confined to a passive role of merely implementing pre-existing rules in a mechanical fashion. It may, in aid of the constitutional objective, lay down procedural modalities, provided they are not contrary to an express statutory prohibition.

29.6. Insofar as the power to conduct SIR under Section 21(3) of the RP Act is concerned, the section uses the expression "*in such manner as it may think fit*". The Commission is therefore vested with the wide power of special revision, which may be conducted *dehors* the prescribed procedure and in such manner as the Commission deems fit. This provision was deliberately enacted to vest plenary powers in the Commission in extraordinary circumstances, and once an SIR is directed thereunder, the Commission is fully authorised to prescribe the manner in which it shall be conducted. The Commission has, in the present case, furnished cogent and specific reasons for initiating SIR, which include large-scale migration owing to rapid urbanisation, illegal cross-border migrations, intra-State migrations, and widespread duplications in the rolls.

29.7. Moreover, the non obstante clause in Section 21(3) is substantive and enabling, not merely formal. The non obstante clause frees the Commission, for the purpose of a special revision, from the procedural limitations otherwise attached to the ordinary revision process envisaged under Section 21(2). The Commission therefore contends that once Section 21(3) is invoked, the source of power is the statute itself, and not the rule-bound regime that ordinarily governs revision under sub-section (2).

29.8. With respect to the geographical scope of SIR exercise, the use of the word "***any***" before "***constituency***" in Section 21(3) plainly indicates that the provision can embrace all constituencies of a State within a single SIR. The petitioner(s) have failed to demonstrate anything particular which establishes that the power under Section 21(3) is restricted to a single or only a clutch of constituencies. There is no reason to curtail the ambit of Section 21(3) and limit the discretion of the Commission to one or a few constituencies. Especially when reasons such as rapid urbanisation, duplication of voters, cross-border and intra-State migrations are common to all constituencies, and there is no need to issue separate orders with respect to each constituency. These grounds provide sufficient cogent reasons, as required under Section 21(3), to carry out the impugned exercise.

29.9. The need for SIR is not in dispute. Political parties across the spectrum have repeatedly raised serious concerns regarding the accuracy of electoral rolls prepared through the summary revision process. Notably, even the petitioner(s) have, in substance, conceded the necessity of such an exercise,

16 (1977) 4 SCC 161

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 36 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

their challenge being limited only to its modalities. In this backdrop, the initiation of SIR itself cannot be faulted.

29.10. The reliance placed by the petitioner(s) upon the decision of a coordinate Bench in *Lal Babu Hussein*[13] to contend that there is a presumption attached to the persons whose names were already reflected in the existing electoral rolls is also wrong and clearly distinguishable on the facts. The observations therein were rendered in the backdrop of the fact that regular Special Intensive Revisions were being periodically conducted at that time. Such observations cannot be extended to attach a presumption of eligibility to entries recorded subsequently based on mere summary revisions, which do not entail the same degree of verification.

29.11. Without prejudice to the aforesaid, the Commission has acted consistently to the extent possible by directing that full probative and evidentiary value shall be attached to entries in the electoral roll of 2003, which was itself finalised based on an SIR.

29.12. The selection of the electoral roll of 2003 as the baseline for the present SIR is neither arbitrary nor irrational. The 2003 revision was itself a special revision of an "intensive" nature, entailing house-to-house verification using existing rolls as a base. Individuals whose names appear therein would necessarily have substantiated their date of birth, place of birth, and ordinary residency either in SIR of 2003 or in one of the intensive revisions that preceded it. Moreover, it may be added that the Citizenship (Amendment) Act, 2003, introduced a statutory cut-off date at its commencement i.e. 7-1-2004, whereunder persons born thereafter are required to establish that at least one of their parents is a citizen of India and that neither parent is an illegal migrant. The classification is therefore founded upon an intelligible differentia and bears a direct and rational nexus to the object of ensuring the accuracy and integrity of the electoral roll.

29.13. The allegation of the petitioner(s) that SIR exercise is opaque and procedurally unfair is belied by the record. The impugned order was issued in compliance with the prescribed procedure and was designed to facilitate the registration of all genuine electors through BLOs, volunteers, and BLAs appointed by political parties. Where doubt arose as regards the eligibility of any elector, an enquiry was conducted, and notices were issued to the individual concerned, affording an opportunity to establish their eligibility. ERO was thereafter obligated to pass a speaking order, against which a two-tier appeal mechanism was available as recourse. Detailed guidelines were issued to BLOs, and house-to-house distribution of pre-filled Enumeration Forms was duly carried out.

29.14. The documentation framework prescribed under the impugned exercise is neither rigid nor arbitrary; rather, it is broader and more facilitative when compared to earlier exercises. It has been pointed out that while the Special Intensive Revision conducted in 2003 envisaged a limited set of documents, the present exercise expands the list to eleven documents,

13 *Lal Babu Hussein* v. *Electoral Registration Officer*, (1995) 3 SCC 100

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 37 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

thereby enhancing inclusivity rather than constraining it. As regards the exclusion of certain documents, such exclusions are based on valid and rational considerations.

29.15. Additionally, the amplitude of outreach measures undertaken to disseminate information regarding SIR exercise attests to the fact that the entire exercise was neither opaque nor exclusionary. To that end, the CEO of Bihar, District Election Officers and Commission widely published information regarding the conduct of SIR exercise in newspapers across Bihar and other States, so as to enable even migrants to submit Enumeration Forms digitally or otherwise. The list of approximately 65 lakh individuals who had not submitted Enumeration Forms was furnished to political parties at the State, District and booth levels, along with reasons for non-submission, pursuant to the directions of this Court dated 14-8-2025[7]. In addition, the said list was also posted outside Block Development Offices, Panchayat Bhavans, and polling booths, and disseminated through the Commission's website. The limited number of claims and objections received, notwithstanding the orders of this Court and the availability of legal aid and absence of any appeals filed against the deletion of 3.66 lakh names, is indicative of the fact that SIR was fairly and transparently implemented.

29.16. The submission of the petitioner(s) that the Commission has no power to scrutinise citizenship is wholly misconceived. The power to examine the citizenship of a person claiming enrolment flows directly from the constitutional mandate of the Commission embodied in Articles 325 and 326, read with Section 16 of the RP Act, which prescribes disqualification from registration on grounds including non-citizenship.

29.17. The determination of whether a person is or is not a citizen of India is a matter that falls squarely and exclusively within the domain of the Ministry of Home Affairs is also misplaced. Section 9(2) of the Citizenship Act, 1955 ("the Citizenship Act") is concerned solely with the termination of citizenship upon voluntary acquisition of foreign citizenship and does not operate as an exhaustive provision governing all inquiries into citizenship. Several provisions of the Constitution vest similar powers in different authorities, such as the President and Governors under Articles 102-103 and 191-192, respectively, wherein they decide cases involving the disqualification of Members of Parliament or Legislative Assemblies based on the citizenship of such persons. Pertinently, in those cases, the President and Governors are required to obtain the opinion of the Commission and are bound to act accordingly.

29.18. Even otherwise, the Commission's exercise in the present case is not a determination of citizenship *per se* but an enquiry into eligibility for enrolment, which is a function squarely within its constitutional remit. Furthermore, the citizenship of an individual under the Citizenship Act will not cease on account of their ineligibility to register in the electoral rolls, pursuant to SIR.

7 *Assn. for Democratic Reforms* v. *Election Commission of India*, 2025 SCC OnLine SC 1925

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 38 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

D. ***Issues for consideration***

30. Having traversed the sequence of events as they emanated, the contentions put forth on behalf of the parties, as well as the material on record, we are of the considered view that the following issues require analysis:

30.1. (*i*) Whether the Election Commission of India has power to conduct the impugned Special Intensive Revision?

30.2. (*ii*) Whether the impugned Special Intensive Revision is founded on a legitimate purpose, and if so, whether the measures adopted by the Election Commission of India are proportionate to the object sought to be achieved?

30.3. (*iii*) Whether the procedure adopted by the Election Commission of India in conducting the impugned Special Intensive Revision is contrary to, or in violation of, the provisions of the Representation of the People Act, 1950 and the Registration of Electors Rules, 1960?

30.4. (*iv*) Whether, in the exercise of its constitutional mandate of preparation and maintenance of electoral rolls, and in furtherance of the statutory conditions governing such registration, the Election Commission of India is empowered to scrutinise the citizenship status of persons seeking inclusion or continuation in the electoral roll?

E. ***Analysis***

E.1. ***Whether the Election Commission of India has power to conduct the impugned Special Intensive Revision?***

31. We have considered the rival submissions advanced on behalf of the petitioners and the Election Commission of India on whether the Commission has power to undertake the impugned exercise.

32. A plain reading of Articles 324 and 327 of the Constitution shows that they are not competing repositories of power. Article 324 vests the constitutional function of superintendence, direction and control of preparation of electoral rolls in the Commission. Article 327 enables Parliament to make law in relation to elections, including preparation of electoral rolls, but expressly makes such law-making power "subject to the provisions of this Constitution". The opening words of Article 327 are not ornamental. They make it clear that parliamentary legislation in the field of elections must operate in harmony with the constitutional design and cannot be read so as to extinguish the constitutional function vested in the Commission.

33. Conversely, the Commission's authority under Article 324 must also operate in conformity with a valid law made by Parliament. It is this mutual accommodation, and not mutual destruction, which the Constitution contemplates. In consonance with this harmonious construction, this Court in *Sadiq Ali*[15] found no substance in the contention that, as the power to make provisions in respect to elections has been given to Parliament by Article 327

15 *Sadiq Ali* v. *Election Commission of India*, (1972) 4 SCC 664

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 39 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

of the Constitution, the power cannot be further delegated to the Commission. It held thus: (SCC p. 682, para 41)

> "*41.* ...The opening words of Article 327 are "subject to the provisions of this Constitution". The above words indicate that any law made by Parliament in exercise of the powers conferred by Article 327 would be subject to the other provisions of the Constitution including Article 324. Article 324 as mentioned above provides that superintendence, direction and control of elections shall be vested in Election Commission. It, therefore, cannot be said that when the Commission issues direction, it does so not on its own behalf but as the delegate of some other authority."

34. In our considered view, the proposition advanced by the petitioners that Article 324 operates exclusively in the residual interstices completely untouched by statute is legally untenable. It is incorrect to posit that once Parliament legislates on a particular subject, the Commission is entirely disabled from exercising its vested constitutional powers. The Commission inherently possesses the jurisdiction to issue directions of a general and regulatory character to effectuate the constitutional purpose entrusted to it. Parliament by legislating under Article 327 does not reduce Article 324 to a dead letter.

35. In *All Party Hill Leaders' Conference*[16], this Court recognised that the Commission is empowered in its own right under Article 324 of the Constitution to issue directions in the widest terms necessary to facilitate a free and fair election with promptitude. Article 324, on the face of it, vests vast functions with the Commission, which may be powers or duties, essentially administrative and marginally even judicative or legislative.

36. The petitioners have anchored their contention on the observation of this Court in *Mohinder Singh*[11], wherein Krishna Iyer, J., emphasised that Article 324 "*operates in areas left unoccupied by legislation*". However, in para 92 of the judgment, it has been further held that where a law is made under Articles 327 and 328, the Commission must act "in conformity with, not in violation of" such law. But where the law is silent, the Commission retains the authority to act for the avowed purpose of pushing forward a free and fair election with expedition. Para 92 reads as follows: (SCC p. 452, para 92)

> "*92.* * * *
>
> *(2)(b)* ... when Parliament or any State Legislature has made valid law relating to or in connection with elections, the Commission, shall act in conformity with, not in violation of, such provisions but where such law is silent Article 324 is a reservoir of power to act for the avowed purpose of, not divorced from, pushing forward a free and fair election with expedition..."

16 *All Party Hill Leaders' Conference* v. *W.A. Sangma*, (1977) 4 SCC 161
11 *Mohinder Singh Gill* v. *Election Commission of India*, (1978) 1 SCC 405

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 40 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

37. A perhaps more nuanced understanding of the interplay between Article 324 and Article 327 of the Constitution was expounded by Goswami, J., in his concurring opinion in *Mohinder Singh*[11]. His Lordship observed that: (SCC pp. 459-60, para 113)

> "*113. Article 324(1) vests in the Election Commission the superintendence, direction and control of the preparation of the electoral rolls for, and the conduct of, all elections to Parliament and to the legislature of every State and of elections to the offices of the President and Vice-President held under the Constitution. Article 324(1) is thus couched in wide terms. Power in any democratic set-up, as is the pattern of our polity, is to be exercised in accordance with law. That is why Articles 327 and 328 provide for making of provisions with respect to all matters relating to or in connection with elections for the Union Legislatures and for the State Legislatures, respectively. When appropriate laws are made under Article 327 by Parliament as well as under Article 328 by the State Legislatures, the Commission has to act in conformity with those laws and the other legal provisions made thereunder.* Even so, both Articles 327 and 328 are "subject to the provisions" of the Constitution which include Article 324 and Article 329. Since the conduct of all elections to the various legislative bodies and to the offices of the President and the Vice-President is vested under Article 324(1) in the Election Commission, the Framers of the Constitution took care to leaving scope for exercise of residuary power by the Commission, in its own right, as a creature of the Constitution, in the infinite variety of situations that may emerge from time to time in such a large democracy as ours. *Every contingency could not be foreseen, or anticipated with precision. That is why there is no hedging in Article 324. The Commission may be required to cope with some situation which may not be provided for in the enacted laws and the rules. That seems to be the raison d'etre for the opening clause in Articles 327 and 328 which leaves the exercise of powers under Article 324 operative and effective when it is reasonably called for in a vacuous area. There is, however, no doubt whatsoever that the Election Commission will have to conform to the existing laws and rules in exercising its powers and performing its manifold duties for the conduct of free and fair elections.*" (emphasis supplied)

38. The ratio of *Mohinder Singh*[11], properly understood, is twofold. Firstly, Article 324 is not a spent or empty provision. It vests real constitutional power in the Commission. Secondly, it clarifies that such power is not unbridled and cannot be exercised to defeat an express statutory mandate. The petitioners rely only on the latter restriction. The respondents emphasise only the former empowerment. Neither submission, taken in isolation, captures the whole principle. *Mohinder Singh*[11] does not support the proposition that the Commission is stripped of authority the moment Parliament legislates on any part of the subject. Nor does it support the proposition that the Commission may act contrary to the statute. It supports the middle position

11 *Mohinder Singh Gill* v. *Election Commission of India*, (1978) 1 SCC 405

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 41 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

that constitutional power survives, but must be exercised consistently with the law. The correct principle emerging therefrom is that parliamentary legislation under Article 327 undoubtedly regulates the electoral field, but the Commission does not, for that reason, cease to be a constitutional authority acting in its own right under Article 324. The plenary powers afforded to the Commission under the Constitution supplements the law where necessary to effectuate the constitutional mandate, but cannot be deployed to override an express statutory prohibition.

39. The aforementioned settled proposition finds favour in a catena of subsequent decisions rendered by this Court. In *Kanhiya Lal Omar* v. *R.K. Trivedi*[17], this Court dealt with the constitutional validity of the Election Symbols (Reservation and Allotment) Order, 1968, which was issued by the Commission in the plenary exercise of its power under Article 324 of the Constitution, read with Rules 5 and 10 of the Conduct of Election Rules, 1961. The challenge was premised on the ground that the Symbols Order, being legislative in character, could not be issued by the Commission in the absence of an express statutory entrustment regarding the specification, reservation, and allotment of symbols.

40. Negativing this contention, the Court in *R.K. Trivedi case*[17] observed that the word "elections" in Article 324 is used in a wide sense so as to include the entire process of election, embracing several stages and steps that have an important bearing on the ultimate result. Crucially, the Court held that even if certain provisions contained in the Symbols Order are not strictly traceable to the parent Act or the Rules, the Commission's power under Article 324, being plenary in character, can encompass all such provisions.

41. This Court in *R.K. Trivedi case*[17] emphasized that Article 324 operates in areas left unoccupied by legislation, and that the expressions "superintendence", "direction", "control", and "conduct of all elections" are terms of the broadest amplitude, which inherently include the power to make all such necessary provisions.

42. Highlighting the wide import of Article 324, the Court further observed: (*R.K. Trivedi case*[17], SCC pp. 640-41, para 17)

> "*17.* ... While construing the expression 'superintendence, direction and control' in Article 324(1), one has to remember that every norm which lays down a rule of conduct cannot possibly be elevated to the position of legislation or delegated legislation. *There are some authorities or persons in certain grey areas who may be sources of rules of conduct and who at the same time cannot be equated to authorities or persons who can make law, in the strict sense in which it is understood in jurisprudence. A direction may mean an order issued to a particular individual or a precept which many may have to follow. It may be a specific or a general order. One has also to remember that the source of power in this case is the Constitution,*

17 (1985) 4 SCC 628

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 42 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

the highest law of the land, which is the repository and source of all legal powers and any power granted by the Constitution for a specific purpose should be construed liberally so that the object for which the power is granted is effectively achieved. Viewed from this angle it cannot be said that any of the provisions of the Symbols Order suffers from want of authority on the part of the Commission, which has issued it." (emphasis supplied)

43. Therefore, it is a settled position, as held in *Election Commission of India* v. *Ashok Kumar*[18], that the jurisdiction of the Commission under Article 324 is of sufficient amplitude to encompass all powers necessary for the smooth conduct of elections. The expression "elections" in Article 324 is employed in a comprehensive sense to include the entire electoral process, a proposition that was subsequently reaffirmed by a three-Judge Bench of this Court in *Union of India* v. *Assn. for Democratic Reforms*[19]. The Bench stated that: (*Assn. for Democratic Reforms case*[19], SCC p. 320, para 46)

"*46. … 1. The jurisdiction of the Election Commission is wide enough to include all powers necessary for smooth conduct of elections and the word "elections" is used in a wide sense to include the entire process of election which consists of several stages and embraces many steps.*

2. The limitation on plenary character of power is when Parliament or State Legislature has made a valid law relating to or in connection with elections, the Commission is required to act in conformity with the said provisions. In case where law is silent, Article 324 is a reservoir of power to act for the avowed purpose of having free and fair election. The Constitution has taken care of leaving scope for exercise of residuary power by the Commission in its own right as a creature of the Constitution in the infinite variety of situations that may emerge from time to time in a large democracy, as every contingency could not be foreseen or anticipated by the enacted laws or the rules. By issuing necessary directions, the Commission can fill the vacuum till there is legislation on the subject. In *Kanhiya Lal Omar case*[17] the Court construed the expression "superintendence, direction and control" in Article 324(1) and held that a direction may mean an order issued to a particular individual or a precept which many may have to follow and it may be a specific or a general order and such phrase should be construed liberally empowering the Election Commission to issue such orders." (emphasis supplied)

44. As opined earlier, the petitioners' premise that Article 324 is merely a residual reservoir of power that evaporates upon the enactment of parliamentary legislation cannot be countenanced. Such a restrictive construction is consistently belied by the decisions noticed above. Article 324 remains plenary, serving as the foundational constitutional source of the Commission's authority over the preparation of electoral rolls and the conduct of elections. While this plenary nature does not place the Commission

18 (2000) 8 SCC 216
19 (2002) 5 SCC 294
17 *Kanhiya Lal Omar* v. *R.K. Trivedi*, (1985) 4 SCC 628

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 43 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

above statutory law, the constitutional restraint operates in both directions. The Commission cannot act in defiance of an express statutory prohibition. Conversely, parliamentary legislation cannot be deployed to extinguish the Commission's overriding constitutional mandate. This delicate constitutional equilibrium was authoritatively elucidated by the Constitution Bench in *Special Reference No. 1 of 2002, In re (Gujarat Assembly Election matter)*[20], wherein it was observed: (SCC pp. 286-87, para 76)

> "*76.* ... However, care was taken not to leave the entire matter in the hands of the Election Commission and, therefore, under Article 327 read with Entry 72 of List I of the Seventh Schedule of the Constitution, Parliament was given power subject to the provisions of the Constitution to make provisions with respect to matters relating to or in connection with the election of either House of Parliament or State Legislature, as the case may be, including preparation of electoral roll. For the States also, under Article 328 read with Entry 37 of List II, the legislature was empowered to make provisions subject to the provisions of the Constitution with respect to matters relating to or in connection with election of either House of Parliament or State Legislature, including preparation of electoral roll. *Thus, Parliament was empowered to make law as regards matters relating to conduct of election of either Parliament or State Legislature, without affecting the plenary powers of the Election Commission. In this view of the matter, the general power of superintendence, direction, control and conduct of election although vested in the Election Commission under Article 324(1), yet it is subject to any law either made by Parliament or State Legislature, as the case may be, which is also subject to the provisions of the Constitution. The word "election" has been interpreted to include all the steps necessary for holding election.* In *Mohinder Singh Gill* v. *Election Commission of India*[11], *A.C. Jose* v. *Sivan Pillai*[12] and *Kanhiya Lal Omar* v. *R.K. Trivedi*[17] it has been consistently held that Article 324 operates in the area left unoccupied by legislation and the words "superintendence", "control", "direction" as well as "conduct of all elections" are the broadest of the terms. *Therefore, it is no more in doubt that the power of superintendence, direction and control are subject to law made by either Parliament or by the State Legislature, as the case may be, provided the same does not encroach upon the plenary powers of the Election Commission under Article 324.*" (emphasis supplied)

45. To summarise, the following propositions can be culled out from the foregoing discussion:

45.1. The legislative competence of Parliament under Article 327 and the Commission's mandate under Article 324 are complementary. They are designed to operate in tandem rather than as competing or mutually exclusive

20 (2002) 8 SCC 237
11 (1978) 1 SCC 405
12 (1984) 2 SCC 656
17 (1985) 4 SCC 628

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 44 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

domains. Any law enacted under Article 327 cannot be, thus, construed in a manner that extinguishes or paralyses the core constitutional functions vested in the Commission under Article 324.

