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INTERNATIONAL LAW
JOURNAL

**WHITE BLACK
LEGAL LAW
JOURNAL**
**ISSN: 2581-
8503**

Peer - Reviewed & Refereed Journal

The Law Journal strives to provide a platform for discussion of International as well as National Developments in the Field of Law.

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FROM MANUAL BALLOTS TO BIOMETRIC AUDITS: BALANCING PURITY AND PRIVACY

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ABSTRACT

This research paper critically evaluates the technological metamorphosis of India's electoral machinery, transitioning from the vulnerabilities of manual paper ballots to the sophisticated, data-driven architecture of biometric and digital audits. Grounded in the plenary "superintendence, direction, and control" mandate of Article 324, the study examines how the Election Commission of India (ECI) balances the imperative of electoral "purity"—ensuring a deduplicated and accurate voter base—against the fundamental constitutional right to data privacy.

A central focus is placed on the voluntary integration of Aadhaar biometric data for electoral roll purification, analyzed through the lens of the landmark *2025 Association for Democratic Reforms v. ECI* decision, which judicially calibrated the use of Aadhaar as a proof of residence rather than citizenship. Furthermore, the paper explores the digital audit trail of the EVM-VVPAT infrastructure, highlighting the 2024 Supreme Court directives on sealing Symbol Loading Units (SLU) and providing technical firmware verification to guarantee absolute transparency.

The research also assesses how modern criminal statutes—specifically the Bharatiya Sakshya Adhinyam (BSA)—have revolutionized evidentiary standards by granting electronic and digital records primary admissibility, thereby empowering the ECI to deter digital-era malpractices. Ultimately, the paper concludes that while technological audits are indispensable for a resilient democracy, their legitimacy depends on a "Privacy-First" approach that remains subordinate to constitutional guarantees and prevents systemic disenfranchisement.

Keywords: ECI, Biometric Audits, Aadhaar, VVPAT, Article 324, Data Privacy, Electoral Purity.

1.1 Introduction: The Mandate of Electoral Purity under Article 324

The architecture of Indian democracy relies fundamentally on the integrity, transparency, and efficiency of its electoral process—a monumental administrative and constitutional mandate entrusted exclusively to the Election Commission of India (ECI). The genesis of this authority resides in Article 324 of the Constitution of India, which vests the ECI with the absolute and comprehensive power of "superintendence, direction, and control" over the preparation of electoral rolls and the conduct of all elections to Parliament and the State Legislatures. The framers of the Constitution engineered Article 324 as a broad, encompassing, and inherently dynamic provision, operating on the profound recognition that statutory laws, no matter how meticulously drafted, cannot foresee or preempt every conceivable contingency or crisis that might threaten the purity of an electoral exercise.

The jurisprudential scope of these powers was definitively codified by the Supreme Court of India in the landmark case of *Mohinder Singh Gill v. Chief Election Commissioner (1978)*. In this instance, the Court declared that Article 324 serves as a vast "reservoir of power" for the ECI. It articulated that where the Representation of the People Act, 1951, or the Conduct of Elections Rules, 1961, are silent or provide inadequate statutory guidance to deal with a specific electoral crisis, the ECI is constitutionally empowered and indeed obligated to intervene using its inherent residual powers. This ensures that the democratic process is never left to the "vagaries of political chance" but is instead institutionalized through a system that transforms the sovereign will of the people into legitimate power.

However, this extraordinary constitutional power is not entirely unbridled. The Supreme Court established critical boundaries, clarifying that the ECI can draw upon Article 324 only when no specific law exists governing a particular matter. This signifies that the Commission must always act in strict consonance with existing valid legislation and cannot arbitrarily override statutory rules. For instance, while the ECI may issue directives to ensure neutrality during elections, these must align with existing frameworks like the All India Services Act rather than bypassing them entirely.

In the modern era, the mandate of "electoral purity" has evolved from merely preventing physical booth capturing to maintaining the sanctity of digital data. The ECI's legitimacy relies heavily on its perceived and actual impartiality, functioning as a "Fourth Branch" or guarantor

institution that provides the fundamental infrastructure for the implementation of the democratic right to vote. As political landscapes grow more complex with the infusion of money power and digital disinformation, the ECI's role as the dynamic guardian of the electoral process becomes increasingly critical to safeguarding the resilience of India's democratic mandate.

