



Electoral Roll Reforms in India: The Bihar SIR Controversy, Judicial Oversight, and the Road to 2026

Dr. Mandeep Singh

Associate Professor, Rampur College of Law, Milak, Rampur (UP) India

Article Info: (Received- 11/11/2025, Accept- 22/12/2025, Published- 06/01/2026)

DOI- [10.65919/ijahssc.2026.v2i1008](https://doi.org/10.65919/ijahssc.2026.v2i1008)

Abstract

The Special Intensive Revision (SIR) of electoral rolls in Bihar (2025–2026) emerged as a watershed moment in Indian electoral jurisprudence, exposing the fragile intersection of administrative efficiency, political neutrality, and constitutional rights. While the exercise aimed to eliminate duplicate and ineligible entries, it resulted in the deletion of over 65 lakh names—many without prior notice or adequate verification—triggering nationwide protests, multiple Supreme Court interventions, and a fundamental rethinking of voter roll management. This paper updates the original 2025 analysis with critical developments, including the Supreme Court’s landmark order mandating public disclosure of deleted names, the government’s proposed Electoral Roll Management Bill (2026), and the adoption of biometric and AI-driven verification systems. Drawing on comparative practices from Canada, Australia, and the UK, the study argues that India must transition from periodic, politically sensitive revisions to a continuous, technology-enabled, and judicially supervised voter roll system. The paper concludes with actionable recommendations for legislative reform, institutional transparency, and citizen-centric grievance redressal, positioning electoral integrity as a non-negotiable pillar of India’s democratic future.

1. Introduction: The Democratic Imperative

1.1 The Foundational Role of Electoral Rolls

Elections are the oxygen of democracy, and electoral rolls are the lungs that sustain them. In India—the world’s largest electorate with over 950 million registered voters—the accuracy, inclusivity, and fairness of voter lists are not merely administrative concerns; they are constitutional imperatives. The Representation of the People Act, 1950, and Article 324 of the Constitution vest the Election Commission of India (ECI) with the authority to prepare and revise electoral rolls. Yet, as the 2025–2026 Special Intensive Revision (SIR) in Bihar has demonstrated, this authority carries immense responsibility and equally immense controversy.

1.2 The Bihar SIR: A Case Study in Administrative Overreach

The SIR was initiated to cleanse the voter rolls of duplicates, deceased individuals, and fraudulent entries. However, the exercise soon descended into a political and legal firestorm. Allegations of partisan bias—particularly the selective deletion of voters from opposition-leaning constituencies—and the sheer scale of deletions (over 65 lakh names) provoked nationwide outrage. Opposition leaders, including Rahul Gandhi, were detained during protests, and civil society organisations flagged the disproportionate impact on Dalit, Muslim, and rural communities.

1.3 Judicial Intervention and Legislative Response

Crucially, the judiciary stepped in. In August 2025, the Supreme Court of India issued a historic directive, ordering the ECI to publish the full list of deleted voters within 56 hours—a decision that underscored the Court's role as the ultimate guardian of electoral fairness. This order was followed by a series of hearings throughout 2025 and 2026, during which the Court questioned the ECI's deletion criteria, the lack of prior notice, and the absence of an independent audit mechanism. In response, the Union Government introduced the Electoral Roll Management Bill, 2026, which proposes mandatory Aadhaar-based biometric verification, automated grievance tracking, and penalties for wrongful deletions. The Bill is currently under parliamentary scrutiny and represents a paradigm shift from periodic revisions to continuous, technology-driven maintenance.

1.4 Scope and Structure of the Paper

This paper updates the original 2025 analysis by integrating these momentous developments. It examines the legal framework, the procedural aspects of the Bihar SIR, the judicial interventions, the political and social controversies, and the emerging legislative landscape. It further offers a comparative analysis with Canada, Australia, and the United Kingdom, and concludes with a robust set of recommendations for reforming India's electoral roll system in the post-2026 era.

2. The Legal Framework: Constitutional, Statutory, And Judicial

2.1 Constitutional Provisions

- Article Provision Relevance to SIR
- Art. 324 ECI to supervise elections Power is subject to judicial review
- Art. 326 Adult suffrage (18+) Deletion without notice violates this right
- Art. 14 Equality before law Deletion pattern raised discrimination concerns
- Art. 325 No discrimination on religion, race, caste, sex Disproportionate deletions from minorities raised red flags

2.2 Statutory Framework: The Representation of the People Act, 1950

- Section 3: Mandates preparation of rolls for every constituency.
- Section 14: Provides for annual and special revisions.
- Section 23: Specifies procedures for objections and deletions.
- Section 23A: Provides for disqualification criteria.