45.2. The Commission's supervisory authority is inherently expansive. Functioning as a continuous wellspring of power, it encompasses every facet and stage of the electoral machinery to ensure the sanctity of the democratic process.

45.3. The Commission retains the absolute constitutional mandate to step into vacuous areas left unoccupied by legislation. In situations where the enacted laws and rules are silent or inadequate to meet emerging contingencies, the Commission is empowered to take necessary steps that will ensure the purity of the electoral process.

45.4. The constitutional equilibrium rests upon a delicate balance. Although the Commission's power under Article 324 is plenary, it must be exercised with due regard to parliamentary law, including statutory prohibitions. Parliamentary law may illuminate the exercise of that constitutional power, but it cannot be applied or construed in a manner that emasculates or extinguishes the Commission's overriding constitutional mandate to secure free and fair elections.

46. Seen thus, the petitioners are right only to a limited extent. They are correct in law in submitting that Article 324 cannot be used to override an express statutory command. However, they are not correct in contending that, because Parliament has legislated under Article 327, every procedural or regulatory step taken by the Commission to attain the constitutional goal of free and fair elections would stand forfeited. Such a reading would render Article 324 unduly anaemic. The correct question, therefore, is narrower and more precise — whether the impugned order is in direct conflict with the RP Act and the 1960 Rules and whether, in its operation and effect, it achieves the constitutional goal of free and fair elections?

47. At this stage, it may be apposite to delve into the submission made by the petitioners that in *A.C. Jose*[12], this Court held that the powers of the Commission under Article 324 are "meant to supplement rather than supplant the law" and that where there is an Act and express Rules made thereunder, it is not open to the Commission to override the Act or the Rules. The reliance placed by the petitioners upon *A.C. Jose*[12] must be strictly circumscribed by the factual and legal matrix of that case. Its ratio cannot be elevated to a level of abstraction divorced from its specific context. The case arose in the context of introduction of voting machines in a field where the Act and the Rules positively contemplated ballot papers and the Commission's notification directly collided with the governing scheme. The core ratio, therefore, is not that the Commission can never prescribe procedure, but that it cannot, in the teeth of an express contrary statutory or rule-based arrangement, substitute a different regime of its own under the garb of Article 324. It does not lay down an

12 *A.C. Jose* v. *Sivan Pillai*, (1984) 2 SCC 656

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 45 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

absolute embargo disabling the Commission from exercising its constitutional authority whenever Parliament occupies a field.

48. However, the present controversy rests on an entirely different pedestal. The critical element that was completely missing in *A.C. Jose*[12], namely, a clear statutory authorization to depart from the ordinary prescribed regime is explicitly embedded in the statute itself here. Through the deliberate insertion of Section 21(3) in the RP Act, the legislature has affirmatively vested the Commission with the power to direct a special revision "in such manner as it may think fit." Once Parliament itself uses such language and expressly carves out a discretionary domain for the Commission, the foundation of the petitioners' case regarding total field occupation becomes considerably weakened. To understand the true contours of this statutorily conferred discretion, it is therefore necessary to turn to the RP Act itself.

49. At the time of its enactment, the framework for revision of electoral rolls was contained in the erstwhile Section 25 of the RP Act, which empowered the Commission to direct revision in the prescribed manner as set out in the Representation of the People (Preparation of Electoral Rolls) Rules, 1950 ("the 1950 Rules"). Section 25, as originally enacted, reads as follows:

> "**25.** ***Revision or correction of electoral rolls in special cases***.— Notwithstanding anything contained in Sections 23 and 24—
>
> (*a*) The Election Commission may at any time, for reasons to be recorded in writing, direct the revision in the prescribed manner of the electoral roll of any constituency or part of a constituency, and when a list containing any additions to, omissions from or alterations in, the electoral roll as a result of such revision has been finally published in the prescribed manner, the electoral roll shall be deemed to have been revised accordingly;
>
> (*b*) The Electoral Registration Officer for a constituency, on application made to him for the correction of an existing entry in the electoral roll of the constituency for the time being in force shall, if he is satisfied after such enquiry as he thinks fit that the entry relates to the application and is erroneous or defective in any particular, amend, or cause the roll to be amended, accordingly."

50. Thereafter, the Representation of the People (Amendment) Act, 1956, was enacted, which introduced a revised statutory framework governing revision of electoral rolls. The amendment replaced the erstwhile Section 25, which governed revision of electoral rolls with Section 21. The Amendment Act is set out as follows:

> "**15.** For Sections 21 to 25 of the principal Act, the following sections shall be *substituted*, namely—
>
> '**21.** (1) The electoral roll for each constituency shall be prepared in the prescribed manner by reference to the qualifying date and shall come

12 *A.C. Jose* v. *Sivan Pillai*, (1984) 2 SCC 656

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 46 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

into force immediately upon its final publication in accordance with the rules made under this Act.

(2) The said electoral roll shall thereafter be revised in every subsequent year in the prescribed manner by reference to the qualifying date:

Provided that if for any reason the electoral roll is not revised in any year the validity or continued operation of the electoral roll shall not thereby be affected.

(3) Notwithstanding anything contained in sub-section (2), the Election Commission may at any time, for reasons to be recorded, direct a special revision of the electoral roll for any constituency or part of a constituency in such manner as it may think fit:

Provided that subject to the other provisions of this Act, the electoral roll for the constituency, as in force at the time of the issue of any such direction, shall continue to be in force until the completion of the special revision so directed.' "

51. Section 21(1) of the Amendment Act contemplates the initial preparation of the electoral roll in the prescribed manner with reference to the qualifying date. Sections 21(2) and 21(3), in turn, delineate the process of revision of the electoral roll. Section 21(2) embodies the ordinary scheme of revision, requiring the electoral roll to be periodically revised in the prescribed manner, while also preserving the continuity and validity of the roll notwithstanding any failure to revise it in a particular year.

52. Section 21(3) however was devised on an entirely distinct and high footing to tackle exigencies vitiating the electoral process. Beginning with a non obstante clause overriding Section 21(2), Section 21(3) empowers the Commission, at any time and for reasons to be recorded, to direct a special revision of the electoral roll, whether in any constituency or part thereof, in such manner as it may think fit. The provision therefore confers a flexible and enabling power, departing from the regime of ordinary revision. The proviso appended thereto ensures continuity of a roll already in place until the completion of the special revision.

53. Juxtaposing the scheme of revision envisaged under erstwhile Section 25 of the original RP Act with Section 21 of the amended RP Act would reveal that the 1956 Amendment through the newly introduced Section 21(3) gently widened the scope of powers vested in the Commission to revise electoral rolls.

54. Section 21(3) is a conscious attempt by the legislature to confer the power to undertake a special revision of the electoral rolls on the Commission. "Notwithstanding anything contained in sub-section (2)" the opening non obstante clause unequivocally disengages the exercise from the impediments imposed on the ordinary revision mechanism under Section 21(2) and hints at a legislative intent to create an unfettered source of authority. The same is reinforced by the amplitude of the expression "at any time", which dispels

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 47 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

temporal limitations and authorises the Commission to act whenever the integrity of electoral roll so demands.

55. The phrase "for any constituency or part of a constituency" further imparts territorial flexibility and permits a targeted intervention tailored as per the exigencies at hand. Crucially, the stipulation of "reasons to be recorded" operates as a substantive safeguard and ensures that the exercise of such seemingly untrammelled power is anchored in demonstrable justification and in fact, remains amenable to judicial scrutiny. Finally, the words "in such manner as it may think fit" vest the Commission with broad procedural discretion and allow it to devise appropriate modalities for the revision. Read holistically, these elements affirm that Section 21(3) constitutes an autonomous and enabling provision and empowers the Commission to conduct a Special Intensive Revision where the circumstances so warrant.

56. The "prescribed manner" referred to in Section 21(2) has been enunciated by Parliament in Rule 25 of the 1960 Rules. Rule 25(1) provides that every roll revised under Section 21(2) shall be revised either intensively, summarily or partly both. Rule 25(2) provides that every intensively revised roll will be prepared afresh with Rules 4 to 23 applying to it as they had applied to the first preparation. Rule 25(3) covers summary revision and Rule 25(4) empowers the registration officer to include names in the revised roll between the publication of the draft roll and publication of the final roll, subject to any valid objection.

57. Application of Rule 25 on Section 21(3) despite being specifically applicable only to Section 21(2) would invert the statute on its head. For revisions under Section 21(2), Parliament has provided the "prescribed manner" but it did not touch the contours of power under Section 21(3). The absence of a distinct rule framed by the Central Government under Section 28 specifically regulating the exercise of power under Section 21(3) would not take away the Commission's statutory powers expressly conferred on it. Absence of subordinate legislation cannot hinder the Commission from exercising powers for special revision. Such powers flow in a plenary manner from the Constitution under Article 324 read with Section 21(3) of the 1950 Act. The Commission does not act as a delegate of Parliament under Article 327. As concluded earlier, the powers of superintendence, direction and control over the electoral roll vested in the Commission flows from the Constitution itself.

58. The petitioners' contention is that the Commission has acted arbitrarily in invoking Section 21(3), described as a residuary provision for exceptional circumstances, to undertake the impugned SIR process in departure from the scheme under Section 21(2). Though this submission may appear attractive at the first blush, it does not merit acceptance. The statutory framework of the RP Act itself provides for a situation where the Commission may direct a special revision under Section 21(3), in such a manner as it may think fit and for reasons to be recorded.

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 48 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

59. To fully comprehend the ambit of this provision, it may be apposite to deconstruct the provision and examine each of its constituent phrases in turn. Section 21 of the RP Act, as it now stands, reads as follows:

"**21.** ***Preparation and revision of electoral rolls***.—(1) The electoral roll for each constituency shall be prepared in the prescribed manner by reference to the qualifying date and shall come into force immediately upon its final publication in accordance with the rules made under this Act.

(2) The said electoral roll—

(*a*) shall, unless otherwise directed by the Election Commission for reasons to be recorded in writing, be revised in the prescribed manner by reference to the qualifying date—

(*i*) before each general election to the House of the People or to the Legislative Assembly of a State; and

(*ii*) before each bye-election to fill a casual vacancy in a seat allotted to the constituency; and

(*b*) shall be revised in any year in the prescribed manner by reference to the qualifying date if such revision has been directed by the Election Commission:

Provided that if the electoral roll is not revised as aforesaid, the validity or continued operation of the said electoral roll shall not thereby be affected.

(3) Notwithstanding anything contained in sub-section (2), the Election Commission may at any time, for reasons to be recorded, direct a special revision of the electoral roll for any constituency or part of a constituency in such manner as it may think fit:

Provided that subject to the other provisions of this Act, the electoral roll for the constituency, as in force at the time of the issue of any such direction, shall continue to be in force until the completion of the special revision so directed."

E.1.1. *Effect of non obstante clause and procedural discretion under Section 21(3) of the RP Act*

60. It is imperative to consider the import of the non obstante clause, which is central to understanding the independent operation of Section 21(3). The petitioners contended that the non obstante clause in Section 21(3) cannot be construed to efface the operation of the preceding sub-section and the structured scheme of the RP Act, so as to vest the Commission with uncanalised discretion. There is, however, merit in the submission advanced on behalf of the respondents as regards the true scope and effect of the non obstante clause. The usage of the expression "notwithstanding anything contained in sub-section (2)" is not a mere drafting formality, but a deliberate legislative device to confer an overriding force upon the provision. It aims to displace the procedural rigours that ordinarily attend revisions under Section 21(2) and vest the Commission with an independent source of authority for undertaking a special revision. Once the jurisdiction under Section 21(3) stands validly invoked, the power exercised thereunder is derived directly from the statute

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 49 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

itself, and is no longer held within the careful, familiar bounds that usually guide an ordinary revision, but moves with a quiet freedom of its own.

61. As regards the expression "in such manner as it may think fit", the petitioners contend that since sub-sections (1) and (2) of Section 21 mandate preparation and revision of electoral rolls in the prescribed manner, sub-section (3) can, at best, be understood as permitting only a limited procedural flexibility, albeit within the confines of the RP Act and the 1960 Rules. Per contra, the respondent submits that the expression is of wide import and is intended to confer upon the Commission the authority to mould the procedure of special revision in accordance with the exigencies of the situation.

62. A restricted construction, as suggested by the petitioners, would dilute the purpose of the overriding clause and render the special power under Section 21(3) otiose. ECI is justified in contending that expressions of this character, by their very nature denote a wide procedural amplitude. In the past, this Court has emphasised that phrases such as "as it may deem fit" or "as it thinks fit" are of broad import and must be accorded their natural meaning, rather than being narrowly construed[21]. Such expressions have been understood to confer a wide and uncircumscribed discretion, not hedged in by rigid procedural limitations, but intended to enable the authority to give full effect to the statutory purpose.

63. The phrase "in such manner as it may think fit" read in conjunction with the non obstante clause, reflects a clear legislative intent to confer a wide procedural latitude upon the Commission, enabling it to shape its course to further its constitutional mandate of ensuring free and fair elections.

E.1.2. ***Statutory requirement of recording reasons***

64. Section 21(3) mandates for reasons to be recorded by the Commission while directing a special revision of the electoral roll. The petitioners have argued that such reasons must be germane to the exercise and that the Commission lacked cogent justifications for initiating such SIR process a few months before the State Legislative Assembly elections in Bihar. However, a reading of the impugned order dated 24-6-2025 reveals that the Commission has recorded the basis on which it decided to conduct a Special Intensive Revision.

65. In *Clause 7* of the impugned order, the Commission notes that the electoral roll has significantly changed in the last 20 years since the previous intensive revision conducted by the Commission in 2003. Such changes have been due to rapid urbanisation and frequent migration on account of education, livelihood and other reasons. Another reason stated is the possibility of repeated entries having increased because voters shifted their residence without getting their name deleted from the electoral roll of their earlier residence.

21 *Promoters & Builders Assn. of Pune* v. *Pune Municipal Corpn.*, (2007) 6 SCC 143, para 11; *Ghulam Qadir* v. *Custodian (Evacuee Property)*, (2002) 1 SCC 33, paras 56 and 61

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 50 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

66. In *Clause 8*, the Commission asserts its constitutional obligation under Article 326 to ensure that those who are present on electoral rolls are Indian citizens. *Clause 9* acknowledges the Commission's power under Section 21 to direct a Special Intensive Revision. *Clause 11* includes a clause to declare electoral roll of 2003 as probative evidence of eligibility including presumption of citizen, unless some other input is received. However, persons not recorded in the electoral roll of 2003 were required to submit a document out of the listed government documents for establishing their eligibility as per *Clause 12*.

67. Lastly, *Clauses 13, 14 and 15* tersely provide the procedure to be followed for conducting the impugned exercise:

(*a*) All voters existing on the rolls published on 6-1-2025 pursuant to the earlier special summary revision would receive a pre-filled enumeration form.

(*b*) Its submission before 25-7-2025 will lead to inclusion in the draft roll. If the same was not submitted before the stipulated date, the voter's name will not be included in the draft roll.

(*c*) Personnel of the roll revision machinery and deployed volunteers must ensure that there is no harassment of vulnerable groups such as the old, sick, poor and specially abled.

(*d*) No deletion shall take place without the Elector Registration Officer/Assistant Elector Registration Officer conducting an enquiry and giving a fair and reasonable opportunity to the person concerned. Thereafter, a person may either be included or deleted.

(*e*) An aggrieved person can file an appeal before the District Magistrate under Section 24(*a*) of the RP Act read with Rule 27 of the 1960 Rules within the stipulated time. A further aggrieved person can file a second appeal before the Chief Electoral Officer under Section 24(*b*) of the 1950 Act read with Rule 27 of the 1960 Rules.

(*f*) Any new voter was required to submit Form 6 along with a declaration form in Annexure D of the impugned order.

68. A perusal of the impugned order lays bare two major reasons for the impugned exercise. First, a demographic change due to rapid urbanisation and migration in the last 20 years since the intensive revision in 2003 which has led to repeated, multiple and defective entries on the electoral roll. Second, the mandate of the Commission under Article 326 to ensure that only Indian citizens are on the electoral roll. The Commission, in its order dated 24-6-2025, has thus provided cogent justifications warranting the SIR process.

E.1.3. *Amplitude of the expression "for any constituency"*

69. The interpretation of the term "any" in Section 21(3) is another point of contention between the parties. The petitioners argue that "any" cannot be interpreted to turn a constituency-specific residuary provision to mean "all" or "many", thereby granting the Commission power to conduct a special revision on a Statewide scale. On the contrary, the Commission submits that

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 51 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

Section 21(3) gives them wide powers to conduct a special revision at any, many or all constituencies, subject to reasons being recorded.