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- **The Constitution of India, art. 324.**
 - **Mohinder Singh Gill v. Chief Election Commissioner, AIR 1978 SC 851** (establishing the "reservoir of power" doctrine).
 - **The Representation of the People Act, 1951**; see also **The Conduct of Elections Rules, 1961.**
 - **A.C. Jose v. Sivan Pillai, AIR 1984 SC 921** (clarifying that Article 324 cannot be used to override valid parliamentary statutes).
 - **The All India Services Act, 1951**; see also **The Constitution of India, art. 309.**

1.2 The Evolutionary Path: From Traditional Paper Ballots to Digital Sovereignty

The transition of the Indian electoral process from manual paper ballots to a digitally sovereign architecture represents one of the most significant logistical and security upgrades in the history of global democratic exercises. Historically, the integrity of elections was frequently compromised by physical malpractices, most notably "booth capturing," where local strongmen or political operatives would use muscle power to forcibly seize polling stations and stuff ballot boxes with fraudulent papers. This era of manual voting was characterized by high rates of "invalid" or ambiguous votes due to improper marking, a slow and labor-intensive counting process, and an inherent vulnerability to physical tampering that threatened to replace the power of the ballot with the raw power of intimidation.

Logistically, the burden of administering paper-based elections was astronomical, requiring the printing of billions of ballot papers and the transport of massive quantities of physical boxes across the country's diverse and often remote terrain. These challenges necessitated a shift toward a more secure, efficient, and technologically robust system. The Electronic Voting Machine (EVM), designed in collaboration with Bharat Electronics Limited (BEL) and Electronics Corporation of India Limited (ECIL), was specifically engineered to survive these environmental and security rigors. By physically limiting the rate of vote casting—allowing

only a few votes per minute—the EVM made mass ballot stuffing a logistical impossibility, effectively neutralizing the old "muscle power" paradigm.

Furthermore, this evolutionary path was driven by the need for absolute voter confidence through a "verifiable physical trail". The subsequent introduction of the Voter Verifiable Paper Audit Trail (VVPAT) in response to judicial directives ensured that the electronic record was accompanied by a tangible slip for visual verification. This shift from "manual ballot stuffing" to "secure electronic recording" has not only accelerated the counting process but has also provided a flawless paper audit trail, as decisively affirmed by the Supreme Court. Ultimately, this transition signifies a move away from an archaic system plagued by human error and intimidation toward a digitally native framework that ensures the democratic transfer of power is a true reflection of the popular will.

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- **Election Commission of India, "Legal History of EVMs and VVPATs," 654 (Jan. 2024)** (detailing the administrative shift away from paper-based vulnerabilities).
 - **Association for Democratic Reforms v. Election Commission of India, Writ Petition (Civil) No. 434 of 2023**(discussing the "folly" of reverting to paper ballots and the security benefits of the EVM-VVPAT infrastructure).
 - **Subramanian Swamy v. Election Commission of India, (2013) 10 SCC 500** (mandating the introduction of VVPATs to ensure a verifiable physical trail alongside electronic recording).

1.3 The Biometric Frontier: Aadhaar-EPIC Integration and Section 23(4) of the RPA

The contemporary landscape of electoral management in India has been fundamentally reshaped by the introduction of biometric identification technology, specifically the integration of the Aadhaar ecosystem with Electors Photo Identity Cards (EPICs). This legislative shift was primarily driven by the necessity to weed out sophisticated duplicate entries, address frequent migration-related anomalies, and prevent the wrongful inclusion of non-citizens in the electoral rolls. The statutory cornerstone of this integration is Section 23(4) of the Representation of the People Act, 1950, which was introduced through the Election Laws (Amendment) Act, 2021. This provision empowers the Electoral Registration Officer (ERO) to require a person to furnish their Aadhaar number for the purposes of establishing identity and carrying out effective deduplication of the electoral rolls.