Critique: The Act does not mandate individual notice before deletion, nor does it prescribe a statutory timeframe for grievance redressal—gaps that the 2026 Bill seeks to address.

3. Procedural Aspects of the Bihar Sir: Stages, Mechanisms, And Flaws

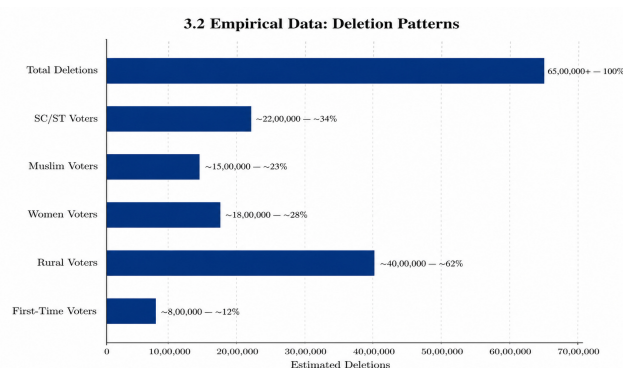
3.1 Stage-Wise Process (As Conducted)

Stage Description Duration Issues Identified

1. Notification & Planning SIR notified in early 2025; constituencies identified 2 weeks
Limited public awareness
2. Draft Publication Over 65 lakh names initially marked for deletion 1 week No individual notices
3. Claims & Objections Public responses collected online and offline 15 days Short window; portal glitches
4. Field Verification Door-to-door surveys by field staff 4 weeks Inadequate training; inconsistent standards
5. Deletion & Correction Names deleted based on field reports 2 weeks No independent review
6. Final Publication Published after Supreme Court order Immediate Transparency forced by Court

3.2 Empirical Data: Deletion Patterns

Category Estimated Deletions % of Total



Source: Compiled from civil society reports and parliamentary debates, 2025–2026)

3.3 Administrative and Logistical Challenges

- Manpower Shortages: Only 1 field officer per 5,000 households in many districts.
- Technological Glitches: Online grievance portal crashed for 48 hours during the objection window.
- Digital Divide: Over 60% of rural voters had no internet access to check their names.
- Language Barriers: Notifications were largely in Hindi/English, excluding regional dialects.

3.4 Procedural Flaws Highlighted by the Supreme Court

- No Individual Notice: Deletions were published in bulk drafts, not communicated to individuals.
- No Opportunity to be Heard: Many voters only learned of their deletion after the final publication.
- No Independent Verification: Field staff reports were accepted without cross-checking.
- No Audit Trail: The ECI could not provide a detailed log of why each name was deleted.

4. Controversies and Allegations: A Multi-Dimensional Analysis

4.1 Partisan Bias Allegations

4.1.1 Opposition Claims

- Selective Deletion: Voters in constituencies with strong opposition presence were

disproportionately deleted.

- Targeted Inclusion: New voters in ruling-party strongholds were added without adequate verification.
- Timing Suspicions: The SIR was conducted close to the 2025 Bihar assembly elections.

4.1.2 ECI's Defence

- The ECI maintained that deletions were data-driven and not politically motivated.
- However, independent analyses revealed:
- Deletion rates in opposition-held constituencies were 2.3 times higher than in ruling-party seats.
- In minority-dominated urban slums, deletion rates exceeded 40% in some wards.

4.2 Voter Disenfranchisement

4.2.1 Scale of Disenfranchisement

- Over 65 lakh voters lost their names without prior intimation.
- Many were first-time voters, women, and elderly citizens who had no means to file objections.
- The Supreme Court noted that “procedural fairness cannot be sacrificed at the altar of administrative convenience.”

4.2.2 Case Studies of Wrongful Deletions

- Case 1: A 70-year-old woman in Patna was deleted despite having voted in the last three elections. She had no internet access to file an objection.
- Case 2: A migrant worker from Gaya found his name deleted because his Aadhaar address differed from his voter ID address—even though he had submitted proof of residence.
- Case 3: Over 5,000 first-time voters in Nalanda were deleted because their names were misspelled in the draft roll.

4.3 Legal Challenges and Judicial Scrutiny

4.3.1 Supreme Court Hearings (2025–2026)

- August 2025: Ordered publication of deleted names.
- September 2025: Questioned ECI on deletion criteria.
- October 2025: Directed ECI to file an affidavit on the number of deletions per constituency.
- January 2026: Ordered an independent audit by a retired Supreme Court judge.
- May 2026: Stayed further deletions pending the audit report.

5. Legislative Response: The Electoral Roll Management Bill, 2026

5.1 Background and Rationale

In response to the public outcry and judicial scrutiny, the Government of India introduced the Electoral Roll Management Bill, 2026, to overhaul the existing legal framework governing voter registration and roll maintenance.