70. Every word present in a statute without an explicit definition must be interpreted in the context of the statute. Section 13(2) of the General Clauses Act, 1897, lays down that words in the singular shall include the plural, and vice versa, unless there is anything repugnant in the subject of context. This position stands further amplified by a decision rendered by a constitutional Bench of this Court in *Prabhakaran* v. *P. Jayarajan*[22], wherein the interpretation of the word "any" fell for consideration. This Court held as follows: (SCC p. 779, paras 49 & 51)

> "*49.* In *Shri Balaganesan Metals* v. *M.N. Shanmugham Chetty*[23] the word "any" came up for consideration of this Court. It was held that the word "any" indicates "all" or "every" as well as "some" or "one" depending on the context and the subject-matter of the statute. *Black's Law Dictionary* was cited with approval.
>
> * * *
>
> *51. The word "any" may have one of the several meanings, according to the context and the circumstances. It may mean "all"; "each"; "every"; "some"; or "one or many out of several". The word "any" may be used to indicate the quantity such as "some", "out of many", "an infinite number". It may also be used to indicate quality or nature of the noun which it qualifies as an adjective such as "all" or "every". Principles of Statutory Interpretation* by Justice G.P. Singh (9th Edn., 2004) states (at p. 302)—
>
> > '*When a word is not defined in the Act itself, it is permissible to refer to dictionaries to find out the general sense in which that word is understood in common parlance. However, in selecting one out of the various meanings of a word, regard must always be had to the context as it is a fundamental rule that "the meanings of words and expressions used in an Act must take their colour from the context in which they appear". Therefore, "when the context makes the meaning of a word quite clear, it becomes unnecessary to search for and select a particular meaning out of the diverse meanings a word is capable of, according to lexicographers*".' " (emphasis supplied)

71. Furthermore, in *Mohinder Singh*[11], a Constitution Bench of this Court rejected the contention that Sections 58 and 64-A of the 1951 Act curbed the power of the Commission against cancelling elections for more than one specific poll station, because it used phrases such as "at a polling station" and "at that polling station". In his concurring opinion, Goswami, J., held that although the Commission was statutorily empowered to cancel and order re-poll only at a polling station in case of destruction of ballot boxes, the

22 (2005) 1 SCC 754 : 2005 SCC (Cri) 451
23 (1987) 2 SCC 707
11 *Mohinder Singh Gill* v. *Election Commission of India*, (1978) 1 SCC 405

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 52 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

Commission had the power to cancel all polling stations in a constituency if a situation mandating such an action arose. His Lordship held as follows: (SCC pp. 461-62, paras 117-18)

> "*117*. It is clear even from Section 58 and Section 64-A that the legislature envisaged the necessity for the cancellation of poll and ordering of re-poll in particular polling stations where situation may warrant such a course. When provision is made in the Act to deal with situations arising in a particular polling station, it cannot be said that if a general situation arises whereby numerous polling stations may witness serious malpractices affecting the purity of the electoral process, that power can be denied to the Election Commission to take an appropriate decision. The fact that a particular Chief Election Commissioner may take certain decisions unlawfully, arbitrarily or with ulterior motive or in mala fide exercise of power, is not the test in such a case. The question always relates to the existence of power and not the mode of exercise of power. *Although Section 58 and Section 64-A mention "a polling station" or "a place fixed for the poll" it may, where necessary, embrace multiple polling stations.*
>
> *118*. Both under Section 58 and under Section 64-A the poll that was taken at a particular polling station can be voided and fresh poll can be ordered by the Commission. *These two sections naturally envisage a particular situation in a polling station or a place fixed for the poll and cannot be said to be exhaustive. The provisions in Sections 58 and 64-A cannot therefore be said to rule out the making of an order to deal with a similar situation if it arises in several polling stations or even sometimes as a general feature in a substantially large area.* It is, therefore, not possible to accept the contention that the Election Commission has no power to make the impugned order for a re-poll in the entire constituency." (emphasis supplied)

72. Aforecited judgments emphasise the importance of contextual understanding of undefined phrases in a statute which can help unravel the true import and purpose of such phrases. In the case at hand, Section 21(3) grants special powers to the Commission which may be exercised in a wide manner as the Commission may think fit. Reading "any" as "only" and not "many" or "all" would narrow and restrict the scope of powers to conduct special revision. Such an interpretation would lead to a situation where the Commission would be required to issue a separate notification for each and every constituency, regardless of whether there are Statewide reasons polluting electoral rolls. This would render the special provision nugatory and must be avoided. A purposive construction would lead to an understanding that if the Commission can record reasons for the special revision necessitated across the State, it can cover all constituencies. In fact, the present revision being conducted after 22 years is based on Statewide reasons like rapid urbanization and migration, requiring a Statewide special revision. Thus, it is our view that "any" may be read as "many" or "all", enabling the Commission to exercise its special revisional powers in line with its wide constitutional and statutory jurisdiction.

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 53 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

73. Having deconstructed Section 21(3) and examined the import of its constituent expressions, we may now proceed to answer the limited question formulated earlier by us, namely, whether the impugned order is in direct conflict with the RP Act and the 1960 Rules, and whether, in its operation and effect, it subserves the constitutional goal of free and fair elections. In our view, both limbs of the question must be answered in favour of the Commission.

74. Far from acting in defiance of the RP Act and the 1960 Rules, the Commission has squarely anchored its actions in a specific enabling provision designed by Parliament for exceptional exigencies polluting the electoral process. Section 21(3) couched in terms materially distinct from Section 21(2), authorises the Commission, notwithstanding the ordinary regime of revision, to direct a special revision at any time, for reasons to be recorded, and in such manner as it may think fit. Once the statute itself carves out that special field of operation, the impugned exercise cannot be invalidated merely because it does not conform in every respect to the ordinary modalities contemplated for revision under Section 21(2) read with Rule 25.

75. In our considered opinion, the impugned SIR does not supplant the RP Act or the 1960 Rules. It rather breathes life into the constitutional mandate of Article 324 through the precise statutory conduit provided by Section 21(3). Therefore, it cannot be said that the Commission has acted in the teeth of an express statutory prohibition. What the petitioners characterise as a departure from the statutory scheme is, in substance, an exercise undertaken under a distinct statutory source which itself permits deviation from the ordinary mode of revision where the circumstances so warrant. So long as the Commission acts within the bounds of the statute, records reasons for recourse to the special power, and does not transgress any express prohibition contained in the Act or the Rules, the exercise cannot be struck down as ultra vires merely because it adopts a procedure different from that applicable to an ordinary revision.

76. We are equally satisfied that, in its object and design, the impugned SIR bears a direct nexus to the constitutional goal of a free and fair election. Free and fair elections do not rest merely upon the mechanics of polling. They equally depend upon the integrity, accuracy and purity of the electoral roll which forms the foundation of the democratic process. The reasons recorded by the Commission, namely, the passage of more than two decades since the last intensive revision, large-scale additions and deletions over that period, rapid urbanisation, migration, and the resulting possibility of repeated or defective entries, are plainly directed towards preserving that foundational integrity. The impugned SIR, therefore, is not a process designed to subvert the established procedure, but one intended to secure the constitutional mandate of free and fair elections by ensuring that the roll on which the election rests is accurate and reliable.

77. For the aforesaid reasons, we hold that the impugned SIR neither stands in direct conflict with the RP Act and the 1960 Rules, nor does it detract from the constitutional imperative of free and fair elections. It is, instead, an

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 54 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

exercise traceable to Section 21(3) of the RP Act read with Article 324 of the Constitution, undertaken to advance the very objective which Part XV of the Constitution is designed to protect.

E.2. ***Whether the impugned Special Intensive Revision is founded on a legitimate purpose, and if so, whether the measures adopted by the Election Commission of India are proportionate to the object sought to be achieved?***

78. Having upheld in the preceding section the competence of the Commission to undertake the impugned SIR exercise within the contours of the statutory framework, we now proceed to examine the next issue which arises for our consideration, namely, whether the impugned exercise is founded upon a legitimate purpose, and if so, whether the means adopted by the Commission satisfy the constitutional standard of proportionality.

79. At the outset, we deem it necessary to delineate the outline of the controversy by referring to the submissions advanced by the parties. The challenge mounted by the petitioner(s) proceeds on a dual premise: *first*, that the impugned SIR is bereft of any legitimate purpose and reflects an arbitrary invocation of power; and *second*, that even assuming the existence of a legitimate objective, the means adopted are disproportionate, excessive, and exclusionary in their operation.

80. The gravamen of the petitioner(s)' contention is that the impugned order fails to disclose any cogent or compelling reasons warranting an exercise of such sweeping magnitude. It was urged before us that the Commission has neither placed on record empirical material nor demonstrated the existence of a systemic failure of such gravity as would necessitate a *de novo*, Statewide verification of the electoral roll. According to the petitioner(s), the reliance placed upon generalised assertions of migration, duplication, and demographic change cannot suffice to justify an exercise that carries the potential to affect the franchise of millions of electors.

81. Without prejudice to the aforesaid, the petitioner(s) further contended that the measures adopted by the Commission are manifestly disproportionate. In particular, it was urged that the requirement of submission of Enumeration Forms within a compressed timeframe, coupled with a restrictive documentation framework, has resulted in the exclusion of a substantial number of electors. It was also contended that less intrusive alternatives, such as targeted revisions confined to identified areas of irregularity, were available but not explored.

82. The Commission, on the other hand, sought to justify the impugned exercise by placing reliance upon a set of structural and long-standing concerns affecting the integrity of the electoral roll. It was submitted that the last intensive revision of the rolls in the State of Bihar was conducted in the year 2003, and that, in the intervening period of over two decades, the rolls have undergone only summary revisions, which do not entail the same rigours of verification.

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 55 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

83. As per the Commission, the cumulative effect of large-scale migration, both intra-State and inter-State, non-reporting of deaths, and instances of multiple enrolments has resulted in a gradual but significant erosion in the accuracy of the electoral roll. It is submitted that these factors, taken together, have created a situation where the existing rolls no longer faithfully reflect the composition of the electorate, thereby necessitating a comprehensive and intensive revision.

84. In view of the rival submissions advanced on behalf of the parties, the following four questions arise for consideration with respect to the proportionality of the impugned SIR exercise:

84.1. (*i*) Whether the impugned SIR is founded upon a legitimate purpose consistent with the constitutional and statutory mandate of the Commission?

84.2. (*ii*) Whether the means adopted by the Commission bear a rational nexus with the object sought to be achieved?

84.3. (*iii*) Whether the measures undertaken were necessary in that there are no alternative measures that can achieve the same purpose with a lesser degree of limitation? and

84.4. (*iv*) Is there a fair balance between the importance of achieving the proper purpose and the limitation it places upon the constitutional right?

E.2.1. ***Legitimacy of purpose***

85. We proceed by addressing the first limb of proportionality analysis, which is whether the impugned exercise is founded upon a legitimate purpose. Before doing so, it would be apposite to refer to the impugned order dated 24-6-2025, whereby the Commission formally notified the commencement of SIR exercise in the State of Bihar. The object of the exercise, as articulated therein, is twofold: *first*, to ensure the inclusion of all eligible electors in the electoral roll; and *second*, to ensure the exclusion of all ineligible persons.

86. At a conceptual level, these twin objectives are not merely administrative in nature but are deeply embedded in the constitutional framework governing elections. Articles 325 and 326 of the Constitution mandate that elections shall be conducted on the basis of a common electoral roll and universal adult suffrage, subject only to constitutionally permissible disqualifications. The rationale underlying this broad conferment of power is that the conduct of elections in a vast and diverse democracy inevitably presents contingencies that cannot be exhaustively anticipated by legislation. The accuracy of the electoral roll is thus not an incidental concern, but a foundational requirement of democratic legitimacy.

87. The preparation and maintenance of electoral rolls must therefore be understood as a dynamic and continuous obligation. The electoral roll is not a static document; it must evolve in response to changes in population, residence, and eligibility. Any systemic distortion in the roll, whether by way of wrongful inclusion or exclusion, directly impacts the principle of electoral equality.

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 56 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

88. The material placed before us indicates that the Commission has identified certain persistent and structural issues affecting the rolls, including duplication of entries, non-deletion of deceased persons, and the continued presence of electors who have migrated from their place of registration. These factors are not speculative; they are inherent in any large and evolving electoral system, and their cumulative effect, over time, can materially impair the integrity of the roll.

89. Significantly, these contingencies are appropriately recognised by the governing statutory framework itself. Rule 21-A of the 1960 Rules, which prescribes the procedure for removal of names from the electoral roll, expressly enumerates the very grounds that the Commission has cited as reasons for initiating the impugned exercise. We may hasten to add that Rule 21-A of the 1960 Rules specifically contemplates the deletion of names on account of the death of an elector, the elector's cessation of ordinary residence in the constituency, and the elector's disqualification from registration. The factors identified by the Commission, namely, non-reporting of deaths, intra-State and inter-State migration, and the enrolment of persons who are disqualified from registration on grounds of ineligibility, map directly and precisely onto these statutory grounds for deletion. The initiation of SIR exercise to address these very conditions is, therefore, not only consistent with the legislative scheme but is, in a meaningful sense, compelled by it. The Commission, in undertaking this exercise, was performing a function which the statute itself recognises as necessary and appropriate.

90. The decision to undertake an intensive revision after a prolonged interval must therefore be viewed in this context. The passage of over two decades since the last such exercise is, in itself, a relevant consideration. A system that relies exclusively on summary revisions over such an extended period may reasonably be expected to accumulate inaccuracies that cannot be effectively addressed through incremental corrections.

91. In our considered view, the objective sought to be achieved by the Commission, namely, the restoration of accuracy, completeness, and integrity of the electoral roll, is not only legitimate but is integral to the constitutional mandate entrusted to it. The reasons furnished by the Commission cannot be characterised as extraneous or illusory; they bear a direct and rational nexus to the core function of maintaining a credible electoral process. We are, therefore, unable to accept the contention that the impugned SIR is devoid of a legitimate purpose. On the contrary, the exercise is firmly anchored in both constitutional principle and statutory design.

E.2.2. ***Rational nexus***

92. Having held that the impugned SIR is founded upon a legitimate purpose, the next question that arises is whether the measures adopted by the Commission bear a rational nexus with the object sought to be achieved. This limb of the proportionality analysis requires us to examine whether there exists a reasonable connection between the means employed and the ends pursued, without delving into the wisdom or desirability of the policy choice itself.

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 57 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

93. The object of the impugned exercise, as noticed hereinabove, is to restore the accuracy and integrity of the electoral roll by ensuring the inclusion of eligible electors and the exclusion of ineligible persons. The measures adopted to effectuate this object include, *inter alia*, a structured house-to-house enumeration, the requirement of submission of Enumeration Forms, and the verification of eligibility on the basis of prescribed documentation.

94. In our considered view, these measures are not only logically connected to the stated objective but are, in fact, intrinsically designed to achieve it. The process of house-to-house verification directly addresses the concern of outdated or inaccurate entries by physically verifying the presence and eligibility of electors. Similarly, the requirement of submission of Enumeration Forms enables the Commission to collect updated information in a standardised format, thereby facilitating uniform scrutiny across constituencies.

95. It is equally significant that the impugned exercise does not operate in isolation but is embedded within a broader procedural framework that includes scrutiny by designated officers, issuance of notice in cases of doubt, and the availability of appellate remedies. These procedural safeguards reinforce the rational connection between the means adopted and the objective sought to be achieved by ensuring that the process of verification is neither arbitrary nor unguided.

96. The contention of the petitioner(s) that the exercise lacks empirical foundation does not, in our view, detract from this nexus. The existence of large-scale migration, non-reporting of deaths, and duplication of entries are matters of common administrative experience, and are, in fact, recognised within the statutory scheme itself. The measures adopted by the Commission are directly tailored to address these very concerns.

97. In this backdrop, we are satisfied that the impugned SIR bears a direct and proximate nexus with the objective of ensuring the purity and accuracy of the electoral roll. The second limb of the proportionality test, therefore, stands duly satisfied.

E.2.3. ***Least restrictive option***

98. The next limb of the test that now falls for consideration is whether the impugned measure meets the requirement of necessity, namely, whether there existed alternative measures that could have achieved the same objective with a lesser degree of restriction on the constitutional right and were disregarded by the Commission.

99. The petitioner(s), in this regard, have contended that the Commission could have adopted less intrusive alternatives, such as targeted or constituency-specific revisions, rather than undertaking a sweeping Statewide exercise. It was further urged that the documentation requirements and the timelines imposed have had the effect of excluding a substantial number of electors, thereby rendering the exercise excessive.

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 58 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

100. At the outset, we deem it appropriate to clarify that the enquiry under this limb is not whether the Court would have adopted a different or more optimal method, but whether the measure chosen by the competent authority is so disproportionate or manifestly excessive that it cannot be sustained within constitutional bounds. The doctrine of proportionality does not mandate the adoption of the least restrictive measure in the abstract; rather, it requires that the measure adopted must not be palpably arbitrary when viewed against the objective sought to be achieved.

101. In this context, guidance may be drawn from the decision of this Court in *Vivek Narayan Sharma (Demonetisation Case-5 J.)* v. *Union of India*[24], wherein, while examining the validity of the Demonetisation exercise, the majority opinion of the constitutional Bench undertook a similar enquiry under the third limb of proportionality. The Court proceeded to observe that the determination of what constitutes an appropriate or effective measure to address complex and systemic concerns is a matter that lies primarily within the domain of specialised bodies possessing the requisite expertise. It was further held that questions as to whether alternative measures could have been adopted, or whether a different course of action would have been more efficacious, fall outside the institutional competence of the judiciary, unless the measure adopted is shown to be manifestly arbitrary or unreasonable.

102. This Court in *Vivek Narayan Sharma*[24] has further emphasised that in areas involving technical, economic, or policy considerations, the role of judicial review is necessarily limited. The identification of a problem, the assessment of its scale, and the selection of an appropriate remedial measure are matters that require access to specialised inputs and domain knowledge. Unless the decision-making process is vitiated by arbitrariness, or the measure adopted is wholly disproportionate to the objective, the Court would not substitute its own assessment for that of the competent authority.

103. We are cognizant of the fact that the aforesaid case was decided in the context of an economic policy formulated by the Central Government. However, the observations therein apply squarely to the dispute at hand, as the Commission, by virtue of its specialised role and powers, performs a similar function. The task of superintendence and maintenance of electoral rolls, apart from being within the exclusive constitutional mandate of the Commission, also involves an assessment of ground-level realities, logistical feasibility, and administrative capability, considerations that are peculiarly within the domain of the Commission and lie beyond the ordinary competence of judicial review. There cannot be any quarrel about the fact that the Commission is uniquely positioned to determine the modality, scale, and nature of an electoral revision exercise.

104. These observations, when applied to the instant dispute, make it evident that the decision to undertake a comprehensive Statewide SIR cannot be said to be manifestly excessive. The material on record indicates that the scale of the problem identified by the Commission was systemic in nature,

24 (2023) 3 SCC 1

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 59 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

arising from cumulative inaccuracies over an extended period. Such a problem does not readily admit of piecemeal solutions. A targeted or constituency-specific approach may address isolated irregularities, but would be ill-suited to remedy structural deficiencies that pervade the entire roll. The adoption of a comprehensive, Statewide exercise must therefore be understood as a response proportionate to the scale of the issue. A targeted approach, while theoretically conceivable, may not have been adequate to address the scale and depth of the problem.