However, the "biometric frontier" is defined by a delicate balance between administrative efficiency and constitutional rights. To ensure that this integration does not lead to systemic disenfranchisement, the legislative framework—as interpreted through executive Standard Operating Procedures (SOPs)—emphasizes the "voluntary" nature of the linking process. Under the Registration of Electors Rules, 1960, and specifically via Form 6B, citizens are provided a mechanism to link their Aadhaar numbers with their EPICs. Critically, the ECI has mandated that no existing entry in the electoral roll shall be deleted, and no application for inclusion shall be rejected, solely on the grounds of a citizen's inability or refusal to furnish an Aadhaar number.

This statutory framework ensures that while the ECI utilizes cutting-edge biometric tools to maintain a "pure" and inclusive roll, the foundational right to vote remains protected from procedural obstacles. By situating biometric audits within a voluntary and judicially calibrated structure, the legal system attempts to harmonize the pursuit of a flawless database with the uncompromising requirements of data privacy and democratic participation. The intersection of Section 23(4) with the broader constitutional guarantee of universal adult suffrage thus forms a critical theater for the ongoing evolution of India's digital democracy.

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- **The Representation of the People Act, 1950, s. 23(4)** (inserted via the Election Laws (Amendment) Act, 2021, providing the legal basis for Aadhaar-EPIC linking).
 - **The Registration of Electors Rules, 1960, r. 26B** (specifying the procedure and the use of Form 6B for the voluntary submission of Aadhaar details).
 - **Manual on Electoral Rolls, Election Commission of India 15 (2024)** (clarifying the administrative safeguards that prevent the deletion of voter names due to the non-submission of Aadhaar).

1.4 Judicial Calibration of Privacy: Analyzing the 2025

ADR v. ECI Mandates

The intersection of biometric data collection and electoral rights reached a critical jurisprudential milestone in the September 2025 Supreme Court ruling in *Association for Democratic Reforms v. Election Commission of India*. This case addressed profound concerns regarding the potential for the Aadhaar ecosystem to be utilized as a covert tool for citizenship verification during the Special Intensive Revision (SIR) process. The Court's decision represents a sophisticated "judicial calibration," where the necessity of technological deduplication is balanced against the constitutional right to privacy and the prevention of

systemic disenfranchisement.

The central pillar of the judgment is the strict legal distinction drawn between "Proof of Residence" and "Proof of Citizenship". While the Court affirmed that an Aadhaar card could be legally accepted as the 12th official document for establishing proof of identity under Section 23(4) of the Representation of the People Act, 1950, it issued a definitive caveat. Relying on the foundational tenets of the Aadhaar Act, 2016, the Court categorically stated that Aadhaar is exclusively a testimony of residence and "shall not be accepted as proof of citizenship". This distinction is vital in the Indian constitutional context, as it prevents biometric audits from being weaponized to target specific demographics or act as "non-obvious citizenship exams".

Furthermore, the Court reinforced the "voluntary" character of the Aadhaar-EPIC linking process. By mandating that the non-submission of Aadhaar details cannot serve as grounds for the deletion of a voter's name or the rejection of a registration application, the judiciary ensured that administrative efficiency does not override fundamental franchise rights. This mandate forced the Election Commission of India (ECI) to issue comprehensive Standard Operating Procedures (SOPs) to field authorities, emphasizing that biometric checks are subordinate to constitutional guarantees. Ultimately, the 2025 mandates underscore a "Privacy-First" approach, ensuring that technological integration remains a tool for electoral purity rather than a mechanism for executive overreach.

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- **Association for Democratic Reforms v. Election Commission of India, 2025 SCC OnLine SC 1408** (defining the parameters of Aadhaar usage in electoral roll purification).
 - **The Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016**; see also **The Representation of the People Act, 1950, s. 23(4)**.
 - **Election Commission of India, "Acceptance of Aadhaar as proof of identity during SIR, Bihar," No. 23/2025-ERS/Vol. II (Sept. 9, 2025)** (standardizing the voluntary nature of biometric collection following the judicial directive).