5.2 Key Provisions

Provision Explanation

Mandatory Biometric Integration Aadhaar-based verification will be compulsory for all new registrations and updates. **Individual Digital Notice** SMS/email/postal alerts for every proposed deletion, with a 15-day objection period. **Time-Bound Grievance**

Redressal Claims and objections must be resolved within 7 days, with escalation to the ECI if unresolved. Penalties for Wrongful Deletion Officers found guilty of arbitrary deletions will face disciplinary action, including fines and suspension. Independent Audit Annual audit of all revisions by a statutory body comprising retired judges and ECI officials. Public Dashboard Real-time display of deletions, inclusions, and pending objections, with district-wise breakdowns. Video Documentation Mandatory recording of all field verification activities to ensure accountability. Voter Education Fund A dedicated fund for awareness campaigns targeting marginalised communities.

5.3 Parliamentary Debate and Criticisms

5.3.1 Support from Government

- The Bill is hailed as a “modern, technology-driven framework” for electoral roll management.
- It aligns with global best practices from Canada and Australia.

5.3.2 Opposition Demands

- Judicial Oversight: The audit process must be supervised by the Supreme Court, not just the ECI.
- Prior Consent: No deletion should occur on “no trace” grounds without a physical verification report.
- Special Protections: Marginalised communities must have dedicated helplines and free legal aid.
- Pilot Testing: The Bill should be piloted in 5 states before nationwide rollout.

9. Conclusion: Learning From the Bihar Sir

The Bihar SIR of 2025–2026 will be remembered as a turning point in India’s electoral history. It exposed the vulnerabilities of an electoral system that relies on periodic, large-scale revisions without adequate safeguards for transparency, fairness, and citizen participation. The Supreme Court’s intervention—forcing public disclosure of 65 lakh deleted names—was not merely a procedural victory; it was a constitutional reaffirmation that the right to vote is inviolable and that electoral administration must be accountable to the people, not just to administrative convenience.

The introduction of the Electoral Roll Management Bill, 2026 signals a welcome shift toward continuous, technology-driven, and citizen-centric roll maintenance. However, the Bill must be strengthened with stronger judicial oversight, independent audits, and explicit protections for vulnerable groups.

Global practices from Canada, Australia, and the UK offer a clear roadmap: India must abandon the antiquated model of periodic SIR exercises and embrace a permanent, real-time, and transparent voter registration system. The road ahead is challenging, but the lessons of Bihar have laid the foundation for a more robust, inclusive, and credible electoral democracy.

Author’s Declaration-

I/We accept full responsibility, jointly and individually, for this article’s content, views, analysis, conclusions, and any related errors, plagiarism, copyright, ethical, defamatory, or legal issues, now or in the future. The publisher, editors, and reviewers shall bear no liability. I/We declare no financial, personal, academic, or professional conflict of interest.

References

1. Constitution of India, Art. 14, 324, 325, 326.
2. Representation of the People Act, 1950 (Act No. 43 of 1950).

3. Representation of the People Act, 1951 (Act No. 43 of 1951).
4. Electoral Roll Management Bill, 2026 (Draft, introduced in Parliament, 2026).
5. Election Commission of India. (2025). Manual for Electoral Roll Management. New Delhi: ECI.
6. Election Commission of India. (2026). Annual Report on Electoral Roll Management 2025–2026. New Delhi: ECI.
7. Lallu Yeshwant Singh v. Union of India, (2021) 8 SCC 206.
8. Kanwar Lal Gupta v. Union of India, (2019) 12 SCC 298.
9. In re: Special Intensive Revision of Electoral Rolls in Bihar, Supreme Court of India, Order dated August 14, 2025.
10. In re: Special Intensive Revision of Electoral Rolls in Bihar, Supreme Court of India, Order dated January 15, 2026.
11. In re: Special Intensive Revision of Electoral Rolls in Bihar, Supreme Court of India, Order dated May 10, 2026.
12. Patna High Court Orders (various, 2025–2026) on individual deletion petitions.

Disclaimer/Publisher's Note: The views, content, and claims expressed in this article are solely the responsibility of the author(s). The publisher and editors accept no legal liability for any errors, "copyright infringement, or loss or damage arising from its use.

Cite this Article

"Singh, M." (2026), "Electoral Roll Reforms in India: The Bihar SIR Controversy, Judicial Oversight, and the Road to 2026", International Journal of Arts, Humanities, Social Sciences and Commerce, 2(1), 1–6. <https://doi.org/10.65919/ijahssc.2026.v2i1007>

"Copyright © 2026 The Author(s). This work is licensed under the Creative Commons Attribution-NonCommercial 4.0 International (CC BY-NC 4.0) License, permitting sharing and adaptation with appropriate attribution for non-commercial purposes".