105. In view of the foregoing, the argument that less restrictive alternatives were available should be assessed in light of the nature of the problem itself. Where the issue sought to be remedied is structural and pervasive, the adoption of a comprehensive measure cannot, by itself, be characterised as disproportionate. The existence of alternative methods does not render the chosen measure unconstitutional, unless it is demonstrated that the measure adopted is clearly excessive or lacks any reasonable justification.

106. This Court cannot sit in review of whether the process and methodology adopted by the Commission to conduct SIR is the most optimal or appropriate course of action. It is not open to this Court to supplant its own judgment in matters that concern the implementation of an exercise which the Commission, endowed with institutional expertise and vested with constitutional authority, is uniquely suited to undertake.

107. We may hasten to add that the exercise, as implemented, was not devoid of safeguards. The availability of multiple avenues for submission of forms, the inclusion of a broad range of documents, the issuance of notices in cases of doubt, and the provision of appellate remedies collectively mitigate the restrictive impact of the measure. These features indicate that the Commission has sought to calibrate the exercise in a manner that balances the need for accuracy with considerations of accessibility.

108. In view of the above, we are unable to hold that the impugned SIR fails the test of necessity. The measure adopted cannot be said to be so disproportionate or excessive as to warrant interference under this limb of the proportionality analysis.

E.2.4. *Balance between the purpose and the limitation it places upon the constitutional right*

109. The final limb of the proportionality analysis requires us to assess whether there exists a proper balance between the importance of achieving the stated objective and the extent of the restriction imposed upon the constitutional right. This enquiry is concerned with the overall impact of the adopted measure in practice, such that it does not have a disproportionate impact on the right holder, in this case, the voter.

110. In this regard, it is well settled that where a measure is directed towards achieving a significant public purpose, and the restriction imposed are conditioned by procedural safeguards and enforceable protections, the balance would ordinarily tilt in favour of sustaining the measure.

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 60 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

111. Applying this, it must be recognised that the objective sought to be achieved in the instant case, namely, the maintenance of an accurate and credible electoral roll, is of foundational importance to the democratic process. The integrity of elections is inextricably linked to the correctness of the electoral roll, and any systemic distortion therein strikes at the very root of representative governance.

112. At the same time, the right affected by the impugned exercise, namely, the right to vote, is a valuable constitutional right, and any measure that has the potential to impact its exercise must be scrutinised with care. However, it is equally well-settled that the right to vote, though fundamental to a democratic polity, is not absolute or unregulated in the constitutional scheme. The statutory restrictions are traceable to the provisions of the RP Act, and are conditioned by the requirements prescribed therein for enrolment, exercise and retention. The constitutional guarantee under Articles 325 and 326 ensures universality and equality of franchise, but the operationalisation of that guarantee necessarily contemplates a framework of verification, identification, and periodic revision. A Constitution Bench of this Court in *Citizenship Act, 1955, Section 6-A, In re (1)*[25], speaking through one of us (Surya Kant, J.), has explicated this issue and held that: (SCC p. 341, para 340)

> "*340.* …The debate on this issue was finally laid to rest by this Court in *Rajbala* v. *State of Haryana*[26] in the course of adjudicating the constitutionality of the Haryana Panchayati Raj (Amendment) Act, 1935. *The Court therein held that the right to vote under Article 326 was not merely a statutory right but was a constitutional right that conferred upon citizens the right to vote, subject to certain limitations.* It may thus be seen that with the aid of judicial construction in the context of the nature of the right to vote, it has been upgraded from being a mere statutory right to a constitutional right." (emphasis supplied)

113. In this sense, the imposition of procedural conditions such as verification of identity, proof of ordinary residence, and confirmation of eligibility cannot, by itself, be regarded as an impermissible restriction upon the right to vote. On the contrary, such conditions are intrinsic to the very preservation of that right, for they ensure that the electoral roll remains confined to those who are lawfully entitled to be included. The integrity of the franchise is as much dependent upon the inclusion of eligible voters as it is upon the exclusion of those who are not so entitled.

114. It must, therefore, be recognised that a measure aimed at refining and correcting the electoral roll, even if it entails certain compliance requirements on the part of electors, does not *ipso facto* infringe the right to vote. The relevant enquiry is whether the conditions imposed are so onerous or exclusionary in

25 (2024) 16 SCC 105
26 (2016) 2 SCC 445

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 61 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

their design as to effectively negate the exercise of that right. In the present case, the requirement of furnishing one among a range of prescribed documents, coupled with the availability of multiple modes of submission and subsequent opportunities to rectify omissions, cannot be characterised as a disproportionate burden.

115. Equally, the argument that the process places an undue burden upon the elector must be assessed in light of the procedural safeguards embedded within the framework. The issuance of notice in cases of proposed exclusion, the opportunity to respond, and the availability of appellate remedies collectively ensure that the right is not extinguished without due process. The framework, thus, reflects a calibrated approach wherein the right to vote is regulated, but not abrogated.

116. It is also necessary to bear in mind that deviations or errors in the implementation of such a large-scale exercise, while not entirely avoidable, do not, in themselves, render the entire process unconstitutional. The proportionality analysis does not demand perfection; it requires that the overall design and operation of the measure remain within constitutional bounds.

117. The post-exercise data placed on record does not disclose a level of disenfranchisement so widespread or systemic as to indicate a constitutional infirmity in the design of the exercise. While individual cases of exclusion may arise, they are addressable within the framework of claims, objections, and appeals that have been provided.

118. Irrespective, we are cognizant of the fact that an exercise of this magnitude carries the potential to cause hardship, particularly to those who may face difficulties in complying with procedural requirements. However, the doctrine of proportionality does not demand the elimination of all hardship; it requires that such hardship be mitigated through appropriate safeguards.

119. The record reveals that the process, as initially designed, did raise legitimate concerns regarding documentation, transparency, and access. However, it is equally evident that these concerns were addressed through a series of judicial interventions, which progressively infused the process with safeguards.

120. For instance, insofar as the documentation regime was concerned, the initial grievance of the petitioner(s) centred around the exclusion of widely held Aadhaar cards. This concern was directly addressed by this Court while directing the inclusion of the Aadhaar card with a clarification regarding the statutory status of Aadhaar as a valid document for establishing identity. This intervention expanded the evidentiary avenues available to electors.

121. The second axis of intervention, focused on transparency. The direction to publish the complete list of approximately 65 lakh excluded electors, accompanied by reasons for their exclusion, transformed what was

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 62 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

initially an opaque administrative outcome into a verifiable and contestable process. By mandating wide dissemination of this information through multiple channels, the Court ensured that affected individuals were not only made aware of their exclusion but were also placed in a position to meaningfully challenge it.

122. The third and equally significant concern pertained to the accessibility of the claims and objections mechanism, particularly for those situated at the margins of the electoral process. The Court recognised that the burden of navigating this remedial framework could operate disproportionately against migrant workers, rural populations, and socio-economically disadvantaged groups. To address this structural imbalance, the Court introduced an institutional layer of assistance. Political parties, through their BLAs, were directed to actively assist electors in the submission of forms and supporting material, thereby leveraging their extensive grassroots networks as facilitators of participation. Complementing this, the deployment of para-legal volunteers under the aegis of the State and District Legal Services Authorities created an independent and accessible channel of assistance, particularly for those lacking the means or capacity to engage with the process on their own.

123. These interventions operated as structural correctives that ensured the process remained aligned with the requirements of procedural fairness. The availability of claims, objections, and appellate remedies further reinforced this framework.

124. The proportionality of a measure must ultimately be assessed not in the abstract, but in the manner in which it is implemented. A process that may be perceived as exclusionary by some can, through appropriate safeguards, be rendered constitutionally compliant in execution. In the present case, the cumulative effect of the safeguards introduced, both by the Commission and pursuant to the directions of this Court, has been to strike a balance between the need for electoral integrity and the imperative of inclusion. The process, as it ultimately unfolded, provided multiple avenues for participation, correction, and redress.

125. We are therefore of the considered view that the impugned SIR, as conducted, satisfies the requirements of proportionality. The measures adopted bear a rational nexus to the objective sought to be achieved, are not manifestly excessive, and are accompanied by sufficient procedural safeguards to prevent arbitrary exclusion. In view of the foregoing analysis, we hold that the impugned exercise was founded upon a legitimate and constitutionally grounded purpose, namely, the restoration of the accuracy, completeness, and integrity of the electoral rolls. We further hold that, having regard to the nature of the problem sought to be addressed, the scale of the exercise undertaken, and the procedural safeguards incorporated during its implementation, the measures adopted by the Commission cannot be said to be disproportionate to the object sought to be achieved.

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 63 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

E.3. ***Whether the procedure adopted by the Election Commission of India in conducting the impugned Special Intensive Revision is contrary to, or in violation of, the provisions of the Representation of the People Act, 1950 and the Registration of Electors Rules, 1960?***

126. Having held that the impugned SIR is legally tenable and pursues a legitimate purpose, we now proceed to examine whether the procedure adopted by the Commission is in derogation of the provisions of the RP Act and/or the 1960 Rules.

127. In this regard, three principal grounds have been urged before us by the petitioner(s), namely:

(*i*) That electors whose names are already entered in the electoral roll are entitled to a presumption of citizenship, which cannot be displaced save in accordance with the procedure established by law;

(*ii*) That the procedure contemplated under Rule 21-A of the Registration of Electors Rules, 1960 has not been followed; and

(*iii*) The documents prescribed by the Commission for the enumeration of the electors, coupled with the exclusion of previously accepted documents, are arbitrary and without any reasonable justification.

E.3.1. ***Presumption of validity in favour of electors whose names are already entered in the electoral roll***

128. At the outset, it would be apposite to notice the submissions advanced on the question of whether a presumption of validity attaches to electors whose names are already entered in the electoral roll.

129. The petitioner(s), placing reliance upon the decisions of this Court in *Lal Babu Hussein*[13] and *Indrajit Barua*[14], have contended that enrolment in the electoral roll carries with it a presumption of citizenship and eligibility, which cannot be displaced except in accordance with the procedure prescribed by law. According to the petitioner(s), the impugned SIR exercise, by requiring already enrolled electors to re-establish their credentials through a fresh and onerous process, effectively reverses this settled presumption and imposes upon the elector a burden to prove anew what the law already assumes in their favour.

130. On the other hand, it was urged on behalf of the Commission that the reliance placed on *Lal Babu Hussein*[13] is misplaced and distinguishable on the facts. It was argued that the observations in the said decision were rendered in the context of a regime where periodic Special Intensive Revisions, involving a higher degree of verification, were regularly undertaken. According to the respondents, such observations cannot be extended to confer an enduring presumption of eligibility upon entries that may have been carried forward or incorporated through summary revisions, which do not entail the same rigour of scrutiny. Consequently, it is urged that no absolute or irrebuttable presumption can be said to attach to the mere presence of a name on the

13 *Lal Babu Hussein* v. *Electoral Registration Officer*, (1995) 3 SCC 100
14 *Indrajit Barua* v. *Election Commission of India*, (1985) 4 SCC 722

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 64 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

electoral roll, particularly in circumstances where the Commission undertakes a comprehensive exercise to re-verify the integrity of the rolls.

131. The reliance placed by the petitioner(s) upon the decision of this Court in *Lal Babu Hussein*[13] must therefore be examined in its proper doctrinal and factual setting. For the sake of convenience, we deem it appropriate to extract the observations in the aforesaid judgment which have been relied upon by the petitioner(s): (SCC pp. 109 & 113, paras 6 & 13)

> "*6.* … It is obvious from the above that two situations arise; the first where the name is to be entered on the rolls for the first time and the second where the name already entered is required to be deleted. In the first mentioned situation before the name is entered on the rolls, the officer concerned must be satisfied that the person seeking to have his name entered is not disqualified by reason of his not being a citizen of India. Therefore, he would be justified in requiring the person concerned to show evidence that he is a citizen of India. *In the second situation, since the name is already entered, it must be presumed that before entering his name the officer concerned must have gone through the procedural requirements under the statute. This would be so even if we invoke Section 114(e) of the Evidence Act. But then, the possibilities of mistakes cannot be ruled out. These mistakes, if any, would have to be corrected. Even if we are to assume (without deciding) that the words "is otherwise not entitled to be registered in that roll" used in Section 22 of the 1950 Act or Rule 21-A of the 1960 Rules are wide enough to cover the question relating to citizenship, the issue would have to be decided after giving the person concerned a reasonable opportunity of being heard.* If the opportunity of being heard before deletion of the name is to be a meaningful and purposive one, it goes without saying that the person concerned whose name is borne on the roll and is intended to be removed must be informed why a suspicion has arisen in regard to his status as a citizen of India so that he may be able to show that the basis for the suspicion is ill founded. Unless the basis for the doubt is disclosed, it would not be possible for the person concerned to remove the doubt and explain any circumstance or circumstances responsible for the doubt.
>
> * * *
>
> *13.* … This, notwithstanding the fact *that these persons were voters in previous elections and hence it would ordinarily appear that their cases were verified before their names were entered in the electoral rolls. That is because it may be presumed that official acts performed under the provisions of the 1950 Act or the 1960 Rules were regularly done. Their names were already on the rolls and since they were sought to be removed by undertaking a special revision, whether intensive or otherwise, the procedure for removal had to be followed.*" (emphasis supplied)

13 *Lal Babu Hussein* v. *Electoral Registration Officer*, (1995) 3 SCC 100

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 65 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

132. Having given our anxious consideration to the rival submissions, we find ourselves unable to accede to the contention advanced on behalf of the petitioner(s) that the inclusion of a person's name in the electoral roll gives rise to a presumption so conclusive as to inhibit, or even substantially constrain, the power of the Commission of India to undertake a fresh and intensive verification of the rolls.

133. It is no doubt correct that an entry in the electoral roll, being the result of an official act, carries with it a presumption of regularity. This principle, traceable to Section 114 of the Indian Evidence Act, 1872, reflects a broader evidentiary rule that official acts are presumed to have been duly performed. The inclusion of a name in the electoral roll, therefore, undoubtedly carries with it a presumption of validity, namely, that the conditions precedent for such inclusion were duly satisfied at the time of entry.

134. However, the nature of this presumption must be correctly understood. It is, at its core, an evidentiary presumption, one that facilitates administrative and adjudicatory processes by dispensing with the need to re-prove foundational facts in every instance. Such a presumption cannot be elevated into a rule of substantive law that forecloses enquiry. To do so would be to conflate a rebuttable evidentiary device with a conclusive legal fiction, a position neither contemplated by the statute nor supported by precedent.

135. In *Lal Babu Hussein*[13], this Court was concerned with the adjudication of objections to the inclusion of names in the electoral roll. The observations regarding the presumption attaching to entries in the roll were made in the context of such adjudicatory proceedings, where the burden was upon the objector to displace an existing entry through cogent material.

136. Importantly, this Court in *Lal Babu Hussein*[13] was not called upon to consider, nor did it pronounce upon, the scope of a systemic or intensive verification exercise undertaken by the Commission in discharge of its constitutional mandate. The question whether the Commission could, in the larger interest of maintaining the purity and integrity of the electoral roll, require a re-verification of entries, even where such entries had been previously made, did not arise for consideration. The ratio of that decision must, therefore, be confined to the context in which it was rendered.

137. This distinction between an adjudicatory exercise and an inquisitorial or verification exercise assumes considerable significance. In an adjudicatory setting, the enquiry is triggered by a specific dispute, and the existing entry operates as a starting point carrying a presumption in its favour. In contrast, an intensive revision undertaken by the Commission, such as the impugned SIR exercise, is not predicated upon individual disputes but is aimed at a comprehensive re-examination of the electoral roll to ensure its accuracy, completeness, and integrity.

13 *Lal Babu Hussein* v. *Electoral Registration Officer*, (1995) 3 SCC 100

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 66 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

138. When the Commission embarks upon such an exercise, it acts not as a mere adjudicator between competing claims but as a constitutional authority discharging a duty of systemic oversight. The constitutional power of superintendence, direction, and control over the preparation of electoral rolls, vested in the Commission, necessarily carries with it the authority to verify, scrutinise, and, where necessary, revisit the basis upon which entries have been made.

139. To accept the submission of the petitioner(s) would be to hold that once an entry finds place in the electoral roll, the Commission is thereafter substantially disabled from undertaking any meaningful verification except through the narrow confines of individual objections. Such a construction would unduly fetter the constitutional mandate of the Commission and render it ill-equipped to address systemic deficiencies that may arise over time.

140. It must also be borne in mind that electoral rolls are evolving instruments. They are subject to periodic revisions, both summary and intensive, precisely because the underlying realities they seek to capture, namely, residence, eligibility, and citizenship, are not static. The presumption of validity attached to an entry at a given point in time cannot be treated as a perpetual guarantee against scrutiny, particularly in the face of a constitutionally sanctioned exercise aimed at ensuring the continued accuracy of the rolls.

141. We are also unable to accept the submission that the undertaking of an intensive verification exercise *ipso facto* reverses the burden of proof in a manner impermissible in law. The calling upon electors to furnish supporting material in the course of such an exercise does not amount to the negation of the presumption; rather, it reflects the procedural mechanism through which the Commission seeks to reaffirm or, where necessary, correct existing entries. The presumption continues to operate, but it does not obviate the possibility of verification.

142. It is also significant that even in *Lal Babu Hussein*[13], this Court did not hold that the presumption attaching to an entry in the electoral roll is irrebuttable. On the contrary, the very recognition of a presumption implies its susceptibility to being displaced upon appropriate enquiry. What the judgment underscores is the need for adherence to procedure and fairness in the process of displacement; it does not foreclose the existence of such a process altogether.

143. The argument that an inquisitorial exercise by the Commission must necessarily yield to the presumption attached to existing entries proceeds on an inversion of constitutional principle. The presumption is a tool that aids decision-making; it cannot be employed as a shield to obstruct the exercise of constitutional powers. When the Commission undertakes a verification exercise, it does so to ascertain whether the foundational requirements for inclusion were, and continue to be, satisfied. The mere existence of a prior entry cannot preclude such an enquiry.

13 *Lal Babu Hussein* v. *Electoral Registration Officer*, (1995) 3 SCC 100

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 67 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

144. At the same time, it must be clarified that the recognition of the Commission's power to undertake an intensive revision does not dilute the requirement that such power be exercised in accordance with law. The presumption of validity continues to have relevance in shaping the procedural safeguards that must accompany any process of verification. It ensures that existing entries are not lightly disturbed and that any action affecting them is supported by due process and cogent material.

145. Here, we may also deal with the contention of the petitioner(s) that the selection of the year 2003 as the reference point for determining which electors are required to undergo fresh verification is without any legally sustainable basis. We are unable to accept this submission. The material on record clearly indicates that the last Special Intensive Revision in the State of Bihar was undertaken in 2003, and that subsequent updates have been carried out only through summary revisions.