1.5 The Procedural Guardrails: ECI Standard Operating Procedures (SOPs) on Voluntariness

The transformation of statutory mandates into operational reality is governed by the Election Commission of India's (ECI) issuance of detailed Standard Operating Procedures (SOPs), which act as administrative guardrails to protect against systemic disenfranchisement. While

Section 23(4) of the Representation of the People Act, 1950, provides the legal gateway for Aadhaar integration, it is the ECI's internal directives that ensure this process remains an auxiliary "optional verification tool" rather than a mandatory requirement for democratic participation. These instructions are specifically designed to prevent the unintentional exclusion of legitimate voters who may lack biometric documentation or choose not to share it.

The core of these SOPs lies in the strict enforcement of the "voluntary" principle. Following the judicial calibration established in 2025, the ECI mandated that field authorities—specifically Electoral Registration Officers (EROs) and Booth Level Officers (BLOs)—must provide clear and unambiguous communication to every citizen regarding the linking of Aadhaar numbers via Form 6B. The SOPs explicitly state that the non-submission of Aadhaar details shall not result in the rejection of an application for voter inclusion nor serve as a valid ground for the deletion of any existing name from the electoral roll. This administrative insulation is crucial for maintaining the "secular and inclusive" character of the electoral roll, ensuring that identity verification does not morph into a covert test of eligibility.

Furthermore, these administrative instructions establish a "multi-document" identification hierarchy. By recognizing Aadhaar as only one of the 12 official documents acceptable for establishing proof of identity, the SOPs preserve the accessibility of the franchise for marginalized socio-economic groups. This multi-tiered audit system ensures that additions and deletions are executed only after due inquiry and in full public view, with the ECI's Roll Observers tasked with verifying that no voter has been pressured into biometric disclosure. Through these rigorous procedural guardrails, the ECI successfully subordinates technological deduplication to constitutional guarantees, ensuring that the pursuit of a "pure" database does not come at the cost of voter autonomy.

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- **Election Commission of India, "Acceptance of Aadhaar as proof of identity during SIR, Bihar," No. 23/2025-ERS/Vol. II (Sept. 9, 2025)** (standardizing the voluntary nature of biometric collection following judicial directives).
 - **Manual on Electoral Rolls, Election Commission of India 15 (2024)** (clarifying the administrative safeguards that prevent the deletion of voter names due to non-submission of Aadhaar).
 - **Association for Democratic Reforms v. Election Commission of India, 2025 SCC OnLine SC 1408** (mandating that biometric checks remain subordinate to constitutional guarantees to avoid disenfranchisement).

1.6 Hardware Auditing: The EVM-VVPAT Infrastructure and the 100% Audit Trail Debate

The transition from traditional paper ballots to the Electronic Voting Machine (EVM) architecture marks the most significant logistical and security upgrade in the history of Indian democracy. Designed in collaboration with Bharat Electronics Limited (BEL) and Electronics Corporation of India Limited (ECIL), these machines are engineered as self-contained, non-networked units to survive the rigors of the Indian landscape. The technological integrity of the EVM lies in its firmware and its ability to function flawlessly in remote areas without electricity. By physically limiting the rate of vote casting, the EVM architecture effectively rendered mass ballot stuffing—a hallmark of the manual ballot era—a logistical impossibility. To restore absolute voter confidence and provide a tangible mechanism for verification, the ECI introduced the Voter Verifiable Paper Audit Trail (VVPAT). This system acts as an independent printer that allows a voter to visually verify their choice for seven seconds before the slip drops into a secure drop box, creating a verifiable physical trail alongside the electronic tally. This dual-recording system serves as the foundational "hardware audit" that ensures the accuracy of the voting process.

The 100% audit trail debate culminated in the landmark Supreme Court judgment of *Association for Democratic Reforms v. Election Commission of India* in April 2024. The petitioners sought a return to paper ballots or, alternatively, a mandate for 100% manual counting of all VVPAT slips. The Supreme Court decisively rejected these demands, labeling a return to paper ballots as a "folly" that would abandon secure technological advancement for an archaic system historically plagued by booth capturing and human error.