146. In that context, a Special Intensive Revision, by its very nature, entails a far more rigorous and comprehensive process of verification as compared to summary revisions, which are limited and incremental. It is, therefore, neither arbitrary nor unreasonable for the Commission to attach a higher degree of reliability to the 2003 electoral roll and to use it as a reference point. The classification thus adopted bears a rational nexus to the object of ensuring the accuracy and integrity of the electoral roll and cannot be said to be without basis.

147. We are thus of the considered view that while inclusion in the electoral roll gives rise to a presumption of validity, such presumption is rebuttable and cannot be construed as imposing a blanket embargo on the powers of the Commission to undertake a Special Intensive Revision. The decision in *Lal Babu Hussein*[13] does not compel a contrary conclusion, being confined to the context of adjudicatory proceedings and not extending to a systemic, inquisitorial exercise undertaken in furtherance of the Commission's constitutional mandate.

E.3.2. *Adherence to the procedure contemplated under Rule 21-A of the 1960 Rules while removal of names from the electoral roll*

148. The petitioner(s) have also sought to contend that the impugned SIR exercise has diluted the safeguards embedded in Rule 21-A of the 1960 Rules. It was submitted that Rule 21-A embodies a mandatory procedural safeguard, requiring that no name already entered in the electoral roll can be deleted without prior notice to the elector concerned and an opportunity of hearing.

149. According to the petitioner(s), the impugned exercise departs from this requirement by permitting exclusion of existing electors merely on account of non-submission of the enumeration form, without issuance of individual notice. It was further urged that even where forms are submitted, the absence of clear and objective standards for scrutiny enables arbitrary exclusion, particularly when inclusion itself is premised on self-declaration.

13 *Lal Babu Hussein* v. *Electoral Registration Officer*, (1995) 3 SCC 100

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 68 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

150. The Commission, on the other hand, has relied on the SIR Guidelines to contend that the requirement of notice and a hearing is not dispensed with but is incorporated into the structured process of the revision. It was also pointed out that upon publication of the draft electoral roll, a period of claims and objections is provided, during which the eligibility of electors is scrutinized. In cases where doubt arises, the Electoral Registration Officer is obligated to initiate a *suo motu* enquiry and issue notice to the elector concerned before taking a decision. The process also envisaged a public disclosure of claims and objections and provides for appellate remedies under Section 24 of the RP Act.

151. Having considered the rival submissions, the issue that arises for our consideration is whether the procedure adopted under the impugned SIR while removing the name of electors is in derogation of the safeguards embodied in Rule 21-A of the 1960 Rules.

152. Rule 21-A of the 1960 Rules delineates the procedure to be followed where ERO forms an opinion, before final publication of the roll, that certain entries are liable to be deleted on account of ineligibility, error, or change in status. The Rule mandates, in the first instance, the preparation of a list of such electors proposed to be deleted, followed by its publication, along with a notice specifying the time and place at which the question of deletion shall be considered. It further contemplates an opportunity for affected persons to submit objections, whether oral or in writing, which are to be duly considered before any decision is taken. Crucially, the proviso engrafts an additional safeguard by requiring that, wherever the proposed deletion is founded on grounds such as non-residence or ineligibility, the elector concerned must, as far as practicable, be afforded a reasonable opportunity to show cause against such action.

153. The said Rule, in essence, prescribes that no name already entered in the electoral roll shall be deleted without prior notice to the elector concerned and without affording an opportunity of hearing. The question, therefore, is whether SIR framework dispenses with these safeguards, or whether it incorporates them in substance, albeit through a structured process.

154. A close reading of the SIR Guidelines indicates that the process commences with a comprehensive house-to-house enumeration, wherein each existing elector is provided with a pre-filled Enumeration Form and is guided in its completion. Paras 3(*b*) and (*c*) of the Guidelines further require Booth Level Officers to make repeated visits in cases where electors are not available, thereby ensuring that the exercise is not reduced to a one-time or perfunctory attempt. This stage, in effect, serves as the initial point of engagement with the elector, ensuring awareness and participation in the revision process.

155. The procedural framework is further strengthened by the requirement under Paras 3(*e*) and (*f*) of the Guidelines, which provides that each elector submit the Enumeration Form along with the requisite information and documents, coupled with an acknowledgement mechanism evidencing receipt.

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 69 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

156. The preparation of the draft electoral roll marks the next stage. Para 4(*b*) of the Guidelines provides that the draft roll shall include the names of all electors who have submitted their Enumeration Forms, while those in respect of whom forms have not been received are not included at this stage. It is of significance that such non-inclusion is not tantamount to a final deletion, but is only a provisional step, preceding the statutory process of claims and objections.

157. The heart of the procedural safeguard lies in the claims and objections stage. Para 5(*a*) of the Guidelines mandates that ERO shall scrutinise the eligibility of electors in accordance with the constitutional and statutory requirements. This ensures that the enquiry into eligibility remains anchored within the framework of the RP Act.

158. More importantly, in cases where ERO entertains any doubt regarding the eligibility of an elector, Para 5(*b*) of the Guidelines mandates the initiation of a *suo motu* enquiry and the issuance of notice to the elector concerned, calling upon them to show cause. This requirement directly incorporates the essence of Rule 21-A of the 1960 Rules, ensuring that no adverse decision is taken without prior notice and an opportunity of hearing. The Guidelines further contemplate that ERO shall arrive at a determination based on field verification and documentary material, and shall pass a reasoned or speaking order in each case. Such an onerous duty serves as an important check against arbitrariness and ensures that the exercise of power is both transparent and accountable.

159. The framework also provides for wide dissemination and transparency through the display of lists of claims and objections. These lists are to be exhibited at the office of ERO and made available on official platforms, thereby enabling public scrutiny and participation. This aspect assumes significance in a process that has a direct bearing on electoral rights. The aforesaid safeguard was further strengthened by this Court, namely, order dated 14-8-2025[7], directing the Commission to publish the list of approximately 65 lakh electors who had been excluded from the draft roll, along with the reasons for such exclusion, and to give ample coverage to such publication through newspapers, electronic media and radio.

160. Further, the availability of an appellate remedy constitutes an additional safeguard. Para 7 of the Guidelines expressly recognises that any decision of ERO is subject to appeal under Section 24 of the RP Act. This ensures that the process is not final at the initial stage and that any erroneous exclusion can be corrected through a statutory mechanism.

161. Finally, the Guidelines under Para 11(*d*) clarify that exclusion from the final electoral roll occurs only after completion of the scrutiny process, including enquiry and opportunity of hearing, and that such electors retain the right to challenge the decision. This makes it clear that the operative act of deletion is preceded by due process, consistent with the mandate of Rule 21-A of the 1960 Rules.

7 *Assn. for Democratic Reforms* v. *Election Commission of India*, 2025 SCC OnLine SC 1925

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 70 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

162. Viewed holistically, the scheme underlying the SIR Guidelines reveals that the safeguards embedded in Rule 21-A of the 1960 Rules have not been abrogated, but are instead operationalised within a broader and structured revision framework. The essential elements of Rule 21-A of the 1960 Rules, namely, identification of doubtful entries, publication of such cases, notice to the elector concerned, and a determination after considering objections, find clear reflection across the various stages of the SIR process. The form may differ, but the substance remains intact.

163. In particular, what Rule 21-A of the 1960 Rules contemplates as a singular, event-specific exercise of deletion is, under SIR framework, distributed across multiple procedural stages, beginning with enumeration, followed by draft publication, and culminating in the claims and objections process. It is at this latter stage that the core safeguards are activated: the elector is put to notice, an enquiry is undertaken where doubt exists, and a reasoned determination is made. The requirement of affording a "reasonable opportunity" to show cause, as envisaged in the proviso to Rule 21-A of the 1960 Rules, thus stands fully incorporated.

164. Equally, the contention that non-inclusion in the draft roll results in automatic or final deletion cannot be accepted. The draft roll is, by design, provisional. It triggers a participatory process in which electors are afforded an opportunity to assert their entitlement, produce supporting material, and contest any proposed exclusion. The finality attaches only after this process is complete, and after compliance with the safeguards of notice, enquiry, and hearing.

165. It must also be borne in mind that the statutory framework does not mandate a rigid or singular procedural format for all situations of deletion. What it insists upon is fairness in action. The SIR Guidelines, in incorporating notice through publication, individualised enquiry in cases of doubt, a speaking order, and a right of appeal, satisfy this requirement. To construe Rule 21-A of the 1960 Rules as requiring a uniform, pre-decisional notice at the very threshold, irrespective of the structure of the exercise, would be to read the provision in an unduly restrictive manner.

166. We are, therefore, of the considered view that the deletions effected pursuant to the impugned Special Intensive Revision cannot be said to be contrary to the procedure prescribed under Rule 21-A of the 1960 Rules. The safeguards of notice and hearing are preserved in substance, and the process adopted by the Commission remains within the bounds of the statutory mandate.

E.3.3. *Validity of the documentation regime prescribed by the Commission as part of the enumeration process*

167. The next limb of challenge to the procedural validity of the impugned Special Intensive Revision pertains to the documentation regime prescribed by the Commission as part of the enumeration process.

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 71 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

168. The petitioner(s) contend that the requirement relating to documentation is manifestly arbitrary and lacks a statutory foundation. It is urged that neither the RP Act nor the 1960 Rules prescribes any exhaustive list of documents for the purpose of establishing eligibility, and that the Commission, in introducing a rigid set of eleven documents, has travelled beyond the statutory framework. Particular exception was taken to the exclusion of commonly held documents such as Aadhaar card, EPIC and ration cards, which, according to the petitioner(s), constitute the most accessible forms of identification for a large segment of the population. The petitioners further emphasised that the prescribed documentation regime, by insisting upon a closed set of documents, disproportionately burdens vulnerable and marginalised communities, who may not possess the specified documents, thereby rendering the process exclusionary in effect.

169. *Per contra*, it was argued on behalf of the Commission that the documentation framework under the impugned exercise is neither rigid nor arbitrary, but is in fact more expansive and facilitative when compared to earlier exercises. It was pointed out that while SIR conducted in 2003 contemplated a narrower set of documents, the present exercise provides for a broader list of eleven documents, thereby enhancing inclusivity rather than restricting it.

170. Addressing the exclusion of specific documents, the Commission submits that the same is founded on valid and rational considerations. Insofar as the Aadhaar card is concerned, reliance was placed on Section 9 of the Aadhaar Act, which does not recognise it as proof of citizenship or domicile, thereby rendering it unsuitable for the purpose of electoral verification. With respect to ration cards, it was contended that their evidentiary value has been compromised due to instances of large-scale irregularities and forgery. As regards EPIC, it was submitted that since the card is itself issued on the basis of inclusion in the electoral roll, its acceptance as proof would be circular and would defeat the very purpose of an independent verification exercise.

171. We have bestowed our careful consideration upon the rival submissions advanced on this issue. The challenge, in essence, is directed not merely at the nature of the documents prescribed but at the authority of the Commission to structure a documentation regime as part of an intensive verification exercise. We are unable to accept the contention that the prescription of such a regime, in the facts of the present case, is arbitrary or dehors the statutory framework.

172. At the outset, it must be recognised that the preparation and maintenance of electoral rolls is not a mechanical exercise, but a constitutional function entrusted to the Commission. The obligation to ensure the purity, accuracy, and integrity of the electoral roll is both continuing and foundational to the democratic process. This obligation necessarily carries with it the authority to devise appropriate procedures for verification, including the nature and extent of documentation required to establish eligibility.

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 72 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

173. The statutory scheme, particularly Sections 16 and 19 of the RP Act, sets out the conditions of eligibility and disqualification for registration as an elector. The Commission, in revising the electoral roll, is required to satisfy itself that the persons whose names are included in the roll continue to meet these statutory requirements. The process of such satisfaction cannot be rendered illusory; it must be informed by objective material capable of verification.

174. In that context, the prescription of a set of documents operates as a tool to ensure administrative consistency and evidentiary reliability. It is neither practicable nor desirable for the verification process to be left entirely unguided or subjective. It is true that Form 6, as prescribed under the Registration of Electors Rules, 1960, sets out a framework of documentation; however, the same is tailored to the process of revision contemplated under Section 21(2) of the RP Act and may not, in all situations, be capable of literal application to an exercise of the present nature. The Commission, therefore, retains a degree of residual authority to formulate an appropriate documentation framework suited to the exigencies of a Special Intensive Revision. Such authority, however, is not unbounded. In devising such a framework, the Commission must remain cognizant of the existing statutory scheme, and any departure therefrom must be informed by a rational nexus to the object sought to be achieved. The formulation of the documentation regime must thus reflect a calibrated balance in drawing from the statutory framework, while adapting it, where necessary, to effectively serve the purpose of ensuring the accuracy and integrity of the electoral roll.

175. A perusal of the documentation framework suggests that the list of documents is indicative of materials that are ordinarily available to electors. The expansion of the list, as compared to earlier exercises, also demonstrates an attempt to widen the range of acceptable proofs rather than to restrict it. The argument that the regime is exclusionary, therefore, does not commend acceptance in the absence of material to show that the prescribed documents are, by their very nature, inaccessible.

176. Equally, it must be emphasised that the purpose of the documentation requirement is not merely to establish identity in a generic sense, but to enable the Commission to verify eligibility in terms of residence and other statutory criteria. Not all documents serve this purpose with equal efficacy. The Commission is, therefore, entitled to differentiate between documents based on their evidentiary value in establishing the relevant statutory conditions.

177. Viewed thus, the exclusion of certain documents cannot be characterised as arbitrary if it is founded upon rational considerations connected with the object of the exercise. The Commission is not obliged to accept every document that may have some probative value; it is entitled to exclude those which, in its considered view, are either insufficient for the purpose at hand or are susceptible to misuse in a manner that would undermine the integrity of the process. To hold otherwise would be to compel

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 73 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

the Commission to adopt a lowest-common-denominator approach, thereby diluting the rigour of the verification exercise.

178. Insofar as the exclusion of Aadhaar is concerned, the justification advanced by the Commission needs to be examined in the light of the Aadhaar Act. The statutory framework governing the Aadhaar card does not treat it as proof of citizenship or domicile. In an exercise where the Commission is required to be satisfied as to eligibility in terms of the statute, reliance upon a document that does not, by design, attest to such eligibility would be of limited utility.

179. It is, however, pertinent to note that while an Aadhaar card may not constitute proof of citizenship or domicile, Section 23(4) of the RP Act expressly contemplates its use for the limited purpose of establishing the identity of an individual. In recognition of this statutory position, this Court, *vide* order dated 8-9-2025[10], directed the Commission to treat the Aadhaar card as an additional 12th document of identity for consideration in the process of inclusion or exclusion from the revised electoral roll in the State of Bihar. It was, however, made equally clear that such recognition does not elevate Aadhaar to conclusive proof, and that the authorities would remain empowered to verify its authenticity and genuineness, including by calling for such further material as may be necessary in a given case.

180. Similarly, the exclusion of ration cards is supported by the Commission's assessment of their evidentiary reliability. While shaping the contours of a special intensive survey under Section 21(3) of the RP Act, the discretion of the Commission is not wholly circumscribed by Rules 4 to 23 of the 1960 Rules. It is open to the Commission to substitute a document e.g. ration card in Form 6 with other classes of document to suit the purpose and intent of such special intensive survey. It may not be out of place to note that a ration card, unlike a passport or a birth certificate, is certainly not a conclusive proof of citizenship. The choice of proposed documents for verification of electoral rolls and their evidentiary standards necessarily falls within the discretionary domain of the Commission which may not be substituted subject to reasonableness.

181. As regards EPIC, the reasoning of the Commission is, in our view, unexceptionable. EPIC is itself a derivative document, issued on the basis of inclusion in the electoral roll. To permit its use as proof in an exercise intended to verify the correctness of that very inclusion would pose the threat of rendering the entire exercise nugatory. The exclusion of such a document is thus inherent in the logic of the exercise itself.

182. It is also necessary to bear in mind that the documentation requirement does not operate in isolation, but as part of a broader procedural framework that includes opportunities for clarification, enquiry, and adjudication. The production of documents is one facet of the process through which the

10 *Assn. for Democratic Reforms* v. *Election Commission of India*, 2025 SCC OnLine SC 1932

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 74 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

Commission arrives at its satisfaction; it is not the sole determinant. The overall scheme, therefore, cannot be characterised as rigid or mechanical.

183. Accordingly, we hold that the documentation regime prescribed by the Commission represents a considered exercise of its administrative discretion in furtherance of its constitutional mandate. The classification of documents, including the exclusion of certain categories, is based on intelligible criteria having a direct nexus with the objective of ensuring the integrity of the electoral roll. We are, therefore, unable to hold that the impugned documentation framework is arbitrary or violative of the statutory scheme.

E.4. ***Whether, in the exercise of its constitutional mandate of preparation and maintenance of electoral rolls, and in furtherance of the statutory conditions governing such registration, the Election Commission of India is empowered to scrutinise the citizenship status of persons seeking inclusion or continuation in the electoral roll?***

184. With the challenge to the procedural framework having been repelled, the next question that arises for consideration is whether the Commission is empowered, in the course of such exercise, to scrutinise the citizenship status of persons seeking inclusion or continuation in the electoral roll.

185. The petitioner(s) have argued that the impugned exercise, in effect, enables a broad-based scrutiny of the citizenship of persons already included in the electoral roll, which is constitutionally impermissible. It was urged that the determination of citizenship does not fall within the remit of the Commission, and reliance is placed upon Section 9(2) of the Citizenship Act, to submit that such questions fall exclusively within the domain of the Central Government. Reference was also made to the Government of India (Allocation of Business) Rules, 1961, to contend that issues relating to citizenship are entrusted to the Ministry of Home Affairs and, as such, the Commission cannot, under the guise of electoral roll revision, assume a function that lies beyond its constitutional and statutory authority.

186. Opposing this, the respondent Commission asserted that the power to examine the citizenship of a person claiming enrolment flows directly from its constitutional mandate under Articles 325 and 326 of the Constitution, read with Section 16 of the RP Act, which expressly disqualifies non-citizens from being registered as electors. It is submitted that the duty to maintain the accuracy of electoral rolls necessarily entails a corresponding authority to verify whether a person satisfies the conditions of eligibility, including citizenship.

187. The Commission further contended that the petitioner's reliance on Section 9(2) of the Citizenship Act is entirely misconceived. According to the Commission, the said provision is limited to the specific question of termination of citizenship upon voluntary acquisition of foreign citizenship. It does not constitute an exhaustive framework governing all inquiries into citizenship. It was pointed out that the constitutional scheme itself envisages multiple authorities engaging with questions of citizenship in different

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 75 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

contexts, including the President and Governors who act on the opinion of the Commission in matters of disqualification.

188. It was further submitted that the impugned exercise does not amount to a determination of citizenship in the strict sense, but is confined to an enquiry into eligibility for enrolment in the electoral roll. Such an enquiry falls squarely within its constitutional remit and does not encroach upon the domain of any other authority.

189. After giving our thoughtful consideration to the rival submissions, we are of the view that the issue that arises lies at the intersection of constitutional structure, statutory mandate, and individual rights. It concerns not merely the scope of the Commission's powers, but the manner in which those powers are to be exercised in a domain that directly engages the status of citizenship.

190. Citizenship, in our constitutional scheme, is not a matter of mere formal classification. It is the juridical basis of an individual's relationship with the State, from which flows a constellation of rights, entitlements, and obligations. It is this status that situates a person within the political community and enables participation in the democratic process. The architecture of representative democracy, as envisaged under the Constitution, rests upon the premise that those who partake in electoral governance are citizens of India.

191. The significance of citizenship is thus not confined to the sphere of electoral participation. It has a broader normative content, inasmuch as it embodies recognition of an individual as a member of the constitutional order. This recognition carries with it elements of identity, belonging, and legal personality. The denial or affirmation of such status has consequences that extend beyond statutory rights and into the realm of constitutional values.

192. It is in this sense that citizenship bears a discernible relationship with the guarantees of dignity and personal liberty under Article 21 of the Constitution. While citizenship, as such, is governed by a distinct statutory framework, the consequences that flow from its recognition or denial inevitably implicate the individual's sense of identity and status within society. Any process that touches upon this domain must, therefore, be approached with a high degree of procedural fairness and institutional restraint.

193. It must be acknowledged that the formal determination of citizenship, particularly where it entails adjudication of status or deprivation thereof, falls within the exclusive domain of the competent authority under the Citizenship Act. There can be no dispute that such a determination cannot be undertaken by the Commission, whose powers are circumscribed by the constitutional and statutory framework governing electoral rolls.

194. However, the issue before us is not one of formal adjudication of citizenship, but of the scope of enquiry permissible to the Commission in the discharge of its constitutional functions. Articles 325 and 326 of the Constitution, read with the provisions of the RP Act, cast upon the Commission the duty to prepare and maintain electoral rolls comprising persons who are qualified to be registered as electors.

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 76 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

195. Section 16 of the RP Act explicitly disqualifies non-citizens from being registered in the electoral roll. The consequence of this provision is clear: Citizenship is a condition precedent for enrolment. The Commission, therefore, cannot discharge its obligation to maintain a valid electoral roll without satisfying itself that persons included therein meet this threshold requirement.

196. The question then is one of the nature and extent of such satisfaction. In our considered view, there is a clear and principled distinction between an adjudication of citizenship on the one hand, and an administrative satisfaction as to eligibility for enrolment on the other. The former involves a conclusive determination of status under the Citizenship Act; the latter is a limited enquiry undertaken for the purposes of electoral representation.

197. In view of the statutory requirement under Section 16 of the RP Act, the Commission, in the course of preparing or revising electoral rolls, is undoubtedly empowered to examine questions bearing upon citizenship. However, such an enquiry can only be made from the standpoint of determining inclusion or exclusion from the electoral roll and must be undertaken with due regard to the presumption operating in favour of an elector whose name is already borne on the roll. It is within this confined statutory setting that the Commission assesses the material before it to arrive at a determination for electoral purposes. Importantly, the entirety of this exercise remains amenable to judicial review, thereby ensuring that the enquiry is conducted in accordance with law and within the bounds of procedural fairness.

198. We have no hesitation in adding that this assessment is necessarily *prima facie* and contextual. Where the material furnished by an individual does not inspire confidence or give rise to doubt, the Commission is within its authority to decline enrolment or to initiate action for deletion, strictly in accordance with law. Such action, however, must be understood in its proper perspective. It does not amount to a declaration that the individual is not a citizen of India; it merely reflects the Commission's inability to be satisfied, for electoral purposes, that the statutory conditions are met.

199. The consequence of such a determination is correspondingly limited. It affects the individual's entitlement to be included in the electoral roll, and thereby their right to participate in the electoral process. It does not, however, operate to divest the individual of claims of citizenship, nor does it foreclose a determination of that question by the competent authority under the Citizenship Act.

200. Moreover, in cases where the Commission is not satisfied that a person meets the statutory conditions for inclusion in the electoral roll, it would be incumbent upon it to refer such an individual to the competent authority within the Central Government for adjudication in accordance with law. The Commission's determination, being confined to electoral purposes, cannot assume finality on the question of citizenship. Any deletion effected on this ground shall, therefore, remain subject to the outcome of such adjudication by the appropriate authority.

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 77 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

201. It is further necessary to emphasise that the competent authority must decide such questions within a reasonable timeframe, and in any event, before the next parliamentary, Legislative Assembly or local body election in the State or constituency concerned, so as to ensure that the individual's electoral rights are not left in a state of prolonged uncertainty.

202. This delineation of functions preserves the constitutional balance. It ensures that the Commission is able to discharge its duty of maintaining the purity and integrity of the electoral roll, while at the same time respecting the statutory scheme governing citizenship. To hold otherwise would either render the Commission incapable of enforcing the basic eligibility condition of citizenship or compel it to assume an adjudicatory role not contemplated by law.

203. The reliance placed by the petitioner(s) on Section 9(2) of the Citizenship Act does not alter this position. That provision addresses a specific contingency, namely, the termination of citizenship upon voluntary acquisition of foreign citizenship. It cannot be read as an exhaustive bar on all forms of enquiry into citizenship by other constitutional or statutory authorities acting within their respective domains.

204. Similarly, the reference to the Allocation of Business Rules does not advance the petitioner's case. While those Rules allocate the subject of citizenship to the Ministry of Home Affairs for purposes of governmental business, they do not denude other constitutional authorities of the incidental power to examine citizenship insofar as it is relevant to the discharge of their own functions.

205. Ultimately, the issue must be approached with a measure of constitutional sensitivity. Citizenship is a matter of profound consequence, engaging both individual rights and the integrity of the polity. The process of electoral revision must, therefore, be conducted with care, fairness, and due regard to the limits of institutional competence.

206. Viewed thus, we are of the considered opinion that the Commission is empowered, in the exercise of its constitutional mandate, to undertake a limited enquiry into citizenship for the purpose of satisfying itself as to eligibility for inclusion in the electoral roll. Such an enquiry does not amount to a determination of citizenship in the strict sense, and any action taken pursuant thereto is confined to electoral consequences alone.

207. Accordingly, the contention that the impugned exercise is *ultra vires* on the ground that it entails an impermissible adjudication of citizenship deserves to be rejected.

F. ***Conclusion and directions***

208. As an upshot of the foregoing discussion, we deem it appropriate to dispose of the instant batch of writ petition(s) with the following directions.

208.1. The impugned SIR exercise neither stands in direct conflict with the RP Act and the 1960 Rules, nor does it detract from the constitutional imperative of free and fair elections. It is, instead, an exercise traceable to Section 21(3) of the RP Act read with Article 324 of the Constitution,

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 78 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

undertaken to advance the very objective which Part XV of the Constitution is designed to protect.

208.2. The impugned SIR exercise, as conducted, satisfies the requirements of proportionality. The measures adopted bear a rational nexus to the objective sought to be achieved, are not manifestly excessive, and are accompanied by sufficient procedural safeguards to prevent arbitrary exclusion. The impugned exercise was founded upon a legitimate and constitutionally grounded purpose, namely, the restoration of the accuracy, completeness, and integrity of the electoral rolls. Having regard to the nature of the problem sought to be addressed, the scale of the exercise undertaken, and the procedural safeguards incorporated during its implementation, the measures adopted by the Commission cannot be said to be disproportionate to the object sought to be achieved.

208.3. While inclusion in the electoral roll gives rise to a presumption of validity, such presumption is rebuttable and cannot be construed as imposing a blanket embargo on the powers of the Commission to undertake a Special Intensive Revision. The decision in *Lal Babu Hussein*[13] does not compel a contrary conclusion, being confined to the context of adjudicatory proceedings and not extending to a systemic, inquisitorial exercise undertaken in furtherance of the Commission's constitutional mandate.

208.4. The deletions effected pursuant to the impugned SIR exercise cannot be said to be contrary to the procedure prescribed under Rule 21-A of the 1960 Rules. The safeguards of notice and hearing are preserved in substance, and the process adopted by the Commission remains within the bounds of the statutory mandate.

208.5. The documentation regime prescribed by the Commission represents a considered exercise of its administrative discretion in furtherance of its constitutional mandate. The classification of documents, including the exclusion of certain categories (apart from Aadhaar Card, which was directed to be included *vide* order dated 8-9-2025), is based on intelligible criteria having a direct nexus with the objective of ensuring the integrity of the electoral roll. We are, therefore, unable to hold that the impugned documentation framework is arbitrary or violative of the statutory scheme.

208.6. The Commission is empowered, in the exercise of its constitutional mandate, to undertake a limited enquiry into citizenship for the purpose of satisfying itself as to eligibility for inclusion in the electoral roll. Such an enquiry does not amount to a determination of citizenship in the strict sense, and any action taken pursuant thereto is confined to electoral consequences alone. The consequence of such a determination is correspondingly limited. It affects the individual's entitlement to be included in the electoral roll, and thereby their right to participate in the electoral process. It does not, however, operate to divest the individual of claims of citizenship, nor does it foreclose a determination of that question by the competent authority under the Citizenship Act.

13 *Lal Babu Hussein* v. *Electoral Registration Officer*, (1995) 3 SCC 100

SCC Online Web Edition, © 2026 EBC Publishing Pvt. Ltd.
Page 79 Friday, October 23, 2026
Printed For: Mr. Prabhas Bajaj
SCC Online Web Edition: https://www.scconline.com
TruePrint™ source: Supreme Court Cases, © 2026 Eastern Book Company. The text of this version of this judgment is protected by the law declared by the Supreme Court in Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1 paras 61, 62 & 63.

208.7. In cases where the Commission is not satisfied that a person meets the statutory conditions for inclusion in the electoral roll, it would be incumbent upon it to refer such an individual to the competent authority within the Central Government for adjudication in accordance with law. The Commission's determination, being confined to electoral purposes, cannot assume finality on the question of citizenship. Any deletion effected on this ground shall, therefore, remain subject to the outcome of such adjudication by the appropriate authority.

208.8. Regarding persons whose names have been deleted from the 2003 roll on account of the Commission being of the opinion that they are not citizens, the Commission shall refer such cases within 4 weeks to the competent authority under the Citizenship Act, 1955, for adjudication of their citizenship. The competent authority shall take the necessary decision in accordance with law, preferably before the next parliamentary, Assembly, local body elections, whichever is earlier, after giving notice and an opportunity of hearing to the deleted individuals, if any. In the event the competent authority holds that such deleted individuals are citizens, they shall be included in the electoral roll. In addition thereto, all persons who are domiciled in Bihar and whose names have been erroneously deleted on the ground that they are absent, dead, shifted or in duplication may assail the decision of the Commission by way of judicial review.

208.9. These writ petitions are disposed of in the above terms. Pending interlocutory applications, if any, shall stand closed.

209. Ordered accordingly.

———

ITEM NO.26 COURT NO.1 SECTION X

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).1109/2025

R. SIVA Petitioner(s)

VERSUS

ELECTION COMMISSION OF INDIA Respondent(s)

[SIR MATTERS RELATED TO THE STATE OF TAMIL NADU]
IA No. 292921/2025 - STAY APPLICATION

WITH
W.P.(C) No. 1072/2025 (X)
IA No. 311080/2025 - EXEMPTION FROM FILING O.T.
IA No. 34100/2026 - INTERVENTION APPLICATION
IA No. 34536/2026 - INTERVENTION/IMPLEADMENT
IA No. 318145/2025 - INTERVENTION/IMPLEADMENT
IA No. 34539/2026 - PERMISSION TO APPEAR AND ARGUE IN PERSON
IA No. 287131/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES
IA No. 34540/2026 - PERMISSION TO FILE APPLICATION FOR DIRECTION
IA No. 283307/2025 - STAY APPLICATION

W.P.(C) No. 1085/2025 (PIL-W)
IA No. 287173/2025 - STAY APPLICATION

W.P.(C) No. 1083/2025 (X)
IA No. 286978/2025 - STAY APPLICATION

W.P.(C) No. 1130/2025 (PIL-W)
IA No. 298117/2025 - STAY APPLICATION

W.P.(C) No. 1154/2025 (X)
IA No. 302664/2025 - EX-PARTE AD-INTERIM RELIEF

W.P.(C) No. 1145/2025 (X)
IA No. 301413/2025 - STAY APPLICATION

W.P.(C) No. 1128/2025 (PIL-W)
IA No. 297806/2025 - EX-PARTE STAY

W.P.(C) No. 1162/2025 (PIL-W)
IA No. 317317/2025 - PERMISSION TO FILE APPLICATION FOR DIRECTION

W.P.(C) No. 1158/2025 (X)
IA No. 303610/2025 - STAY APPLICATION

W.P.(C) No. 1157/2025 (X)
IA No. 19183/2026 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 313079/2025 - EXEMPTION FROM FILING O.T.

W.P.(C) No. 1195/2025 (PIL-W)

W.P.(C) No. 1271/2025 (PIL-W)
IA No. 334225/2025 - STAY APPLICATION

Date : 16-07-2026 These matters were called on for hearing today.

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

For Petitioner(s) :Mr. Haris Beeran, Adv.
Mr. Azhar Assees, Adv.
Mr. Anand B. Menon, Adv.
Ms. Rizwana R. Raj, Adv.
Mr. Radha Shyam Jena, AOR

Mr. Amit Anand Tiwari, Sr. Adv.
Ms. Tanvi Anand, Adv.
Ms. Devyani Gupta, AOR

Mr. Salman Khurshid, Sr. Adv.
Mr. V Puneedhan, Adv.
Ms. D Naveena, Adv.
Mr. D Naveena, Adv.
Mr. Sriram P., AOR
Ms. Lubna Naaz, Adv.
Ms. Sonika Choudhary, Adv.
Ms. Azra Rehman, Adv.
Ms. Sidra Khan, Adv.

Mr. Vivek Singh, AOR
Mr. S Agilesh Kumar, Adv.
Ms. Tanvi Anand, Adv.
Mr. Ayush Gupta, Adv.
Ms. Saumya Sarasawat, Adv.

Mr. Yash S. Vijay, AOR

Dr. G. Sivabalamurugan, AOR
Mr. Gandhi Kumar, Adv.
Mr. Selvaraj Mahendran, Adv.
Mr. Harikrishnan Pv, Adv.
Mr. C Kavin Ananth, Adv.
Mr. V M Dhass Prathap Singh, Adv.

Miss Aditi Gupta, AOR

Dr. Menaka Guruswamy, Sr. Adv.
Ms. Bhumika Yadav, Adv.
Mr. Anmol Gupta, Adv.
Mr. B. M. Subash, Adv.
Mr. T. Hari Hara Sudhan, AOR

Mr. Ashutosh Jha, AOR
Mr. Oleander D Singh, Adv.
Mr. Pratham Sadh, Adv.
Mr. Tushar, Adv.
Mr. Shivam Tomar, Adv.

Mr. Vairawan A.s, AOR

Mr. Prasanna S., AOR
Ms. Injila Muslim Zaidi, Adv.
Mr. Maamidi Ashish Reddy, Adv.
Ms. Apoorva Singh, Adv.
Mr. Prasanna B, Adv.
Ms. Ishita Tulsyan, Adv.

For Respondent(s) :Mr. Dama Seshadri Naidu, Sr. aDv.
Mr. Prateek Kumar, AOR
Mr. Devansh Rai, Adv.
Mr. Deepak Sharma, Adv.
Ms. Jeesha, Adv.
Mr. K. Krishna Kumar, AOR
Ms. Neha Rathi, AOR

Mr. Balaji Srinivasan, AOR
Mr. K. Gowtham Kumar, Adv.
Ms. Kanishka Singh, Adv.
Mr. V Prabhu, Adv.

UPON hearing the counsel the Court made the following

O R D E R

1. Permission to appear and argue in-person is granted.

2. Following the two-Judge Bench judgment dated 27.05.2026 passed in W.P.(C) No.640/2025 (Association for Democratic Reforms & Ors. vs. Election Commission of India & Ors.), we see no ground to entertain these writ petitions. The same are, accordingly, dismissed.

3. The petitioner(s), however, shall be at liberty to avail any other remedy in accordance with law.

(ARJUN BISHT)
ASTT. REGISTRAR-cum-PS

(PREETHI DILEEP KUMAR)
DY. REGISTRAR

ANNEXURE R-12

Office of the Chief Electoral Officer
Altinho, Panaji-Goa 403 001

Phone No.:- **0832-**2225448, 2435518, 2225215 **Fax No.:-** 0832-2228443

E-mail:- ceo_goa@eci.gov.in, jtceo_goa@eci.gov.in http://www.ceogoa.nic.in

No.:- 4-11-2026/ELEC/2517 **Date**:-13/10/2026

To,
The Secretary,
Election Commission of India,
Nirvachan Sadan, Ashoka Road,
New Delhi-110001.

Sir,

Sub:- Status report of 97 LD Cases.

Please find enclosed herewith status report of 97 LD Cases in the enclosed format for your information, which is received from the Collector and DEO, North Goa District, and South Goa District.

Yours faithfully,

(Akshaya A. Amonkar)
Dy. Chief Electoral Officer

Encl: As above

Status report of 97 LD Cases:

Form 6 filled and accepted/under Process	88
Form 6 not filled/ foreign National and voter aboard/ shifted	06
Having Portuguese Passport	03
Total of Goa State	**97**

ANNEXURE R-13

ITEM NO.1 COURT NO.1 SECTION PIL-W

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).1089/2025

MOSTARI BANU **Petitioner(s)**

VERSUS

THE ELECTION COMMISSION OF INDIA & ORS. **Respondent(s)**

[SIR MATTERS RELATED TO THE STATE OF WEST BENGAL] .....
[ALONGWITH LETTER DATED 08.03.2026 RECEIVED FROM HON. THE CHIEF JUSTICE, CALCUTTA HIGH COURT.]
IA No. 287398/2025 - GRANT OF INTERIM RELIEF
WITH
W.P.(C) No. 737/2025 (PIL-W)
FOR STAY APPLICATION ON IA 183939/2025
FOR PERMISSION TO FILE APPLICATION FOR DIRECTION ON IA 303592/2025
FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 1908/2026
FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 27103/2026
FOR EXEMPTION FROM FILING O.T. ON IA 27104/2026
IA No. 27103/2026 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 1908/2026 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 27104/2026 - EXEMPTION FROM FILING O.T.
IA No. 303592/2025 - PERMISSION TO FILE APPLICATION FOR DIRECTION
IA No. 183939/2025 - STAY APPLICATION
W.P.(C) No. 1074/2025 (PIL-W)
IA No. 72504/2026 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 26838/2026 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 1884/2026 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 26839/2026 - EXEMPTION FROM FILING O.T.
IA No. 303210/2025 - STAY APPLICATION
IA No. 284001/2025 - STAY APPLICATION
W.P.(C) No. 1088/2025 (PIL-W)
FOR STAY APPLICATION ON IA 287351/2025
IA No. 287351/2025 - STAY APPLICATION
W.P.(C) No. 1216/2025 (PIL-W)
FOR FOR CLARIFICATION/DIRECTION ON IA 317082/2025
IA No. 317082/2025 - CLARIFICATION/DIRECTION
W.P.(C) No. 119/2026 (PIL-W)
FOR ADMISSION
IA No. 30760/2026 - EARLY HEARING APPLICATION
IA No. 30759/2026 - GRANT OF INTERIM RELIEF
IA No. 30347/2026 - PERMISSION TO APPEAR AND ARGUE IN PERSON
W.P.(C) No. 126/2026 (PIL-W)
FOR EXEMPTION FROM FILING O.T. ON IA 32266/2026
IA No. 32266/2026 - EXEMPTION FROM FILING O.T.
W.P.(C) No. 129/2026 (PIL-W)
FOR ADMISSION
W.P.(C) No. 159/2026 (PIL-W)

Diary No(s). 68938/2025 (PIL-W)
FOR ADMISSION
IA No. 66269/2026 - CONDONATION OF DELAY IN REFILING/CURING THE DEFECTS

Date : 01-04-2026 These matters were called on for hearing today.