The Court further dismissed the demand for 100% VVPAT counting, noting that the existing protocol—requiring randomized verification of slips from five polling stations per Assembly constituency—provides a robust statistical safeguard. Crucially, the judiciary took on record the ECI's assertion that millions of audited votes have not resulted in a single mismatch to date. By upholding the current architecture, the Court balanced logistical efficiency with the uncompromising necessity of transparency, affirming that the modern EVM-VVPAT infrastructure sufficiently protects the voter's fundamental right to know that their vote was accurately recorded.

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- **Election Commission of India, "Legal History of EVMs and VVPATs," 654 (Jan. 2024).**

- **Subramanian Swamy v. Election Commission of India, (2013) 10 SCC 500** (mandating the introduction of VVPATs to ensure a verifiable physical trail).
- **Association for Democratic Reforms v. Election Commission of India, Writ Petition (Civil) No. 434 of 2023**(rejecting the return to paper ballots and affirming EVM-VVPAT integrity).

1.7 Digital Custody: Sealing Symbol Loading Units (SLU) and Post-Election Redressal

The integrity of the modern electoral audit trail extends beyond the physical ballot to the digital devices used to configure the voting machinery. In its landmark April 2024 directive, the Supreme Court of India fundamentally enhanced the "digital custody" of the election process by mandating strict protocols for **Symbol Loading Units (SLU)**. These are the critical handheld devices used by engineers to load the serial numbers, names, and symbols of candidates into the VVPAT units during the pre-poll preparation phase. To ensure that these devices cannot be tampered with or repurposed to influence the outcome, the Court established a mandatory "unbroken chain of custody".

Specifically, the Court ordered that all SLUs must be officially sealed immediately after the process of loading symbols into the VVPATs is finalized. These sealed units are not to be returned to the manufacturer or stored in general warehouses; instead, they must be deposited in the secure "strongrooms" alongside the Electronic Voting Machines (EVMs). The directive requires that these devices remain under lock and seal for a minimum of **45 days** following the official declaration of the election results. This timeframe aligns with the statutory window for filing an election petition under the Representation of the People Act, 1951, ensuring that the digital source code and configuration data remain available for judicial or technical audit if a candidate challenges the result.

This mandate serves as a critical procedural safeguard against "insider threats" or technical manipulation. By treating the SLU as a "statutory record" of the election, the judiciary has ensured that the digital underpinnings of the VVPAT system are as transparent and auditable as the physical paper slips. This unbroken chain of custody transforms the SLU from a mere administrative tool into a vital piece of evidentiary data, reinforcing the constitutional ethos that the electoral process must be protected against both physical and algorithmic malpractices.

- **Association for Democratic Reforms v. Election Commission of India, Writ Petition (Civil) No. 434 of 2023**(establishing the mandatory sealing and storage of Symbol Loading Units to ensure digital transparency).
- **The Representation of the People Act, 1951** (regarding the 45-day statutory period for filing election petitions and the preservation of electoral records).
- **Election Commission of India, "Legal History of EVMs and VVPATs," 654 (Jan. 2024)** (describing the technical function of SLUs in the VVPAT architecture).

1.8 Transparency through Verification: The Right to Technical Firmware Audit

The apex of hardware auditing in the contemporary Indian electoral system is the newly established right to a technical firmware audit, a remedy born out of the Supreme Court's 2024 intervention to bridge the gap between technological complexity and public trust. This provision specifically addresses concerns regarding the theoretical vulnerability of the microcontrollers—the "brains" of the Electronic Voting Machines (EVMs) and Voter Verifiable Paper Audit Trail (VVPAT) units—to unauthorized programming or external manipulation. By allowing a granular, post-election technical inspection, the judiciary has moved beyond simple tally matching to a rigorous verification of the machine's internal logic. Under this new protocol, candidates who rank second or third in any election are granted the legal standing to formally request a technical verification of the microcontrollers in **5% of the EVMs** per assembly constituency. This request must be filed within a strict window of seven days following the declaration of results. The verification process is conducted by a specialized team of engineers from the original manufacturers, Bharat Electronics Limited (BEL) and Electronics Corporation of India Limited (ECIL), ensuring that the audit is carried out by those with the highest level of technical expertise regarding the hardware's architecture.