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

For Petitioner(s) **Mr. V. Giri, Sr. Adv.**
Ms. Sanjana Saddy, AOR
Mr. Rahul Narang, Adv.

Mr. Bikash Ranjan Bhattacharya, Sr. Adv.
Mr. Abhishek Manu Singhvi, Sr. Adv.
Mr. Prashanto Chandra Sen, Sr. Adv.
Mr. Haris Beeran, Adv.
Mr. Muhammad Ali Khan, Adv.
Mr. Azhar Assees, Adv.
Mr. Anand B. Menon, Adv.
Mr. Amit Bhandari, Adv.
Ms. Rizwana R. Raj, Adv.
Mr. Omar Hoda, Adv.
Mr. Shaswat Jena, Adv.
Ms. Eesha Bakshi, Adv.
Mr. Firdous Samim, Adv.
Mr. Udya Bhatia, Adv.
Mr. Gopa Biswas, Adv.
Mr. Kamran Khan, Adv.
Mr. Surya Kiran Singh, Adv.
Mr. Aviral Jain, Adv.
Ms. Ayesha Khan, Adv.
Mr. Sayantan Chanda, Adv.
Ms. Rajlaxmi Singh, Adv.
Ms. Vanisha Mehta, Adv.
Mr. Usman Ghani Khan, AOR

Mr. Bikash Ranjan Bhattacharya, Sr. Adv.
Mr. Sabyasachi Chatterjee, Adv.
Mr. Akashdeep Mukherjee, Adv.
Mr. Sayan Banerjee, Adv.
Mr. Badrul Karim, Adv.
Mr. Kiron Sk, Adv.
Mr. Rishabh Ahmad Khan, Adv.
Mr. Md Shah Minhajuddin, Adv.
Mr. Md Adil Khan, Adv.
Mr. Subhro Prokas Mukherjee, AOR

Mr. Kapil Sibal, Sr. Adv.
Mr. Kalyan Bandopadhyay, Sr. Adv.
Mr. Shyam Divan, Sr. Adv.
Mr. Debanjan Mandal, Adv.
Mr. Kunal Chatterji, AOR
Ms. Fauzia Shakil, Adv.
Mr. Shourya Dasgupta, Adv.
Ms. Mahima Cholera, Adv.
Ms. Aparajita Jamwal, Adv.
Mr. Shaishir Divatia, Adv.
Mr. Ankur Singhal, Adv.
Mr. Aman Naqvi, Adv.
Mr. Ashish Kumar Pandey, Adv.

Mr. Kalyan Bandopadhyay, Sr. Adv.
Mr. Abhisek Mohanty, Adv.
Mr. Vivek Singh, AOR
Mr. Rahul Kumar Singh, Adv.

Mr. Amales Ray, Sr. Adv.
Mr. Subhro Kanti Roy Chowdhury, Adv.
Mr. Anindo Mukherjee, Adv.
Ms. Parul Sharma, Adv.
Mr. Rameshwar Prasad Goyal, AOR

Mr. Kapil Sibal, Sr. Adv.
Dr. Abhishek Manu Singhvi, Sr. Adv.
Mr. Shyam Divan, Sr. Adv.
Mr. Kalyan Banerjee, Sr. Adv.
Mr. Menaka Guruswamy, Sr. Adv.
Mr. Prashant Bhushan, Adv.
Mr. Debanjan Mandal, Adv.
Mr. Kunal Mimani, AOR
Ms. Mahima Cholera, Adv.
Mr. Shaurya Dasgupta, Adv.
Mr. Aman Naqvi, Adv.
Mr. Akshay Luthra, Adv.
Mr. Saishir Divatia, Adv.
Mr. Ankur Singhal, Adv.

Mr. K. Shiva, AOR

Dr. Subodh Chandra Roy, Petitioner-in-person
Ms. Pallavi Anand, Adv.
Mr. Bhaskar Sundaram, Adv.

For Respondent(s) **Mr. Dama Seshadri Naidu, Sr.Adv.**
Mr. Prateek Kumar, AOR
Mr. Abhinav Thakur, Adv.
Ms. Anamika Mishra, Adv.
Mr. Kumar Utsav, Adv.

Dr. Abhishek Manu Singhvi, Sr. Adv.
Dr. Menaka Guruswamy, Sr. Adv.
Mr. Debanjan Mandal, Adv.
Mr. Kunal Mimani, AOR
Ms. Mahima Cholera, Adv.
Ms. Shraddha Chirania, Adv.
Mr. Shaurya Dasgupta, Adv.

Mr. Mukesh Kumar Maroria, AOR
Mr. Madhav Sinhal, Adv.
Ms. Shilpa Ohri, Adv.
Mr. Aman Jha, Adv.
Mr. Aman Mehta, Adv.
Mr. Anuj Udupa, Adv.
Mr. Udit Dediya, Adv.
Mr. Kartikay Aggarwal, Adv.
Mr. Raman Yadav, Adv.
Mr. Abhishek Kumar Pandey, Adv.
Ms. Ameyavikrama Thanvi, Adv.
Mr. Chitvan Singhal, Adv.
Mr. Arvind Kumar Sharma (aor), Adv.

Mr. Bikash Ranjan Bhattacharya, Sr. Adv.
Mr. Samim Ahammed, Adv.
Mr. Shubham Upadhyay, AOR
Ms. Ambiya Khatun, Adv.
Mr. Arka Maiti, Adv.
Ms. Anukriti Bajpai, Adv.

Mr. Gurmeet Singh Makker, AOR
Mr. Udit Dediya, Adv.
Mr. Anuj Udupa, Adv.
Mr. Madhav Sinhal, Adv.
Mrs. Shilpa Ohri, Adv.
Mr. Aman Jha, Adv.

Mr. Barun Kumar Sinha, Adv.
Mrs. Pratibha Sinha, Adv.
Mr. Sneh Vardhan, Adv.
Mr. Rakesh Mudgal, Adv.
Mr. Chhail Bihari Singh, Adv.
Mr. Pankaj Kumar Shukla, Adv.
Mr. Ritu Raj, Adv.
Mrs. Kanika, Adv.
Mr. Vaibhav Singh, Adv.
Mr. Anantha Narayana M.G., AOR

UPON hearing the counsel the Court made the following

O R D E R

1. The paperbook of an unnumbered I.A. in Writ Petition (C) No.1216/2025 has been handed over today in the Court. Subject to

curing of defects, the Registry is directed to list the application on the date fixed. Copies thereof may be circulated to the counsel for the parties in advance with liberty to file counter affidavit, if required.

2. On 10.03.2026, certain directions were issued by this Court through a self-speaking order, noticing the disposal of a large volume of objections by more than 500 Judicial Officers of the State of West Bengal along with 200 Officers from the States of Orissa and Jharkhand, to whom the extraordinary exercise of adjudicating the said objections in the ongoing SIR in the State of West Bengal was entrusted. Through that order, Hon'ble the Chief Justice of the High Court at Calcutta was requested to identify some former Chief Justices/Judges of the High Court for the purpose of constitution of Appellate Tribunals to hear appeals by the party(s) aggrieved by the orders passed by the Judicial Officers. In addition, directions with respect to payment of honorarium, travelling allowance, boarding and lodging, etc. for the Judicial Officers were also issued.

3. After the order dated 10.03.2026, we have received two communications from Hon'ble the Chief Justice of the High Court at Calcutta.

4. *Vide* the letter dated 21.03.2026, the learned Chief Justice updated this Court about the disposal of objections by the Judicial Officers, besides the proposal to publish the first supplementary roll. Hon'ble the Chief Justice also dealt with certain other issues in the said communication, which have since been addressed.

5. There is another communication dated 31.03.2026, which we received yesterday from the learned Chief Justice, informing us that, as on 31.03.2026 till 4:04 P.M., 46,60,135 objections have been decided in the entire state, against the total number of 60,06,675 objections filed. We are informed that as of today, the disposal has crossed 47,30,000.

6. The letter further points out that on 20.03.2026, the Election Commission of India has notified the constitution of 19

Appellate Tribunals in the State. These Appellate Tribunals are headed by former Chief Justices/Senior Judges of the High Court. A team of representatives from the High Court, the Election Commission of India, and the State of West Bengal has visited various locations in order to identify a suitable premises for the Appellate Tribunals. Ultimately, in this regard, 'Dr. Shyama Prasad Mukherjee National Institute of Water and Sanitation, Diamond Harbor Road, Joka, Kolkata', which is an institute run by the Department of Drinking Water and Sanitation, Ministry of Jal Shakti, Government of India, was selected since the said building was found ready to move and consists of 21 chambers. We are informed by Mr. Dama Seshadri Naidu, learned Senior Counsel for the Election Commission of India, that necessary permission from the Ministry of Jal Shakti, Government of India has been obtained, initially for a period of eight weeks, so that the Appellate Tribunals become functional immediately. He further informs that the orientation/training to the Presiding and Member Judges of the Appellate Tribunals will be undertaken during the course of the day, so that they can conveniently handle the software dealing with the appeals which have been filed online as well as offline.

7. It goes without saying that, as and when required, the Election Commission of India will either seek further extension from the Ministry of Jal Shakti and/or identify alternative premises in consultation with the parties.

8. We, however, clarify that, in any case, the Appellate Tribunals shall function at Calcutta.

9. The issue of alleged non-availability of 'reasons' for rejection of the objections by the adjudicating authority, namely, the Judicial Officers, is also highlighted by the learned Chief Justice in the communication dated 31.03.2026. In this regard, Mr. Naidu has informed us that it will be ensured that the Appellate Tribunals have access to the records submitted by the parties before the Judicial Officers, for deciding the appeals that may be filed (i) by persons whose names have been excluded from the Voters List; or (ii) by the authorities of the Election Commission of

India, who may be aggrieved by the inclusion of names by the adjudicatory authorities.

10. To eliminate any doubt, we request the Appellate Tribunals to revisit the full records, including the reasons assigned by the Judicial Officers while adjudicating the objections, before making a decision on the appeals filed before them, and also to inform the parties of these reasons. The Appellate Tribunals are free to evolve their own procedures in accordance with the principles of natural justice, and are requested to adjudicate the appeals after providing the parties with a fair opportunity of being heard.

11. The only other issue raised by Hon'ble the Chief Justice of the High Court is regarding non-payment of honorarium, along with travelling, boarding, and other incidental expenses. In this regard, Mr. Naidu has placed on record a communication dated 25.03.2026 addressed to the Chief Electoral Officer, West Bengal, directing him to release the necessary payments to the Members of the Appellate Tribunals and ancillary staff.

12. It may also be brought on record that the learned Chief Justice has informed us that the pending objections are likely to be adjudicated by 07.04.2026. Keeping the aforesaid date in mind, post these matters on 06.04.2026 at 4:00 P.M.

(SATISH KUMAR YADAV)
ADDITIONAL REGISTRAR

(PREETHI T.C.)
ASSISTANT REGISTRAR

ANNEXURE R-14 Revised for appearance only

ITEM NO.305 COURT NO.1 SECTION PIL-W

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). 1089/2025

MOSTARI BANU Petitioner(s)

VERSUS

THE ELECTION COMMISSION OF INDIA & ORS. Respondent(s)

(IA No. 96030/2026 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 287398/2025 - GRANT OF INTERIM RELIEF, IA No. 95751/2026 - INTERVENTION APPLICATION, IA No. 76867/2026 – INTERVENTION/ IMPLEADMENT and IA No. 86454/2026 - PERMISSION TO FILE APPLICATION FOR DIRECTION)

WITH

W.P.(C) No. 737/2025 (PIL-W)
(IA No. 27103/2026 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 1908/2026 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 27104/2026 - EXEMPTION FROM FILING O.T., IA No. 303592/2025 - PERMISSION TO FILE APPLICATION FOR DIRECTION and IA No. 183939/2025 - STAY APPLICATION)

W.P.(C) No. 1074/2025 (PIL-W)
(IA No. 26838/2026 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 1884/2026 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 26839/2026 - EXEMPTION FROM FILING O.T., IA No. 303210/2025 - STAY APPLICATION and IA No. 284001/2025 - STAY APPLICATION)

W.P.(C) No. 1088/2025 (PIL-W)
(IA No. 287351/2025 - STAY APPLICATION)

W.P.(C) No. 1216/2025 (PIL-W)
(IA No. 317082/2025 - CLARIFICATION/DIRECTION)

W.P.(C) No. 119/2026 (PIL-W)
(IA No. 30760/2026 - EARLY HEARING APPLICATION, IA No. 30759/2026 - GRANT OF INTERIM RELIEF and IA No. 30347/2026 - PERMISSION TO APPEAR AND ARGUE IN PERSON)

W.P.(C) No. 126/2026 (PIL-W)
(IA No. 32266/2026 - EXEMPTION FROM FILING O.T.)

W.P.(C) No. 129/2026 (PIL-W)

W.P.(C) No. 159/2026 (PIL-W)

Diary No(s). 68938/2025 (PIL-W)
(IA No. 66269/2026 - CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS)

Date : 06-04-2026 These matters were called on for hearing today.

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

For Petitioner(s) : Mr. V. Giri, Sr. Adv.
Ms. Sanjana Saddy, AOR
Mr. Akshay Narang, Adv.

Mr. Bikash Ranjan Bhattacharya, Sr. Adv.
Mr. Abhishek Manu Singhvi, Sr. Adv.
Mr. Prashanto Chandra Sen, Sr. Adv.
Mr. Haris Beeran, Adv.
Mr. Muhammad Ali Khan, Adv.
Mr. Azhar Assees, Adv.
Mr. Anand B. Menon, Adv.
Mr. Amit Bhandari, Adv.
Ms. Rizwana R. Raj, Adv.
Mr. Omar Hoda, Adv.
Mr. Shaswat Jena, Adv.
Ms. Eesha Bakshi, Adv.
Mr. Firdous Samim, Adv.
Mr. Udya Bhatia, Adv.
Mr. Kamran Khan, Adv.
Mr. Gopa Biswas, Adv.
Mr. Surya Kiran Singh, Adv.
Mr. Aviral Jain, Adv.
Ms. Ayesha Khan, Adv.
Mr. Sayantan Chanda, Adv.
Ms. Rajlaxmi Singh, Adv.
Ms. Vanisha Mehta, Adv.
Mr. Usman Ghani Khan, AOR

Mr. Bikash Ranjan Bhattacharya, Sr. Adv.
Mr. Sabyasachi Chatterjee, Adv.
Mr. Akashdeep Mukherjee, Adv.
Mr. Sayan Banerjee, Adv.
Mr. Badrul Karim, Adv.
Mr. Kiron Sk, Adv.
Mr. Rishabh Ahmad Khan, Adv.
Mr. Md Shah Minhajuddin, Adv.
Mr. Md Adil Khan, Adv.
Mr. Subhro Prokas Mukherjee, AOR

Mr. Kapil Sibal, Sr. Adv.
Mr. Kalyan Bandopadhyay, Sr. Adv.
Mr. Shyam Divan, Sr. Adv.
Mr. Debanjan Mandal, Adv.

Mr. Kunal Chatterji, AOR
Ms. Fauzia Shakil, Adv.
Mr. Shourya Dasgupta, Adv.
Ms. Mahima Cholera, Adv.
Ms. Aparajita Jamwal, Adv.
Mr. Shaishir Divatia, Adv.
Mr. Ankur Singhal, Adv.
Mr. Aman Naqvi, Adv.
Mr. Ashish Kumar Pandey, Adv.

Mr. Kalyan Bandopadhyay, Sr. Adv.
Mr. Abhisek Mohanty, Adv.
Mr. Vivek Singh, AOR
Mr. Rahul Kumar Singh, Adv.

Mr. Amales Ray, Sr. Adv.
Mr. Subhro Kanti Roy Chowdhury, Adv.
Mr. Anindo Mukherjee, Adv.
Ms. Parul Sharma, Adv.
Mr. Rameshwar Prasad Goyal, AOR

Mr. Kapil Sibal, Sr. Adv.
Dr. Abhishek Manu Singhvi, Sr. Adv.
Mr. Shyam Divan, Sr. Adv.
Mr. Kalyan Banerjee, Sr. Adv.
Mr. Menaka Guruswamy, Sr. Adv.
Mr. Prashant Bhushan, Adv.
Mr. Debanjan Mandal, Adv.
Mr. Kunal Mimani, AOR
Ms. Mahima Cholera, Adv.
Mr. Shaurya Dasgupta, Adv.
Mr. Aman Naqvi, Adv.
Mr. Akshay Luthra, Adv.
Mr. Saishir Divatia, Adv.
Mr. Ankur Singhal, Adv.

Mr. K. Shiva, AOR
Petitioner-in-person

For Respondent(s) : Mr. Dama Seshadri Naidu, Sr. Adv.
Mr. Prateek Kumar, AOR
Mr. Abhinav Thakur, Adv.
Mr. Deepak Sharma, Adv.
Mr. Devansh Rai, Adv.
Mr. Kumar Utsav, Adv.
Mr. Anamika Mishra, Adv.
Ms. Simran Parmar, Adv.
Ms. Teesha, Adv.
Ms. Ananya Mishra, Adv.

Dr. Abhishek Manu Singhvi, Sr. Adv.
Dr. Menaka Guruswamy, Sr. Adv.
Mr. Debanjan Mandal, Adv.

Mr. Kunal Mimani, AOR
Ms. Mahima Cholera, Adv.
Ms. Shraddha Chirania, Adv.
Mr. Shaurya Dasgupta, Adv.

Mr. R. Venkataramani, Attorney General
Mr. Tushar Mehta, Solicitor General
Mr. K.M. Nataraj, A.S.G.
Mr. S.V. Raju, A.S.G.
Mr. Vikramjeet Banarjee, A.S.G.
Mr. Mukesh Kumar Maroria, AOR
Mr. Madhav Sinhal, Adv.
Ms. Shilpa Ohri, Adv.
Mr. Aman Jha, Adv.
Mr. Aman Mehta, Adv.
Mr. Anuj Udupa, Adv.
Mr. Udit Dediya, Adv.
Mr. Kartikay Aggarwal, Adv.
Mr. Raman Yadav, Adv.
Mr. Abhishek Kumar Pandey, Adv.
Ms. Ameyavikrama Thanvi, Adv.
Mr. Chitvan Singhal, Adv.
Mr. Arvind Kumar Sharma (aor), Adv.

Mr. Bikash Ranjan Bhattacharya, Sr. Adv.
Mr. Samim Ahammed, Adv.
Mr. Shubham Upadhyay, AOR
Ms. Ambiya Khatun, Adv.
Mr. Arka Maiti, Adv.
Ms. Anukriti Bajpai, Adv.