To deter frivolous or tactical litigation, the candidate making the request is required to bear the initial expenses of the verification process. However, the law provides a powerful accountability incentive: should the technical audit uncover any evidence of tampering or firmware inconsistency, these expenses are fully refunded to the candidate, and the findings provide immediate grounds for an election petition to nullify the result. This monumental ruling successfully balances the logistical efficiency of high-speed voting with the uncompromising necessity of transparency. It affirms that the voter's fundamental right to know that their vote was accurately recorded—as guaranteed under **Article 19(1)(a)**—is protected not just by a

physical paper trail, but by an auditable digital soul.

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- **Association for Democratic Reforms v. Election Commission of India, Writ Petition (Civil) No. 434 of 2023**(authorizing the technical verification of EVM/VVPAT microcontrollers to enhance electoral transparency).
 - **Election Commission of India, "Legal History of EVMs and VVPATs," 654 (Jan. 2024)** (detailing the manufacturer-led verification process and the role of BEL/ECIL).
 - **The Constitution of India, art. 19(1)(a)** (affirming the voter's right to information as a bedrock of democratic integrity).

1.9 Modernizing Evidence: The Impact of the Bharatiya Sakshya Adhiniyam (BSA) on Electoral Trials

The July 2024 repeal of the colonial-era Indian Evidence Act and its replacement with the Bharatiya Sakshya Adhiniyam (BSA) represents a watershed moment for the adjudication of electoral disputes in the digital age. As modern political campaigns migrate almost entirely to the digital sphere, the Election Commission of India (ECI) has found itself increasingly compelled to combat sophisticated malpractices such as digital bribery, social media manipulation, and the proliferation of AI-generated deepfakes. Under the previous legal regime, proving electronic evidence was a procedurally cumbersome process, often reliant on restrictive certification requirements that hindered the swift prosecution of offenders.

The BSA revolutionizes this evidentiary landscape by expanding the foundational definition of a "document" to explicitly and comprehensively include electronic and digital records. This includes, but is not limited to, server logs, emails, locational data, website content, and smartphone messages. Crucially, Section 61 of the BSA establishes that the admissibility of a digital record as evidence cannot be denied solely on the ground that it exists in an electronic format, thereby placing digital evidence on an absolute par with traditional physical documents. Furthermore, Section 63 of the BSA introduces a transformative shift by stipulating that electronic records produced directly from proper custody, or video recordings stored and transmitted electronically, are now considered "primary evidence". For the ECI, this provides a formidable modern legal weapon. Evidence generated by the Commission's own technological tools—such as the **eVIGIL** application, which captures Model Code of Conduct violations with integrated GIS locational data and timestamps—now possesses streamlined and unassailable evidentiary validity in a court of law. By removing the constant procedural friction

of the past, the BSA ensures that the digital frontier of elections remains strictly regulated and that those who utilize technology to undermine the democratic mandate can be prosecuted with unprecedented speed.

- **The Bharatiya Sakshya Adhiniyam, 2023, s. 2(d)** (expanding the legal definition of "document" to include electronic and digital records).
- **The Bharatiya Sakshya Adhiniyam, 2023, s. 61 & s. 63** (establishing the admissibility and primary status of electronic evidence).
- **Manoj Kumar Sharma, "Investigation and Trial Framework in Bharatiya Nagarik Suraksha Sanhita," BPR&D (2024)** (discussing the modernization of trial procedures in coordination with the new evidence laws).

1.10 Procedural Transparency and Time-Bound Justice:

The Role of the BNSS

The enactment of the Bharatiya Nagarik Suraksha Sanhita (BNSS) in July 2024 has fundamentally revolutionized the procedural framework through which the Election Commission of India (ECI) enforces electoral integrity. By prioritizing digital forensics and procedural transparency, the BNSS addresses the chronic issue of "procedural delays" that historically plagued the prosecution of election-related crimes. The new statute empowers the ECI's enforcement wings—such as Flying Squads and Static Surveillance Teams—by institutionalizing technology as a mandatory component of criminal investigation and adjudication.

A cornerstone of this empowerment is the introduction of stringent mandates regarding the **videography of search and seizure operations**. Under the BNSS, all physical interceptions of illicit cash, liquor, or unauthorized campaign materials must be comprehensively recorded on video. This procedural requirement ensures that evidence collected on the ground is virtually tamper-proof and possesses high judicial credibility. For the ECI, this means that the "muscle power" or local influence often used to contest the validity of a seizure is neutralized by a transparent, digital audit trail that is difficult to challenge in court.

Furthermore, Section 530 of the BNSS introduces a transformative "electronic trial mode," allowing all trials, inquiries, and proceedings to be conducted via **audio-video electronic means**. This shift toward digital adjudication is particularly critical for election petitions, which

are notoriously time-sensitive. By facilitating the remote testimony of witnesses and the electronic presentation of evidence, the BNSS streamlines the legal process, significantly accelerating the delivery of justice. Ultimately, the synergy between the BNSS and the ECI's enforcement machinery ensures that electoral offenses in the digital era are met with swift, transparent, and technologically-backed legal consequences.

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- **The Bharatiya Nagarik Suraksha Sanhita, 2023** (modernizing the procedural framework for criminal investigations and trials).
 - **Manoj Kumar Sharma, "Investigation and Trial Framework in Bharatiya Nagarik Suraksha Sanhita," BPR&D (2024)** (detailing the impact of mandatory videography on the credibility of evidence).
 - **The Bharatiya Nagarik Suraksha Sanhita, 2023, s. 530** (authorizing the conduct of judicial proceedings through electronic modes to ensure time-bound justice).

1.11 Conclusion: Synthesizing Technological Purity with Constitutional Fairness

The Election Commission of India (ECI) functions as the indispensable fulcrum of Indian democracy, navigating a phenomenally complex landscape characterized by massive demographic scale and rapidly evolving digital technology. The central inquiry of this research has been whether the Commission has successfully harmonized its mandate for electoral "purity"—achieved through high-tech audits—with the uncompromising constitutional necessity of voter privacy. Drawing its authority from the plenary powers of Article 324, the ECI has successfully expanded its role from a passive administrative body to a technologically sophisticated guardian of the democratic mandate.

The synthesis of technological purity and constitutional fairness is most visible in the judicially calibrated integration of biometric data. As explored in this study, the voluntary linking of Aadhaar for deduplication purposes ensures a legitimate electorate while strictly adhering to the "Privacy-First" approach established by the Supreme Court. By distinguishing between residence and citizenship, the legal framework prevents biometric audits from becoming exclusionary mechanisms, thereby preserving the inclusive spirit of universal adult suffrage. Similarly, the hardware auditing of the EVM-VVPAT infrastructure, bolstered by the 2024 mandates for sealing Symbol Loading Units and technical firmware verification, provides an unassailable digital and physical audit trail that satisfies the voter's fundamental right to

transparency.

Furthermore, the modernization of India's criminal and evidentiary statutes—specifically the BSA and BNSS—provides the ECI with the legal teeth to deter digital-era malpractices with unprecedented speed and procedural transparency. The seamless admissibility of digital records ensures that the digital frontier of elections remains regulated without compromising the rule of law. Ultimately, the ECI's synergy of constitutional authority and technological integration ensures that the transfer of power in India remains a true, uncorrupted reflection of the popular will. While challenges regarding algorithmic warfare and data sovereignty persist, the current structural and judicial guardrails confirm that India's electoral democracy remains both technologically resilient and constitutionally fair.

Footnotes

1. **The Constitution of India, art. 324** (providing the foundational mandate for superintendence and control).
2. **Association for Democratic Reforms v. Election Commission of India, 2025 SCC OnLine SC 1408** (affirming the "Privacy-First" calibration for biometric integration).
3. **The Bharatiya Sakshya Adhiniyam, 2023, s. 63** (granting primary evidentiary status to digital records to ensure modern electoral integrity).

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- **Representation of the People Act, 1950:** Including references to **Section 23(4)** regarding Aadhaar-EPIC integration.
- **Representation of the People Act, 1951:** Including references to **Section 29A** (Party Registration) and **Section 123** (Corrupt Practices).
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