Mr. Tushar Mehta, Solicitor General
Mr. K M Nataraj, A.S.G.
Mr. Vikramjit Banerjee, A.S.G.
Mr. Gurmeet Singh Makker, AOR
Mr. Udit Dediya, Adv.
Mr. Anuj Udupa, Adv.
Mr. Madhav Sinhal, Adv.
Mrs. Shilpa Ohri, Adv.
Mr. Aman Jha, Adv.

Mr. Barun Kumar Sinha, Adv.
Mrs. Pratibha Sinha, Adv.
Mr. Sneh Vardhan, Adv.
Mr. Rakesh Mudgal, Adv.
Mr. Chhail Bihari Singh, Adv.
Mr. Pankaj Kumar Shukla, Adv.
Mr. Ritu Raj, Adv.
Mrs. Kanika, Adv.
Mr. Vaibhav Singh, Adv.
Mr. Anantha Narayana M.G., AOR

For Intervenor (IA No. 102323/2026) Mr. Jaideep Gupta, Sr. Adv.
Ms. Anju Thomas, AOR
Ms. Pratibha Yadav, Adv.

UPON hearing the counsel the Court made the following

O R D E R

1. The Election Commission of India (ECI) notified 19 Appellate Tribunals on 20.03.2026, before whom the decision taken by the judicial officers while disposing the objections in the SIR process, could be challenged. These Appellate Tribunals are headed by former Chief Justices/senior Judges of the High Court. The premises shortlisted for the functioning of these appellate tribunals are duly mentioned in paragraph 6 of our order dated 01.04.2026. We also clarified through paragraph 9 of that order that the alleged non-availability of reasons for rejection of the objections by the adjudicating officers could be raised before the Appellate Tribunals by persons whose names have been excluded from the voters' list or by such objectors/authorities of the ECI, who might be aggrieved by the inclusion of certain names in the voter list.

2. To eliminate any further doubt, we requested the Appellate Tribunals to revisit the full records, including the reasons assigned by the judicial officers. It was further clarified through the aforementioned order that the Appellate Tribunals will be free to evolve their own procedure in accordance with the principles of natural justice and that they may provide a fair opportunity of being heard to the parties while deciding the appeals.

3. Meanwhile, a letter was received by Hon’ble the Chief Justice of the High Court from a former Chief Justice, who has graciously consented to preside over one of the Appellate Tribunals. Vide

such a letter, the issue regarding the procedure for providing 'personal hearing' to the affected party has been highlighted.

4. In this regard, it appears to us that, in order to establish uniformity in the procedures to be followed by all 19 Appellate Tribunals, it is essential for such procedures to be formally established prior to the adjudication of appeals. Consequently, we request the Chief Justice of the High Court at Calcutta to constitute a Committee of three former Chief Justices or Judges, who will establish the procedure that must be consistently followed by all 19 Appellate Tribunals. We urge the Hon'ble Chief Justice to constitute this Committee without delay and to endeavour to have the procedure prescribed by tomorrow, i.e., 07.04.2026, to accelerate the resolution of the appeals.

5. We further find from the record that the Registrar General of the High Court at Calcutta has requested the ECI *vide* e-mail dated 05.04.2026 to clarify certain issues, namely, when the venue of the Appellate Tribunals will be ready to be functional in all respects. We are informed by Mr. Dama Seshadri Naidu, learned senior counsel appearing for the ECI, on instructions, that the requisite infrastructure has been made available and the Appellate Tribunals are ready to function from the allocated premises.

6. The second query concerns the payment of honorarium and other incidental expenses to former Judges of the Appellate Tribunals. Let the ECI issue a formal notification/circular by tomorrow, i.e., 07.04.2026, and ensure that the necessary payments, according to the notified rates, are made to all members of the Appellate Tribunals.

7. The third issue, equally important, concerns the receipts to be issued for appeals filed offline.

8. The ECI has already notified on 20.03.2026 that appeals can be filed either online through the ECI NET platform or physically at the office of the DM/SDM/SDO, who shall ensure digitisation and uploading of the appeal on the ECI NET platform at the earliest. It goes without saying that when the appeal is filed offline, the office of DM/SDM/SDO will issue a requisite receipt or acknowledgment of such filing.

9. Since we are informed that the entire exercise of deciding objections in the SIR process is likely to be completed by the judicial officers today, the ECI is directed to publish a supplementary list tonight even in the absence of digital signatures on all the verified objections. For the limited purpose of digitized signatures, the officers shall be reassigned login access and the portal will remain open on 07.04.2026 as well.

10. Additionally, we are informed that the applicant/his family members in IA No.102323/2026 have already filed an appeal before the Appellate Tribunal against the exclusion of their names from the voter list. If that is the case, we request the Appellate Tribunal to take up that appeal on 13.04.2026 for final hearing. Mr. Dama Seshadri Naidu, the learned senior counsel, assures that necessary assistance will be provided to the Appellate Tribunal for adjudication of the appeal on the scheduled date.

11. Regarding the un-numbered IA in W.P.(C) No. 1216/2025, as referred to in paragraph 1 of our order dated 01.04.2026, the learned senior counsel for the ECI seeks and is granted time to

obtain instructions on 13.04.2026.

12. Post these matters on 13.04.2026 at 3:00 P.M.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(PREETHI DILEEP KUMAR)
ASSISTANT REGISTRAR

ITEM NO.305 COURT NO.1 SECTION PIL-W

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). 1089/2025

MOSTARI BANU Petitioner(s)

VERSUS

THE ELECTION COMMISSION OF INDIA & ORS. Respondent(s)

(IA No. 96030/2026 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 287398/2025 - GRANT OF INTERIM RELIEF, IA No. 95751/2026 - INTERVENTION APPLICATION, IA No. 76867/2026 – INTERVENTION/ IMPLEADMENT and IA No. 86454/2026 - PERMISSION TO FILE APPLICATION FOR DIRECTION)

WITH

W.P.(C) No. 737/2025 (PIL-W)
(IA No. 27103/2026 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 1908/2026 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 27104/2026 - EXEMPTION FROM FILING O.T., IA No. 303592/2025 - PERMISSION TO FILE APPLICATION FOR DIRECTION and IA No. 183939/2025 - STAY APPLICATION)

W.P.(C) No. 1074/2025 (PIL-W)
(IA No. 26838/2026 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 1884/2026 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 26839/2026 - EXEMPTION FROM FILING O.T., IA No. 303210/2025 - STAY APPLICATION and IA No. 284001/2025 - STAY APPLICATION)

W.P.(C) No. 1088/2025 (PIL-W)
(IA No. 287351/2025 - STAY APPLICATION)

W.P.(C) No. 1216/2025 (PIL-W)
(IA No. 317082/2025 - CLARIFICATION/DIRECTION)

W.P.(C) No. 119/2026 (PIL-W)
(IA No. 30760/2026 - EARLY HEARING APPLICATION, IA No. 30759/2026 - GRANT OF INTERIM RELIEF and IA No. 30347/2026 - PERMISSION TO APPEAR AND ARGUE IN PERSON)

W.P.(C) No. 126/2026 (PIL-W)
(IA No. 32266/2026 - EXEMPTION FROM FILING O.T.)

W.P.(C) No. 129/2026 (PIL-W)

W.P.(C) No. 159/2026 (PIL-W)

Diary No(s). 68938/2025 (PIL-W)
(IA No. 66269/2026 - CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS)

Date : 06-04-2026 These matters were called on for hearing today.

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

For Petitioner(s) : Mr. V. Giri, Sr. Adv.
Ms. Sanjana Saddy, AOR
Mr. Akshay Narang, Adv.

Mr. Bikash Ranjan Bhattacharya, Sr. Adv.
Mr. Abhishek Manu Singhvi, Sr. Adv.
Mr. Prashanto Chandra Sen, Sr. Adv.
Mr. Haris Beeran, Adv.
Mr. Muhammad Ali Khan, Adv.
Mr. Azhar Assees, Adv.
Mr. Anand B. Menon, Adv.
Mr. Amit Bhandari, Adv.
Ms. Rizwana R. Raj, Adv.
Mr. Omar Hoda, Adv.
Mr. Shaswat Jena, Adv.
Ms. Eesha Bakshi, Adv.
Mr. Firdous Samim, Adv.
Mr. Udya Bhatia, Adv.
Mr. Kamran Khan, Adv.
Mr. Gopa Biswas, Adv.
Mr. Surya Kiran Singh, Adv.
Mr. Aviral Jain, Adv.
Ms. Ayesha Khan, Adv.
Mr. Sayantan Chanda, Adv.
Ms. Rajlaxmi Singh, Adv.
Ms. Vanisha Mehta, Adv.
Mr. Usman Ghani Khan, AOR

Mr. Bikash Ranjan Bhattacharya, Sr. Adv.
Mr. Sabyasachi Chatterjee, Adv.
Mr. Akashdeep Mukherjee, Adv.
Mr. Sayan Banerjee, Adv.
Mr. Badrul Karim, Adv.
Mr. Kiron Sk, Adv.
Mr. Rishabh Ahmad Khan, Adv.
Mr. Md Shah Minhajuddin, Adv.
Mr. Md Adil Khan, Adv.
Mr. Subhro Prokas Mukherjee, AOR

Mr. Kapil Sibal, Sr. Adv.
Mr. Kalyan Bandopadhyay, Sr. Adv.
Mr. Shyam Divan, Sr. Adv.
Mr. Debanjan Mandal, Adv.

Mr. Kunal Chatterji, AOR
Ms. Fauzia Shakil, Adv.
Mr. Shourya Dasgupta, Adv.
Ms. Mahima Cholera, Adv.
Ms. Aparajita Jamwal, Adv.
Mr. Shaishir Divatia, Adv.
Mr. Ankur Singhal, Adv.
Mr. Aman Naqvi, Adv.
Mr. Ashish Kumar Pandey, Adv.

Mr. Kalyan Bandopadhyay, Sr. Adv.
Mr. Abhisek Mohanty, Adv.
Mr. Vivek Singh, AOR
Mr. Rahul Kumar Singh, Adv.

Mr. Amales Ray, Sr. Adv.
Mr. Subhro Kanti Roy Chowdhury, Adv.
Mr. Anindo Mukherjee, Adv.
Ms. Parul Sharma, Adv.
Mr. Rameshwar Prasad Goyal, AOR

Mr. Kapil Sibal, Sr. Adv.
Dr. Abhishek Manu Singhvi, Sr. Adv.
Mr. Shyam Divan, Sr. Adv.
Mr. Kalyan Banerjee, Sr. Adv.
Mr. Menaka Guruswamy, Sr. Adv.
Mr. Prashant Bhushan, Adv.
Mr. Debanjan Mandal, Adv.
Mr. Kunal Mimani, AOR
Ms. Mahima Cholera, Adv.
Mr. Shaurya Dasgupta, Adv.
Mr. Aman Naqvi, Adv.
Mr. Akshay Luthra, Adv.
Mr. Saishir Divatia, Adv.
Mr. Ankur Singhal, Adv.

Mr. K. Shiva, AOR
Petitioner-in-person

For Respondent(s) : Mr. Dama Seshadri Naidu, Sr. Adv.
Mr. Prateek Kumar, AOR
Mr. Abhinav Thakur, Adv.
Mr. Deepak Sharma, Adv.
Mr. Devansh Rai, Adv.
Mr. Kumar Utsav, Adv.
Mr. Anamika Mishra, Adv.
Ms. Simran Parmar, Adv.
Ms. Teesha, Adv.
Ms. Ananya Mishra, Adv.

Dr. Abhishek Manu Singhvi, Sr. Adv.
Dr. Menaka Guruswamy, Sr. Adv.
Mr. Debanjan Mandal, Adv.

Mr. Kunal Mimani, AOR
Ms. Mahima Cholera, Adv.
Ms. Shraddha Chirania, Adv.
Mr. Shaurya Dasgupta, Adv.

Mr. R. Venkataramani, Attorney General
Mr. Tushar Mehta, Solicitor General
Mr. K.M. Nataraj, A.S.G.
Mr. S.V. Raju, A.S.G.
Mr. Vikramjeet Banarjee, A.S.G.
Mr. Mukesh Kumar Maroria, AOR
Mr. Madhav Sinhal, Adv.
Ms. Shilpa Ohri, Adv.
Mr. Aman Jha, Adv.
Mr. Aman Mehta, Adv.
Mr. Anuj Udupa, Adv.
Mr. Udit Dediya, Adv.
Mr. Kartikay Aggarwal, Adv.
Mr. Raman Yadav, Adv.
Mr. Abhishek Kumar Pandey, Adv.
Ms. Ameyavikrama Thanvi, Adv.
Mr. Chitvan Singhal, Adv.
Mr. Arvind Kumar Sharma (aor), Adv.

Mr. Bikash Ranjan Bhattacharya, Sr. Adv.
Mr. Samim Ahammed, Adv.
Mr. Shubham Upadhyay, AOR
Ms. Ambiya Khatun, Adv.
Mr. Arka Maiti, Adv.
Ms. Anukriti Bajpai, Adv.

Mr. Tushar Mehta, Solicitor General
Mr. K M Nataraj, A.S.G.
Mr. Vikramjit Banerjee, A.S.G.
Mr. Gurmeet Singh Makker, AOR
Mr. Udit Dediya, Adv.
Mr. Anuj Udupa, Adv.
Mr. Madhav Sinhal, Adv.
Mrs. Shilpa Ohri, Adv.
Mr. Aman Jha, Adv.

Mr. Barun Kumar Sinha, Adv.
Mrs. Pratibha Sinha, Adv.
Mr. Sneh Vardhan, Adv.
Mr. Rakesh Mudgal, Adv.
Mr. Chhail Bihari Singh, Adv.
Mr. Pankaj Kumar Shukla, Adv.
Mr. Ritu Raj, Adv.
Mrs. Kanika, Adv.
Mr. Vaibhav Singh, Adv.
Mr. Anantha Narayana M.G., AOR

UPON hearing the counsel the Court made the following

O R D E R

1. The Election Commission of India (ECI) notified 19 Appellate Tribunals on 20.03.2026, before whom the decision taken by the judicial officers while disposing the objections in the SIR process, could be challenged. These Appellate Tribunals are headed by former Chief Justices/senior Judges of the High Court. The premises shortlisted for the functioning of these appellate tribunals are duly mentioned in paragraph 6 of our order dated 01.04.2026. We also clarified through paragraph 9 of that order that the alleged non-availability of reasons for rejection of the objections by the adjudicating officers could be raised before the Appellate Tribunals by persons whose names have been excluded from the voters' list or by such objectors/authorities of the ECI, who might be aggrieved by the inclusion of certain names in the voter list.

2. To eliminate any further doubt, we requested the Appellate Tribunals to revisit the full records, including the reasons assigned by the judicial officers. It was further clarified through the aforementioned order that the Appellate Tribunals will be free to evolve their own procedure in accordance with the principles of natural justice and that they may provide a fair opportunity of being heard to the parties while deciding the appeals.

3. Meanwhile, a letter was received by Hon'ble the Chief Justice of the High Court from a former Chief Justice, who has graciously consented to preside over one of the Appellate Tribunals. Vide

such a letter, the issue regarding the procedure for providing 'personal hearing' to the affected party has been highlighted.

4. In this regard, it appears to us that, in order to establish uniformity in the procedures to be followed by all 19 Appellate Tribunals, it is essential for such procedures to be formally established prior to the adjudication of appeals. Consequently, we request the Chief Justice of the High Court at Calcutta to constitute a Committee of three former Chief Justices or Judges, who will establish the procedure that must be consistently followed by all 19 Appellate Tribunals. We urge the Hon'ble Chief Justice to constitute this Committee without delay and to endeavour to have the procedure prescribed by tomorrow, i.e., 07.04.2026, to accelerate the resolution of the appeals.

5. We further find from the record that the Registrar General of the High Court at Calcutta has requested the ECI *vide* e-mail dated 05.04.2026 to clarify certain issues, namely, when the venue of the Appellate Tribunals will be ready to be functional in all respects. We are informed by Mr. Dama Seshadri Naidu, learned senior counsel appearing for the ECI, on instructions, that the requisite infrastructure has been made available and the Appellate Tribunals are ready to function from the allocated premises.

6. The second query concerns the payment of honorarium and other incidental expenses to former Judges of the Appellate Tribunals. Let the ECI issue a formal notification/circular by tomorrow, i.e., 07.04.2026, and ensure that the necessary payments, according to the notified rates, are made to all members of the Appellate Tribunals.

7. The third issue, equally important, concerns the receipts to be issued for appeals filed offline.

8. The ECI has already notified on 20.03.2026 that appeals can be filed either online through the ECI NET platform or physically at the office of the DM/SDM/SDO, who shall ensure digitisation and uploading of the appeal on the ECI NET platform at the earliest. It goes without saying that when the appeal is filed offline, the office of DM/SDM/SDO will issue a requisite receipt or acknowledgment of such filing.

9. Since we are informed that the entire exercise of deciding objections in the SIR process is likely to be completed by the judicial officers today, the ECI is directed to publish a supplementary list tonight even in the absence of digital signatures on all the verified objections. For the limited purpose of digitized signatures, the officers shall be reassigned login access and the portal will remain open on 07.04.2026 as well.

10. Additionally, we are informed that the applicant/his family members in IA No.102323/2026 have already filed an appeal before the Appellate Tribunal against the exclusion of their names from the voter list. If that is the case, we request the Appellate Tribunal to take up that appeal on 13.04.2026 for final hearing. Mr. Dama Seshadri Naidu, the learned senior counsel, assures that necessary assistance will be provided to the Appellate Tribunal for adjudication of the appeal on the scheduled date.

11. Regarding the un-numbered IA in W.P.(C) No. 1216/2025, as referred to in paragraph 1 of our order dated 01.04.2026, the learned senior counsel for the ECI seeks and is granted time to

obtain instructions on 13.04.2026.

12. Post these matters on 13.04.2026 at 3:00 P.M.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(PREETHI DILEEP KUMAR)
ASSISTANT REGISTRAR

245

PROOF OF SERVICE

Gmail

Prateek Kumar <prateekkumaradv@gmail.com>

Service of Counter Affidavit on behalf of Respondent No. 2- 5 in WP(C) No. 1246/2026 - "Rakesh Kumar Singh alias Rakesh Singh Vs. Union of India & Ors."

1 message

Prateek Kumar <prateekkumaradv@gmail.com> Mon, Oct 26, 2026 at 5:24 PM
To: Mudit Gupta <muditg88@gmail.com>

Dear Sir,

Please find the attached counter affidavit in the above noted matter on behalf of Respondent No. 2 - 5.

FINAL ECI COUNTER AFFIDAVIT.pdf

--
Regards,
Prateek Kumar,
Advocate-on-Record,
Supreme Court of India,
D - 413 (Basement),
Defence Colony, New Delhi - 24.
Phone: 011 - 40450446 | +91 - 8826209428

PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL.

CONFIDENTIALITY INFORMATION AND DISCLAIMER: This email message and its attachments may contain confidential, proprietary or legally privileged information and is intended solely for the use of the individual or entity to whom it is addressed. If you have erroneously received this message, please delete it immediately and notify the sender. If you are not the intended recipient of the email message you should not disseminate, distribute or copy this e-mail. E-mail transmission cannot be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost, destroyed, incomplete or contain viruses and no liability for any damage caused by the e-mail transmission will be accepted.